



**SOUTH CAROLINA'S  
HIGHWAY SAFETY PLAN  
FFY 2018**

**Submitted by the Office of Highway Safety and Justice Programs  
SC Department of Public Safety**

**Updated August 30, 2017**

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## EXECUTIVE SUMMARY

### Organizational Placement and Mission of the Office of Highway Safety and Justice Programs

The South Carolina Department of Public Safety's (SCDPS) Office of Highway Safety and Justice Programs (OHSJP) is responsible for carrying out activities related to the administration of an effective highway safety program. This is accomplished by developing programs and other activities throughout South Carolina. Utilizing evidence-based performance measures and strategies, the impact goal of the OHSJP is to reduce traffic crashes, injuries, and fatalities through various programs that are spearheaded, coordinated, and/or implemented by the OHSJP. The OHSJP's Statistical Analysis and Research Section collects and analyzes crash data to determine progress towards achieving this goal. The OHSJP is recognized internally and externally as a division of the SCDPS that is dedicated to informing the public about highway safety issues through educational and public outreach campaigns; administering federally-funded grants to address highway safety issues; serving as a custodian of statewide collision statistics; and acting as a coordinator of highway safety activities throughout the state. The ultimate mission of the OHSJP is to develop comprehensive strategies aimed at reducing the number and the severity of traffic crashes on the state's streets and highways.

#### Major Functions of OHSJP:

- Serves as the State Highway Safety Office for South Carolina;
- Administers \$5 - \$10 million in highway safety grant funds from our Federal partner, the National Highway Traffic Safety Administration (NHTSA);
- Houses the Statistical Analysis and Research Section for the agency, which conducts statistical research and analysis to determine the specific causes, locations, and other information regarding traffic collisions. This information is used to determine where best to allocate our grant funds and focus our enforcement/educational efforts;
- Coordinates statewide highway safety enforcement and public information and education campaigns (e.g., *Sober or Slammer!* and *Buckle Up, South Carolina. It's the law and it's enforced.*, which correspond respectively to the national *Drive Sober or Get Pulled Over* and *Click it or Ticket* campaigns, and the FY 2018 Southern Shield Campaign). Coordination includes garnering law enforcement support for these campaigns,

conducting statewide press events, producing TV/radio/print ads to support the stepped-up enforcement effort, etc.;

- Supports the SC Law Enforcement Network (SCLLEN) system. The SCLLEN is subdivided into 16 separate networks (based on judicial circuit), each of which meets regularly to share and disseminate traffic safety information, coordinates joint traffic enforcement and media efforts, identifies and provides training for network members, and participates in statewide enforcement mobilization efforts;
- Coordinates, with the assistance of appropriate state and federal partners, the development and implementation, of the SC Strategic Highway Safety Plan.

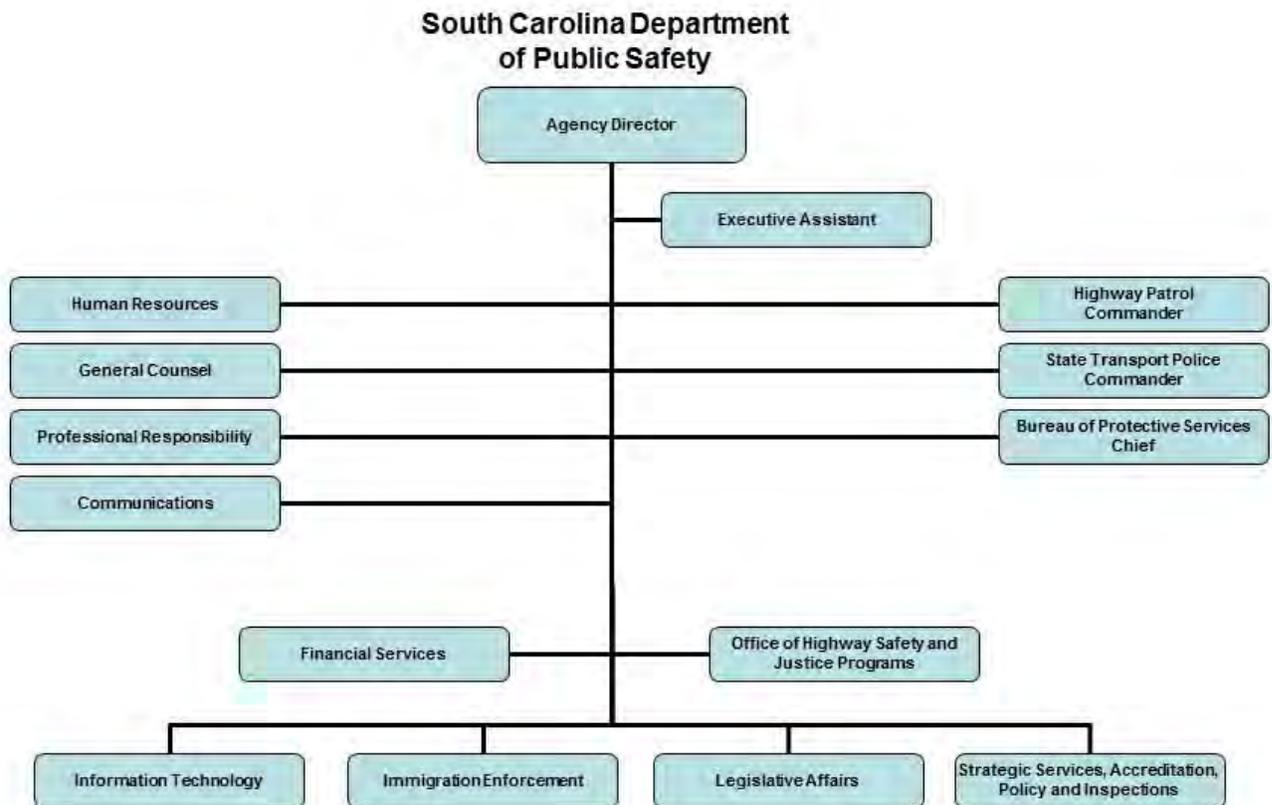
Other Special Projects, Events, and Activities Coordinated by OHSJP:

- Law Enforcement DUI Challenge
- DUI Enforcement Recognition/Law Enforcement DUI Challenge Ceremony
- BAT (Breath Alcohol Testing)-mobile maintenance
- South Carolina Collision and Ticket Tracking System (SCCATTS)
- Drug Recognition Expert (DRE) Training
- Standardized Field Sobriety Test (SFST) Training
- Child Passenger Safety Week (in conjunction with the SC Department of Health and Environmental Control)
- School Zone Safety Week

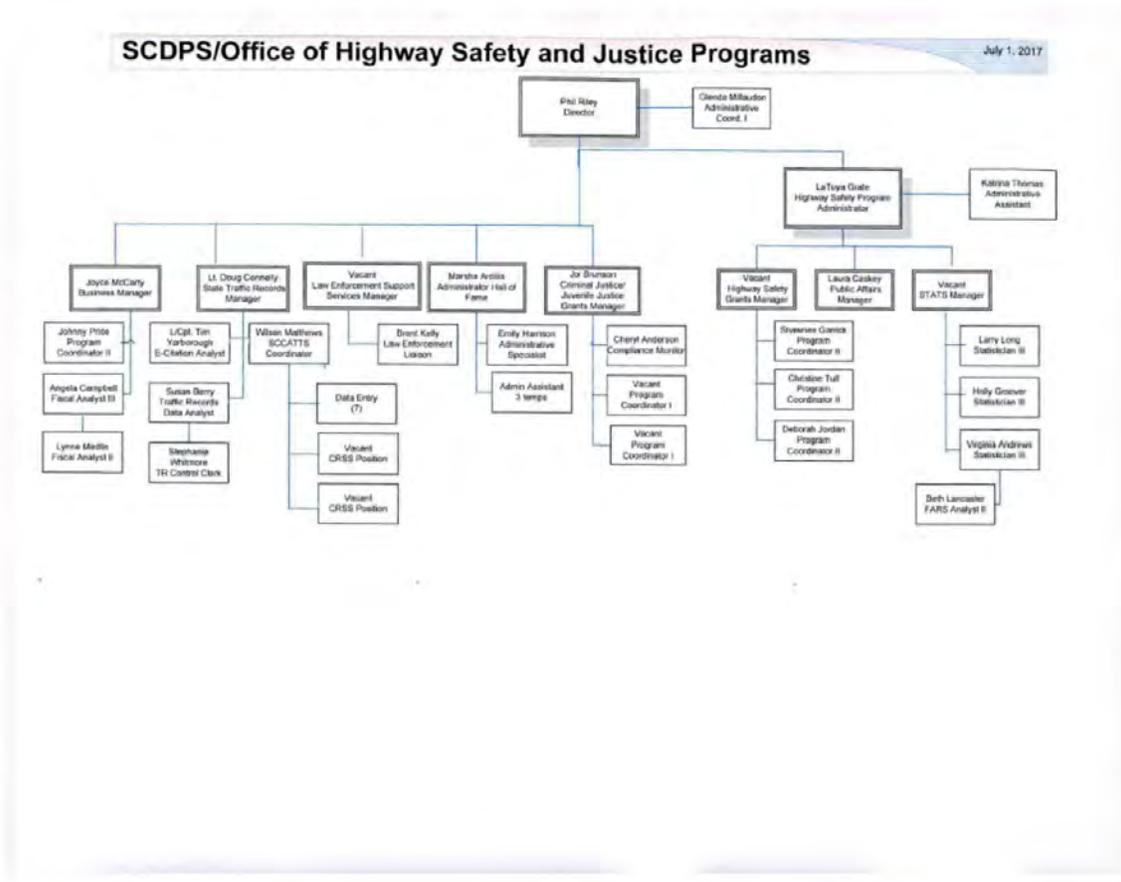
The OHSJP also spearheads three statewide committees that have been established to address major issues in highway safety: the Impaired Driving Prevention Council, the Motorcycle Safety Task Force, and the Traffic Records Coordinating Committee. OHSJP is divided into the following primary sections: **Grants Administration, Statistical Analysis Center for traffic deaths and crime/victim statistics, Public Affairs, Law Enforcement Support Services, Business Management, Criminal Justice Grants Programs, Juvenile Justice Grants Programs, Victims Services Grants Programs, and the SC Law Enforcement Officers Hall of Fame.**

## SCDPS/OHSJP ORGANIZATIONAL CHART

Listed below is a diagram that illustrates the organizational structure of the SC Department of Public Safety. The State Highway Safety Office, located within the Office of Highway Safety and Justice Programs, is a component of the Operations Division. The position of Deputy Director for the Operations Division reports directly to the agency Director, Leroy Smith, who serves as the Governor's Representative for Highway Safety in South Carolina.



Listed below is a diagram that illustrates the organizational structure of the Office of Highway Safety and Justice Programs.



## **FFY 2018 Highway Safety Plan**

The OHSJP produces an annual Highway Safety Plan (HSP, the Plan) which serves as a programmatic roadmap for educational and highway safety enforcement initiatives implemented throughout the fiscal year with Section 402 and 405 funds received from the National Highway Traffic Safety Administration (NHTSA). This HSP outlines the strategic approach South Carolina will take to address traffic-related crashes, injuries, and fatalities during FFY 2018 through data-driven, evidence-based performance measures and practices.

### **Organization of the Plan**

On December 4, 2015, The Fixing America's Surface Transportation (FAST) Act was signed into law. This Act is the first federal law in over a decade to provide long-term funding certainty for surface transportation infrastructure, planning, and investment. The FAST Act authorizes \$305 billion over fiscal years 2016 through 2020 for highway and motor vehicle safety, public transportation, motor carrier safety, hazardous materials safety, rail, research, technology, and statistics programs. The FAST Act maintains a focus on safety, keeps intact the established structure of the various highway-related programs managed, continues efforts to streamline project delivery and, for the first time, provides a dedicated source of federal dollars for freight projects. Overall, the FAST Act largely maintains current program structures and funding shares between highways and transit.

The FAST Act requires the Highway Safety Plan (HSP) to provide for a data-driven traffic safety enforcement program to prevent traffic violations, crashes, and crash fatalities and injuries in areas of the state most at risk for such incidents. As such, The Act continues the various incentive grants for which states may apply under the umbrella of Section 405 funding, and the amendment to Section 402(b), which mandates the coordination of the HSP data collection and information systems with the state's Strategic Highway Safety Plan (SHSP). These incentive grants include Occupant Protection, Impaired Driving, Distracted Driving, Traffic Records, Motorcyclist Safety, and Graduated Driver's Licensing funding areas.

Funding of eligible projects is based on nationally-established priority areas and others which, with additional justification and approval from NHTSA, may be deemed as state-identified "priority areas." Priority areas for Federal FY 2018 include impaired driving countermeasures, police traffic services (speed enforcement), occupant protection, and traffic records (statewide). Other areas eligible for funding in FFY 2018 include vulnerable roadway users (motorcycle safety, pedestrian safety, bicycle safety, and moped safety), and adjudication/prosecution.

The FFY 2018 Highway Safety Plan, as presented, gives basic information about the state, including demographic information and highway-safety-specific statistical information for the state relative to traffic fatalities over a period of time (2011-2015), which represents the most recent available final data from the state level and preliminary final data on the national level. The basic state information will include data on the state's highway safety planning process, as well as the ways in which the state utilized data and performance measures to establish

appropriate goals for traffic safety improvement. The Plan will then present information and data about the key emphasis areas identified as critical in improving highway safety in South Carolina. The Plan also includes Section 405 grant application documents for Impaired Driving Countermeasures, Occupant Protection, State Traffic Safety Information System Improvements, and Motorcycle Safety.

## SOUTH CAROLINA TRAFFIC FATALITY DATA

Highway safety programs have been successful. In 1966, the motor vehicle death rate in South Carolina was 7.7 fatalities per 100 million vehicle miles of travel; in 2015, the rate was 1.89 fatalities per 100 million vehicle miles of travel. The federally-funded State and Community Highway Safety grant program has been a major contributor to that decline. Despite the gains, highway safety remains a significant and costly problem.

Statistical data (**Table 1** below) for calendar year (CY) 2015 shows that 979 people were killed in South Carolina traffic crashes. In the period from 2011 through 2015, the most recent release of data from the Fatality Analysis Reporting System (FARS) indicates that there were approximately 4,262 motor vehicle-related deaths in South Carolina. This resulted in an average of about 852 traffic fatalities per year over the five-year period. Over this period, annual traffic fatalities fluctuated around the five-year average, starting with 828 in 2011 and ending with 979 in 2015. The 2015 count represents a 19.7% increase, when compared to the average of the prior four years (818 fatalities), and an 18.2% increase when compared to the count in 2011. Total deaths increased from 828 in 2011 to 863 in 2012, before decreasing to 768 in 2013, and then rising to 979 at the end of the five-year cycle in 2015.

A comparison of South Carolina data with the national data (**Table 2** on the following page) indicates that South Carolina's *average* VMT-based fatality rate over the five years 2011 to 2015 (1.71 deaths per 100 million VMT) was higher than the five-year average for the nation (1.11). According to the most recent FARS data, South Carolina's traffic death rate per 100,000,000 vehicle miles traveled (VMT) of 1.89 for 2015 is approximately 69% higher than the national VMT rate of 1.12. The VMT rate in South Carolina was unchanged from 2011 through 2015 while the population increased by 4.76% during that period. Thus, the population-based fatality rate increased (12.99%), while the actual total traffic deaths increased (18.2 %), and the VMT-based rate increased (6.14%) from 2011 to 2015.

The state's population-based fatality rate (expressed as the number of deaths per 100,000 population) increased by 15.8% in 2015, as compared to the prior four-year average population-based fatality rate for the years 2011-2014. South Carolina's 2011-2015 average population-based fatality rate (17.83 deaths per 100,000 residents) was greater than the national rate (10.53).

**Table 1. South Carolina Basic Data**

	2011	2012	2013	2014	2015	% Change: 2011 vs. 2015	% Change: 2015 vs. prior 4-yr Avg.
<b>Total Fatalities</b>	828	863	768	824	979	18.24%	19.28%
<b>VMT*</b>	48,731	49,036	48,986	49,931	51,723	6.14%	5.19%
<b>VMT Rate**</b>	1.70	1.76	1.57	1.65	1.89	11.18%	13.17%
<b>Population</b>	4,697,230	4,723,723	4,774,839	4,832,482	4,839,834	4.21%	2.90%
<b>Pop. Rate***</b>	17.72	18.27	16.06	17.05	20.00	12.99%	15.81%

\* Vehicle Miles of Travel (millions)

\*\* Rate per 100 million vehicle miles

\*\*\* Rate per 100,000 population

**Table 2** below shows increases in both the number of nationwide traffic fatalities (6.42%) and in the population-based fatality rate (4.43%) in 2015, when compared to the respective 2011-2014 average. The total 2015 nationwide traffic fatalities increased 8.05% compared to the 2011 total nationwide traffic fatalities. The VMT-based fatality rate for the nation increased by 1.80% in 2015 compared to the VMT-based fatality rate in 2011.

**Table 2. Nationwide Basic Data**

	2011	2012	2013	2014	2015	% Change: 2011 vs. 2015	% Change 2015 vs. prior 4-yr Avg.
<b>Total Fatalities</b>	32,479	33,782	32,894	32,744	35,092	8.05%	6.42%
<b>VMT*</b>	2,950	2,969	2,988	3,026	3,131	6.14%	4.95%
<b>VMT Rate**</b>	1.10	1.14	1.10	1.08	1.12	1.80%	1.39%
<b>Population (thousands)</b>	311,721	314,112	316,497	318,857	321,272	3.06%	1.90%
<b>Pop. Rate***</b>	10.42	10.75	10.39	10.27	10.92	4.83%	4.43%

\* Vehicle Miles of Travel (billions)

\*\* Rate per 100 million vehicle miles

\*\*\* Rate per 100,000 population

As **Table 3** on page 13 demonstrates, South Carolina saw a 23.52% increase in driver fatalities, when comparing 2011 (540) to 2015 (667). Unrestrained occupant fatalities reflect an 18.60% increase when comparing 2011 (258) to 2015 (306). When comparing the 309 impaired driving fatalities in 2011 to the number of impaired driving fatalities in 2015 (301), our state experienced a 2.59% decrease.

Motorcyclist fatalities increased in South Carolina by 42.64% in 2015 as compared to 2011 (from 129 in 2011 to 184 in 2015), and nationally there was a 7.47% increase in 2015 as compared to 2011 (from 4,630 in 2011 to 4,976 in 2015). It should be noted, however, that FARS data includes moped rider fatality statistics in the motorcyclist category, whereas South Carolina state traffic data does not.

Older-driver-involved fatalities increased in South Carolina by 41.82% in 2015 as compared to 2011 (from 110 in 2011 to 156 in 2015).

Also, as shown in **Table 3** on page 13, there were 73 bicyclist fatalities in the five-year period examined in this report, with 16 occurring in 2015, representing an increase of 12.28% when compared to the average of the previous four-year period (14.25), and an increase of 6.67% when compared to 2011 (15). Additionally, there was a 19.94% increase in nationwide bicyclist fatalities when comparing 2011 to 2015 (682 in 2011 to 818 in 2015).

The total number of pedestrian fatalities in the state increased 8.85% when comparing 2011 to 2015 (from 113 in 2011 to 123 in 2015). The number of national pedestrian fatalities increased 20.62% in 2015 (5,376) as compared to 2011 (4,457). **Table 4** on page 14 shows that Charleston

(4.6%) and Columbia (4.1%) were the cities in the state with the highest percentages of pedestrian fatalities during the five-year period.

**Table 3. Fatalities by Type**

	2011	2012	2013	2014	2015	Total 2011 - 2015	% Change: 2015 vs. 2011	% Change: 2015 vs. prior 4-yr Avg.
<b>Total Fatalities†</b>								
South Carolina	828	863	768	824	979	4,261	18.24%	19.32%
U.S.	32,479	33,782	32,894	32,675	35,092	166,991	8.05%	6.42%
<b>Driver Fatalities*</b>								
South Carolina	540	589	535	532	667	2,862	23.52%	21.55%
U.S.	20,815	21,490	20,871	16,454	22,150	106,186	6.41%	5.43%
<b>Passenger Fatalities*</b>								
South Carolina	160	137	112	159	173	720	8.13%	17.89%
U.S.	6,256	6,436	6,111	5,751	6,447	31,001	3.05%	5.03%
<b>Motorcyclist Fatalities</b>								
South Carolina	129	146	149	121	184	729	42.64%	35.05%
U.S.	4,630	4,986	4,692	4,586	4,976	23,878	7.47%	5.30%
<b>Pedestrian Fatalities</b>								
South Carolina	113	123	100	107	123	566	8.85%	11.06%
U.S.	4,457	4,818	4,779	4,884	5,376	24,340	20.62%	13.39%
<b>Bicyclist Fatalities</b>								
South Carolina	15	13	15	14	16	73	6.67%	12.28%
U.S.	682	734	749	726	818	3,712	19.94%	13.06%
<b>Impaired Driving Fatalities</b>								
South Carolina	309	348	340	331	301	1,628	-2.59%	-9.27%
U.S.	9,865	10,336	10,076	9,967	10,265	50,485	4.05%	2.09%
<b>Speeding Fatalities</b>								
South Carolina	278	322	305	305	361	1,573	29.86%	19.14%
U.S.	10,001	10,329	9,613	9,262	9,557	48,762	-4.44%	-2.49%
<b>Unrestrained Occupant Fatalities</b>								
South Carolina	258	313	242	275	306	1,394	18.60%	12.50%
U.S.	10,215	10,370	9,622	9,385	9,874	49,491	-3.34%	-0.31%
<b>Young Driver-Involved Fatalities</b>								
South Carolina	107	126	99	119	121	571	13.08%	7.56%
U.S.	4,726	4,596	4,248	4,250	4,667	22,487	-1.25%	4.76%
<b>Older Driver-Involved Fatalities</b>								
South Carolina	110	118	104	136	156	624	41.82%	33.33%
U.S.	5,636	5,940	6,014	5,709	6,233	29,532	10.59%	7.01%

\* Fatality types cross multiple categories; therefore, some fatalities contribute to multiple categories (rows) in this table.

† Total includes unknown occupant fatalities

**Table 4. Pedestrian Fatalities by Top Cities**

City	2011	2012	2013	2014	2015	Total 2011-2015	
						N	% of State
Charleston	5	3	4	3	11	26	4.6%
Columbia	6	7	4	2	4	23	4.1%
North Charleston	1	1	5	1	3	11	1.9%
Greenville	2	0	3	1	2	8	1.4%
Hilton Head Island	1	2	1	3	1	8	1.4%
Myrtle Beach	1	1	5	0	1	8	1.4%
Florence	0	0	2	2	3	7	1.2%
Sumter	1	1	3	0	1	6	1.1%
Mt. Pleasant	0	1	2	0	2	5	0.9%
Aiken	0	1	2	0	1	4	0.7%
N. Myrtle Beach	1	2	0	1	0	4	0.7%
Rock Hill	0	1	1	0	2	4	0.7%
West Columbia	2	1	0	1	0	4	0.7%
York	0	1	0	1	2	4	0.7%
Anderson	1	0	1	0	1	3	0.5%
Greer	1	2	0	0	0	3	0.5%
Irmo	1	0	2	0	0	3	0.5%

<b>Total Top Cities</b>	<b>23</b>	<b>24</b>	<b>35</b>	<b>15</b>	<b>34</b>	<b>131</b>	<b>23.1%</b>
<b>All Pedestrian Fatalities</b>	<b>113</b>	<b>123</b>	<b>100</b>	<b>107</b>	<b>123</b>	<b>566</b>	<b>100.0%</b>

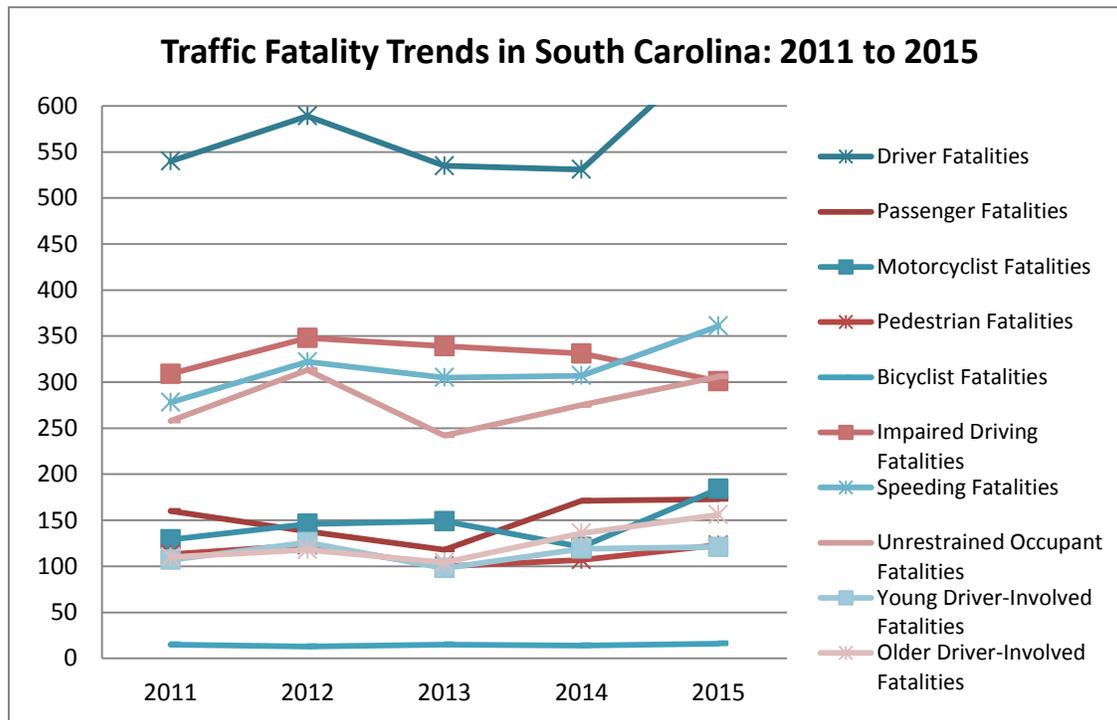
**Major Categories of Traffic Fatalities in South Carolina**

**Figure 1** on the following page demonstrates categories of traffic fatalities in South Carolina from 2011 to 2015.

Driver/Operator fatalities accounted for the majority (67%) of motor vehicle-related fatalities in South Carolina during 2011-2015. This represents about 3.8 times as many deaths as were accounted for by passengers (18%). Driver deaths declined in 2013 and 2014, before increasing in 2015. The 667 driver deaths in 2015 represented 127 more, or 23.52%, than in 2011 (540) and 118 more, or 21.55%, than the average of years 2011 to 2014 (549).

The next three largest categories of traffic fatalities (after driver deaths) from 2011-2015 time period shared some degree of overlapping and were behavior-related. **Alcohol-impaired driving** deaths averaged 326 per year, and accounted for 38% of total deaths; **speed-related** deaths

averaged about 315 per year and accounted for 37%; **unrestrained occupant** deaths averaged about 279 per year and accounted for 33%.



**Figure 1. Traffic Fatality Trends in South Carolina: 2011 to 2015, by Category**

The only decline among the three major behavior-related traffic fatality categories (impaired driving, speeding, and unrestrained vehicle occupant) in South Carolina occurred in the impaired driving traffic fatalities category. Impaired-driving deaths showed a decline (-2.59% in 2015 as compared to 2011; -9.27% comparing 2015 to the average of 2011-2014). Impaired-driving deaths declined regularly from 2013 (-8) to 2014 (-9) and 2015 (-30). Overall, there was a net decline of 8 impaired-driving deaths between 2011 and 2015 (see **Tables 5** [on the following page] and **3** [page 13], as well as **Figures 2** [on the following page] and **3** [page 17] for impaired driving trends). South Carolina’s alcohol-impaired population-based fatality rate followed a similar pattern of decline as the number of fatalities, with the 2015 rate (6.15 deaths per 100,000 population) representing a 12.01% decrease when compared to the 2011-2014 average (6.99) and a 7.03% decrease when compared to the rate in 2011 (6.61). Additionally, alcohol-impaired driving fatalities made up 30.75% of total traffic fatalities in South Carolina in 2015. This is a 17.61% decrease from the 37.32% of impaired driving fatalities to total traffic fatalities in 2011 (see **Table 5** on the following page). It should be noted that the state experienced a rather large increase

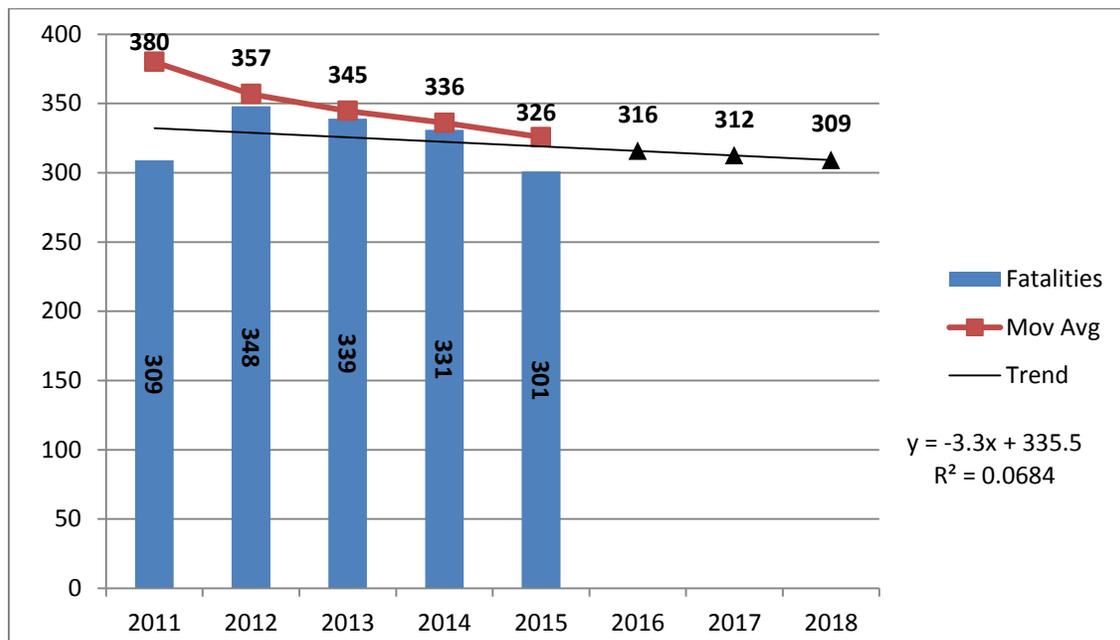
(18.24% from 2011 to 2015) in the total number of traffic fatalities. Finally, the 2015 proportion represents a significant 24.09% decrease compared to an average of the prior four years.

**Table 5. South Carolina Alcohol-Impaired Driving Fatalities**

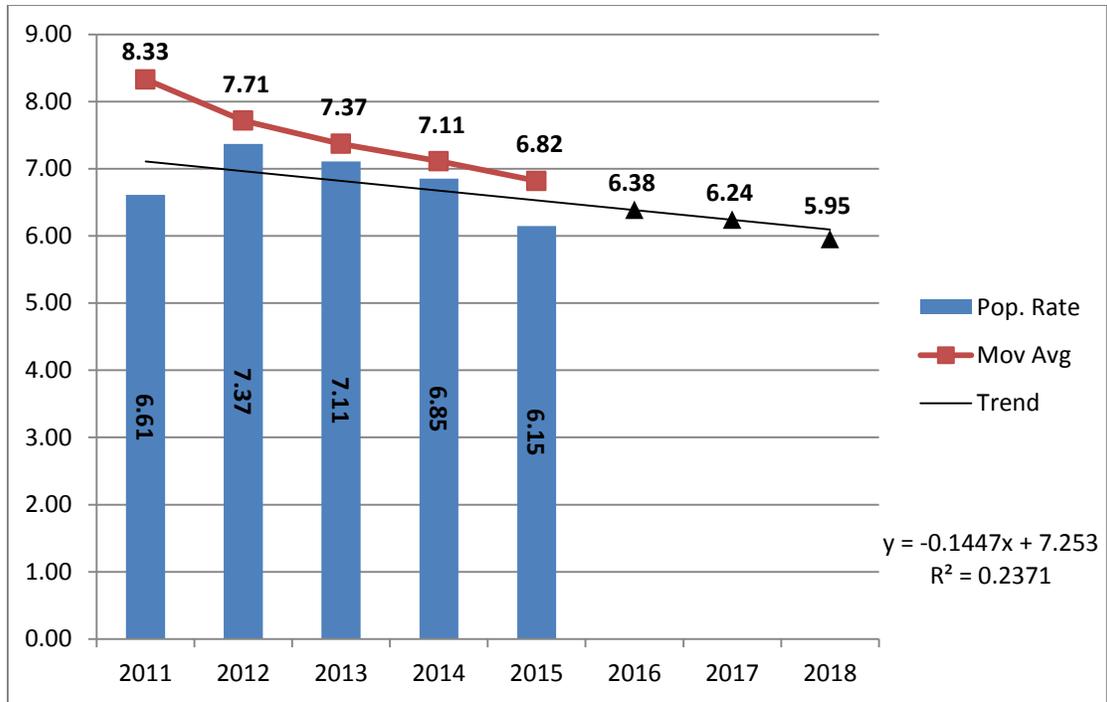
	2011	2012	2013	2014	2015	% Change: 2011 vs. 2015	% Change: 2015 vs. prior 4-yr Avg.
<b>Total Fatalities</b>	309	348	339	331	301	-2.59%	-9.27%
<b>VMT Rate*</b>	0.63	0.71	0.69	0.66	0.58	-8.22%	-13.75%
<b>Pop Rate**</b>	6.61	7.37	7.11	6.85	6.15	-7.03%	-12.01%
<b>Pct. Of Total</b>	37.32%	40.32%	44.14%	40.22%	30.75%	-17.61%	-24.09%

\*Rate per 100 million miles of travel

\*\*Fatality rate per 100,000 population



**Figure 2. South Carolina Alcohol-Impaired Driving Fatalities**



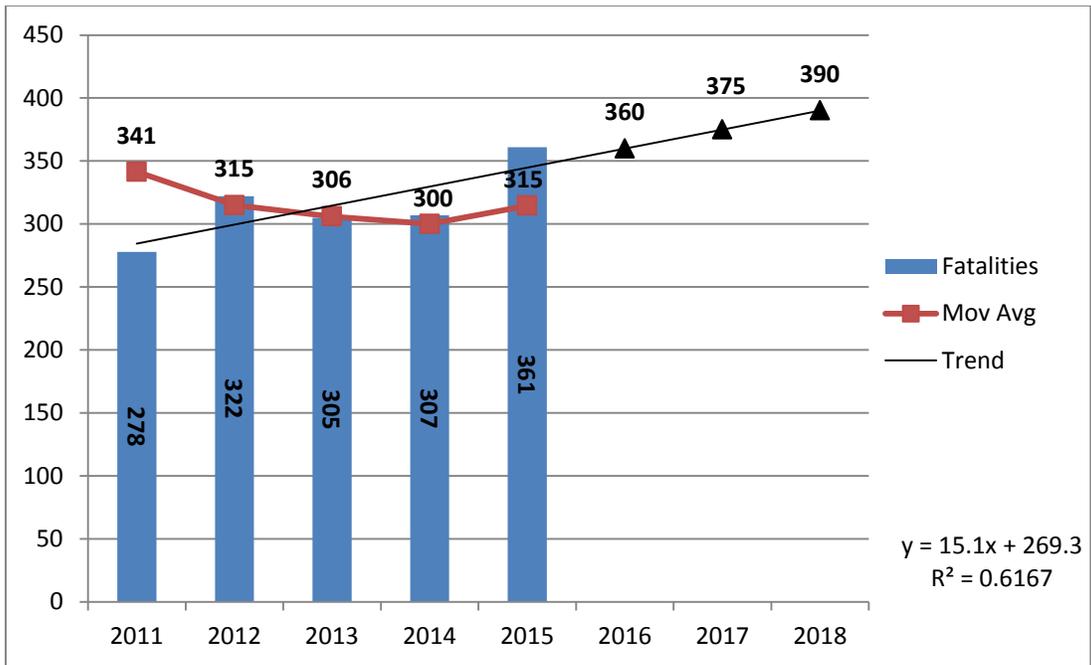
**Figure 3. South Carolina Alcohol-Impaired Driving Fatalities, Population Rate**

There was a significant increase over the 2011-2015 period in the speed-related deaths category as shown in **Table 6** below. The 361 speeding-related fatalities in South Carolina in 2015 represented a substantial increase (19.14%) compared to the average of the prior four years, and an even larger increase (29.86%) when compared to the 2011 total (278). The population-based fatality rate followed a similar pattern as the number of fatalities, with the highest rate in 2015 (7.37) and the lowest rate in 2011 (5.95). South Carolina’s 2015 speeding-related population-based fatality rate (7.37 deaths per 100,000 population) is 15.55% higher than the 2011-2014 average (6.38) and 23.93% higher than the 2011 rate.

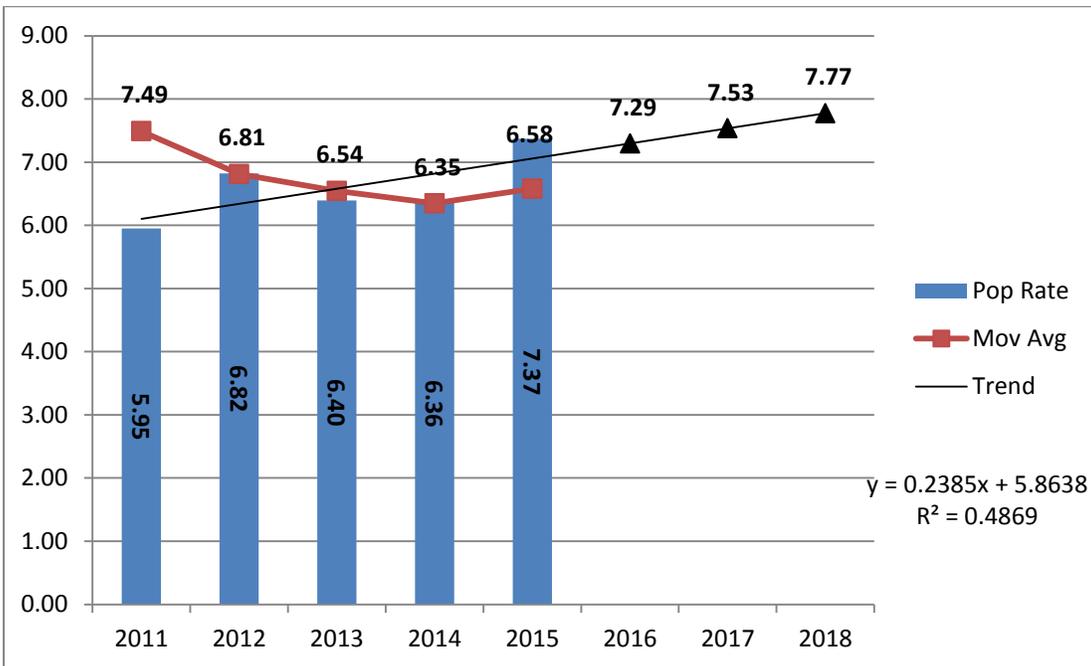
**Table 6. South Carolina Speeding-Related Fatalities**

	2011	2012	2013	2014	2015	% Change: 2011 vs. 2015	% Change: 2015 vs. prior 4-yr Avg.
<b>Fatalities</b>	278	322	305	307	361	29.86%	19.14%
<b>Pop Rate*</b>	5.95	6.82	6.40	6.36	7.37	23.93%	15.55%
<b>Pct. Of Total**</b>	33.57%	37.31%	39.71%	37.30%	36.87%	9.83%	-0.27%

\*Rate per 100 million miles of travel, \*\*\*\*Fatality rate per 100,000 population



**Figure 4. South Carolina Speeding-Related Fatalities**



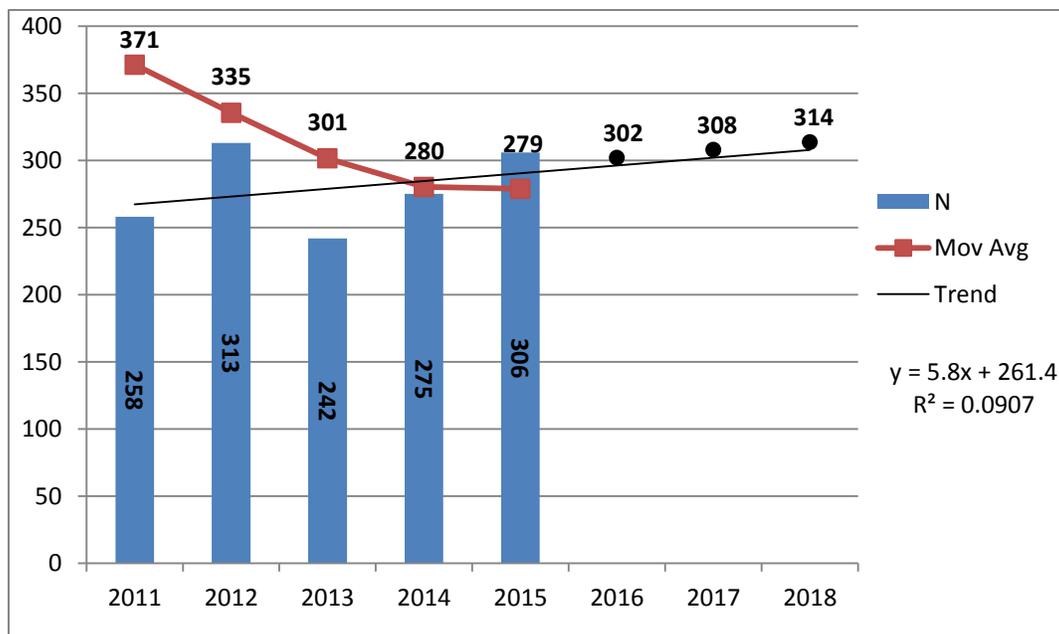
**Figure 5. South Carolina Speeding-Related Fatalities, Population Rate**

Unrestrained occupant fatalities fluctuated over the 2011-2015 period, as seen in **Figure 1** on page 15, (18.60% increase in 2015 as compared to 2011; 12.50% increase relative to the average of the previous four years). The net increase between 2011 and 2015 was 48 unbelted passenger deaths (see **Tables 7** [below] and **3** [page 13], and **Figures 6** [below] and **7** [page 20]). South Carolina’s 2011-2015 population-based unbelted fatality rate (5.83 deaths per 100,000 population) was much higher than the U.S. as a whole (3.20) during the proceeding period (calculated from **Table 2** page 12 and U.S. population from 2011-2015).

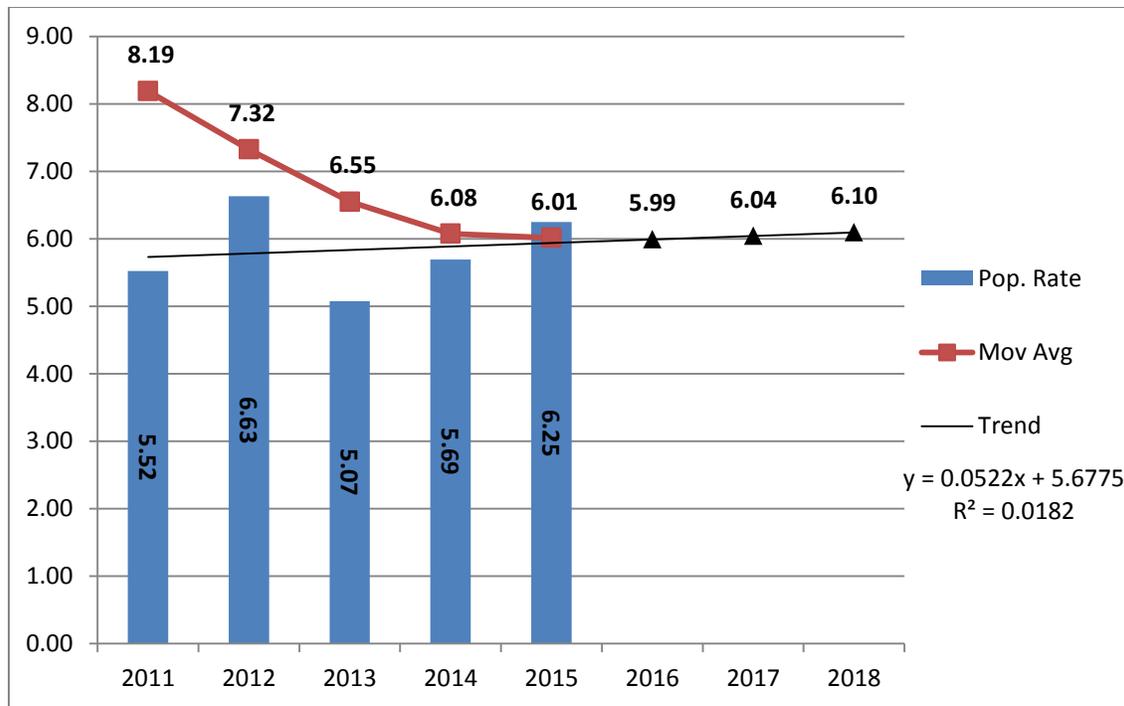
**Table 7. South Carolina Unbelted Passenger Vehicle Occupant Fatalities**

	2011	2012	2013	2014	2015	% Change: 2011 vs. 2015	% Change: 2015 vs. prior 4-yr Avg.
<b>Fatalities</b>	258	313	242	275	306	18.60%	12.50%
<b>Pop Rate*</b>	5.52	6.63	5.07	5.69	6.25	13.19%	9.07%
<b>Pct. Of Total</b>	31.16%	36.27%	31.51%	33.41%	31.26%	0.31%	-5.54%
<b>Observed Belt Use</b>	86.00%	90.50%	91.70%	90.00%	91.60%	6.51%	2.29%

\*Fatality rate per 100,000 population



**Figure 6. South Carolina Unbelted Passenger Vehicle Occupant Fatalities**



**Figure 7. South Carolina Unbelted Passenger Vehicle Occupant Fatalities, Population Rate**

### Mid-range Categories of Traffic Fatalities in South Carolina

Five additional categories were associated with more moderate proportions of traffic deaths, each with 13% to 18% of total fatalities over the five-year period 2011-2015. These categories (and their proportions) were **passenger** fatalities (17.8%, 152 deaths annually); **motorcyclists** (17.1%, 146 deaths annually); **older-driver-involved** fatalities (14.6% of the total and about 125 deaths annually); **young-driver-involved** fatalities (13.4%, 114 deaths annually); and **pedestrians** (13.3%, 113 deaths annually). All five categories increased in total fatalities in 2015, with motorcyclists having the most significant increase from 2011 (129) to 2015 (184). Young driver-involved fatalities experienced the smallest increase as measured against a four-year average (4.76%).

Passenger traffic deaths declined in 2012 and 2013, before increasing in 2014 and again in 2015. The 173 passenger deaths in 2015, were 13 more, or 8.13%, than in 2011 (160) and 26 more, or 17.89%, than the average of the first four years (147).

**Table 8 - South Carolina Passenger Fatalities**

	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>% Change: 2011 vs. 2015</b>	<b>% Change: 2015 vs. prior 4-yr Avg.</b>
<b>Fatalities</b>	160	138	118	171	173	8.13%	17.89%
<b>Pop Rate*</b>	3.42	2.92	2.47	3.54	3.53	3.19%	14.33%
<b>Pct. Of Total**</b>	19.32%	15.99%	15.36%	20.78%	17.67%	-8.55%	-1.08%

\*Rate per 100 million miles of travel

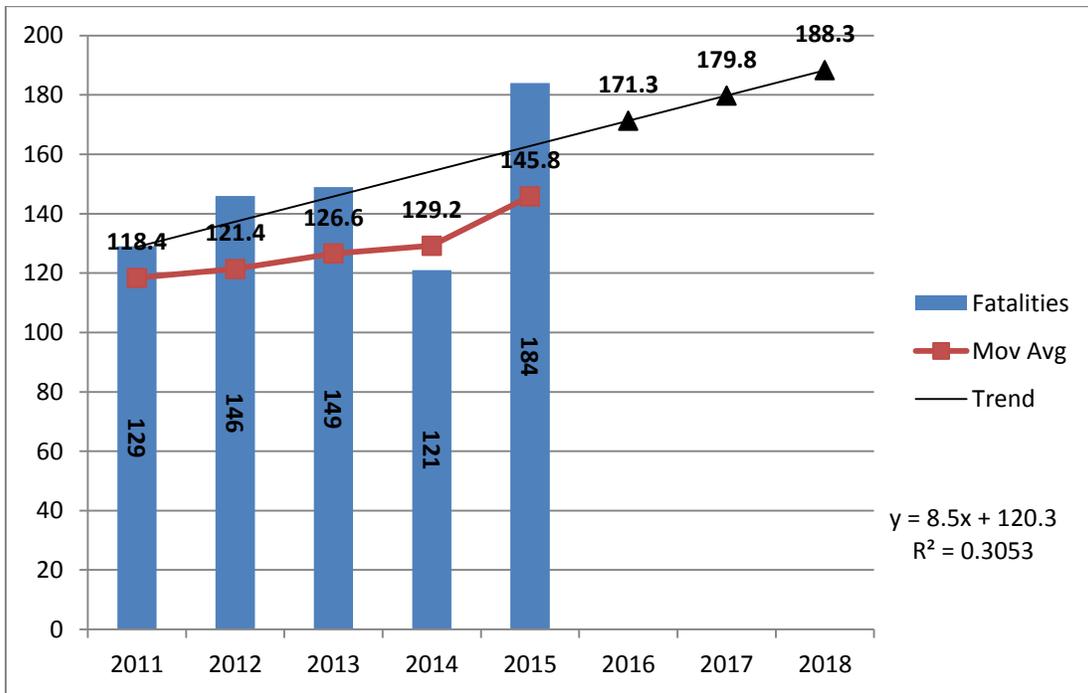
\*\*Fatality rate per 100,000 population

Motorcycle riders and the term “motorcyclist” include both operators and the passengers. **Table 9** on the following page shows that in South Carolina, the number of motorcyclist deaths fluctuated from 2011-2015, reaching an extreme high in 2015. The number of fatalities in 2015 (184) represents a 35.05% increase from the average of the prior four years (136) and a 42.64% increase from 2011 (129). However, it should be noted that the statistical information in these charts includes moped operator deaths, as well as motorcyclist deaths. Traffic statistical data collection in the State of South Carolina distinguishes between these two categories of motorists.

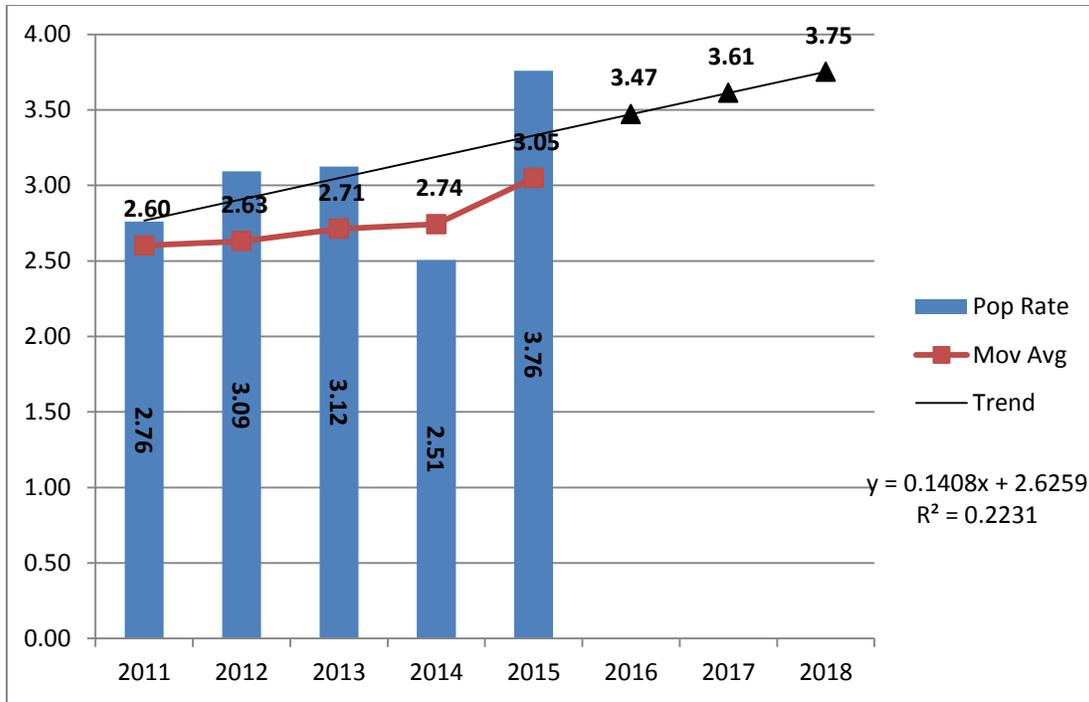
**Table 9. South Carolina Motorcycle Rider Fatalities**

	2011	2012	2013	2014	2015	% Change: 2011 vs. 2015	% Change: 2015 vs. prior 4-yr Avg.
<b>Total Fatalities</b>	129	146	149	121	184	42.64%	35.05%
<b>Pop Rate*</b>	2.76	3.09	3.12	2.51	3.76	36.13%	30.90%
<b>Pct. Of Total</b>	15.58%	16.92%	19.40%	14.70%	18.79%	20.64%	12.88%
<b>Unhelmeted Fat.</b>	100	102	106	96	129	29.00%	27.72%
<b>Pct. Unhelm Fat.</b>	77.52%	69.86%	71.14%	79.34%	70.11%	-9.56%	-5.85%

\* Fatality rate per 100,000 population



**Figure 8. South Carolina Motorcycle Rider Fatalities**



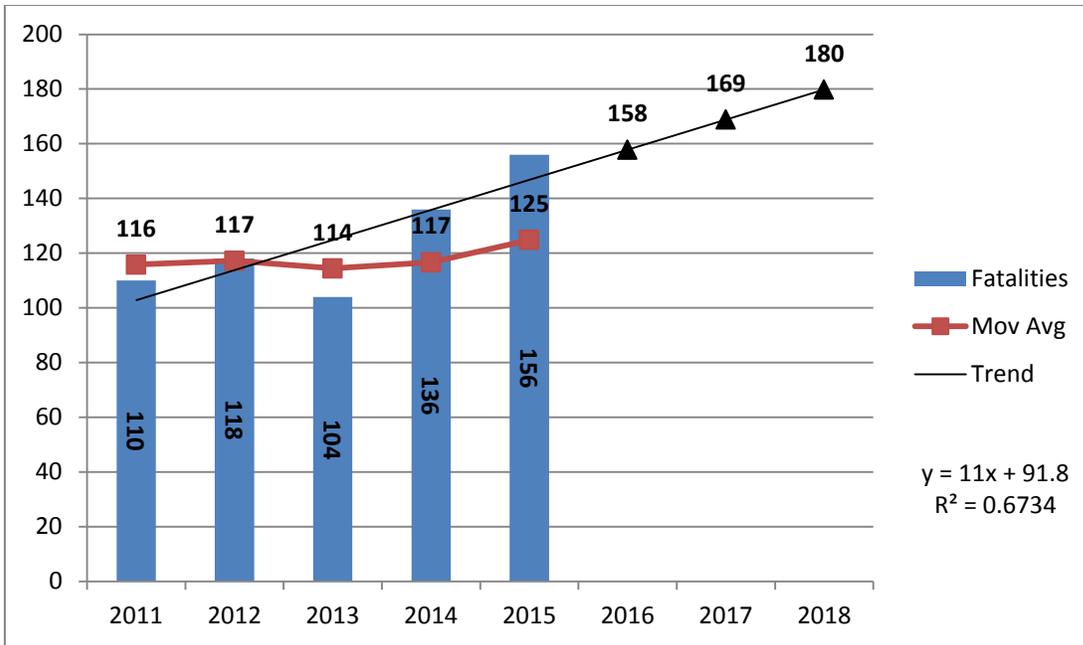
**Figure 9. South Carolina Motorcycle Rider Fatalities, Population Rate**

Another mid-range traffic fatality category that experienced a significant increase in the overall number of deaths from 2011 to 2015 was older driver-involved traffic fatalities. Older-driver-involved traffic deaths were 41.82% higher in 2015 (156) than in 2011 (110) and 33.33% higher than the average of the four years from 2011-2014 (117). (See **Tables 10** [below] and **3** [page 13]; as well as **Figures 10** [below] and **11** [page 24] for older-driver-involved trends).

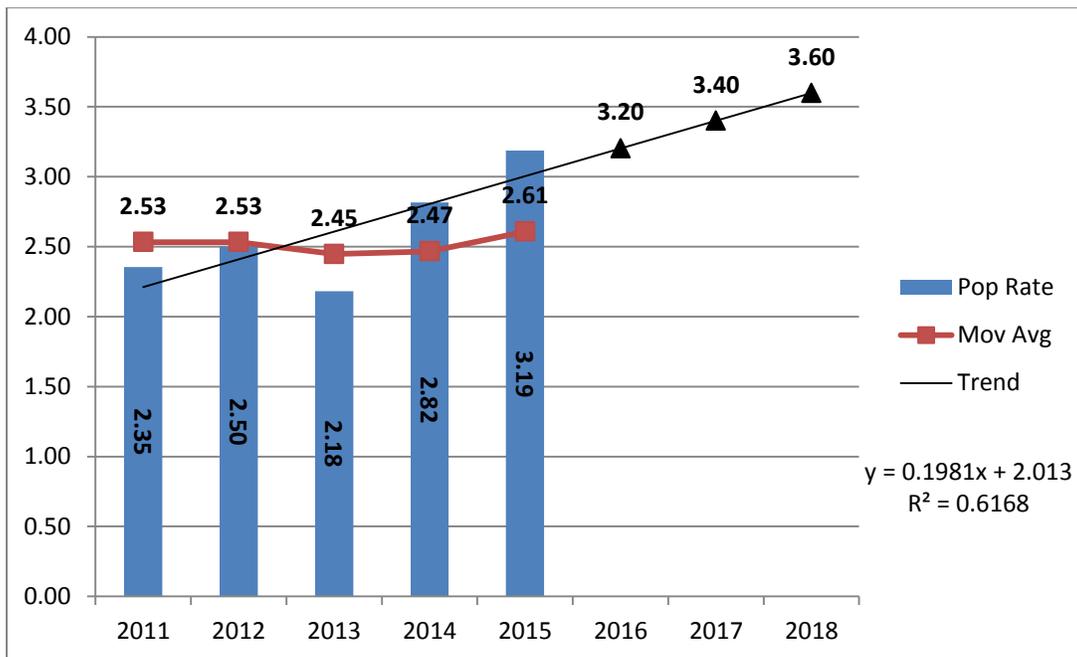
**Table 10. South Carolina Older Driver-Involved Fatalities**

	2011	2012	2013	2014	2015	% Change: 2011 vs. 2015	% Change: 2015 vs. prior 4-yr Avg.
<b>Fatalities</b>	110	118	104	136	156	41.82%	33.33%
<b>Pop Rate*</b>	2.35	2.50	2.18	2.82	3.19	35.35%	29.38%
<b>Pct. Of Total</b>	13.29%	13.67%	13.54%	16.52%	15.93%	19.94%	11.77%

\* Fatality rate per 100,000 population; Older drivers 65 and older; not comparable to charts from previous years



**Figure 10. South Carolina Older Driver-Involved Fatalities**



**Figure 11. South Carolina Older Driver-Involved Fatalities, Population Rate**

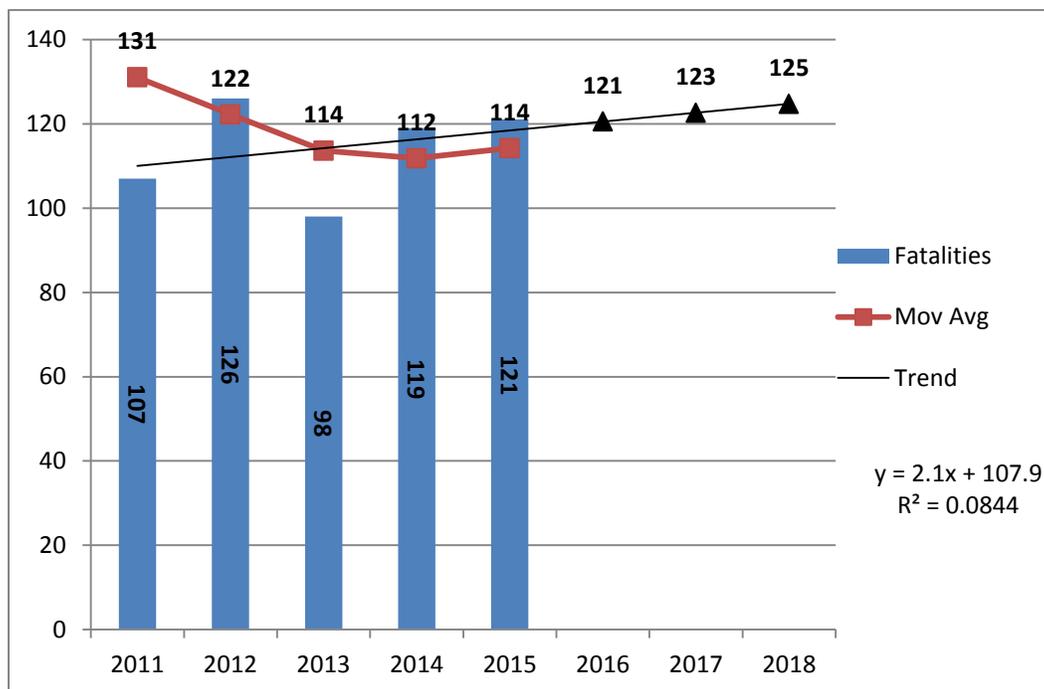
Young-driver involved fatalities fluctuated in the number of deaths from 2011 to 2015. The number of fatalities involving younger drivers in 2015 represented a 7.56% increase compared to the 2011-2014 average (113), and a 13.08% increase compared to the 2011 total (107). In South Carolina, the young driver-involved population-based fatality rate followed a similar pattern as the number of fatalities, with the 2015 rate (2.47 deaths per 100,000 population) representing a 4.30% increase when compared to the prior four-year average (2.37) and a 7.92% increase from the 2011 rate (2.29) (see **Tables 11** [below] and **3** [page 13]; as well as **Figures 12** [page 25] and **13** [page 26] for young driver-involved trends).

**Table 11. South Carolina Young Driver-Involved Fatalities**

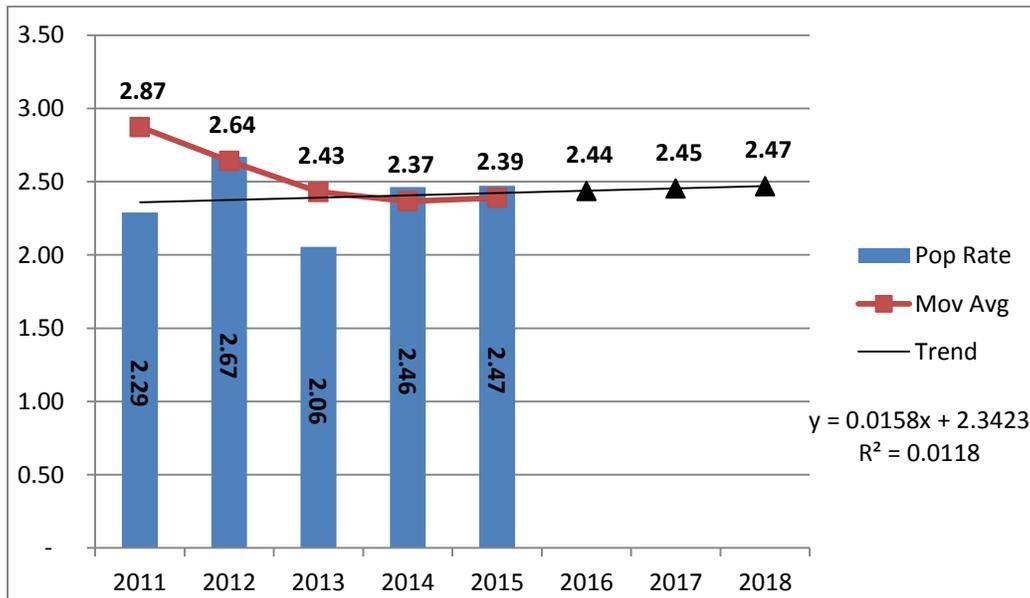
	2011	2012	2013	2014	2015	% Change: 2011 vs. 2015	% Change: 2015 vs. prior 4-yr Avg.
<b>Fatalities</b>	107	126	98	119	121	13.08%	7.56%
<b>Pop Rate*</b>	2.29	2.67	2.06	2.46	2.47	7.92%	4.30%
<b>Pct. Of Total**</b>	12.92%	14.60%	12.76%	14.46%	12.36%	-4.36%	-9.69%

\*Rate per 100 million miles of travel

\*\*Fatality rate per 100,000 population



**Figure 12. South Carolina Young Driver-Involved Fatalities**



**Figure 13. South Carolina Young Driver-Involved Fatalities, Population Rate**

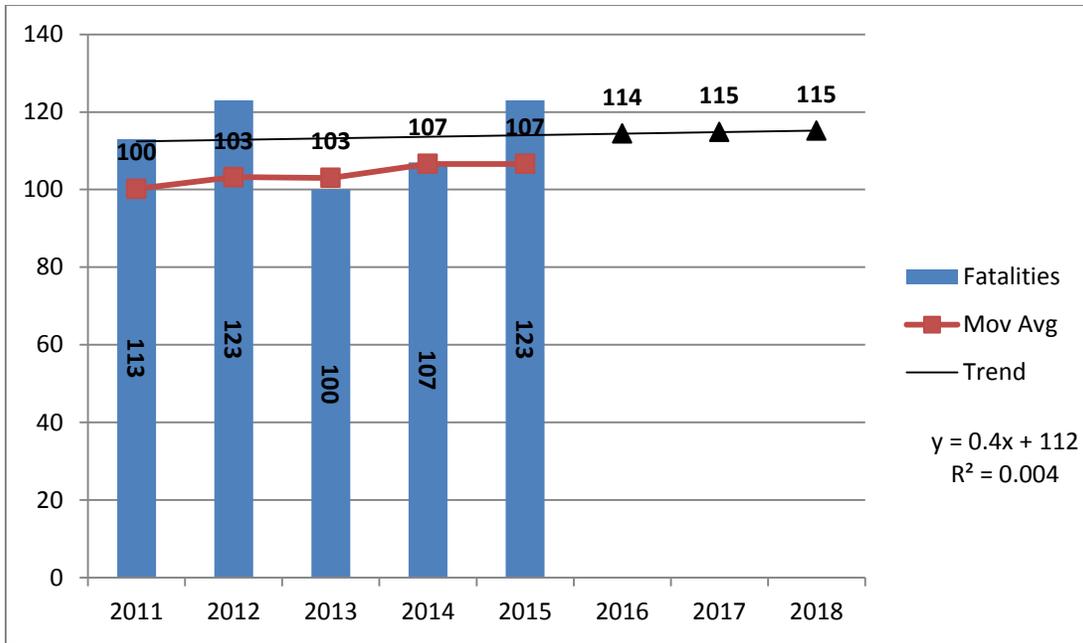
Pedestrian deaths also fluctuated from 2011 through 2015, with 2012 and 2015 reflecting the highest number of pedestrian fatalities with 123 deaths each. Overall, pedestrian deaths increased by 8.85% when comparing 2015 with 2011, and 11.06% when compared with the average of the prior four years. See **Tables 12** [below] and **3** [page 13], as well as **Figures 14** and **15** [page 27] for pedestrian trends.

Throughout the five years shown in **Table 12**, pedestrians accounted for, on average, 13% of all traffic-related deaths in South Carolina. The 2015 percentage of pedestrian fatalities to total traffic fatalities (12.56%) represents a 6.80% decrease in this index when compared to the 2011-2014 average (13.48%), and a 7.94% decrease compared to the 2011 proportion.

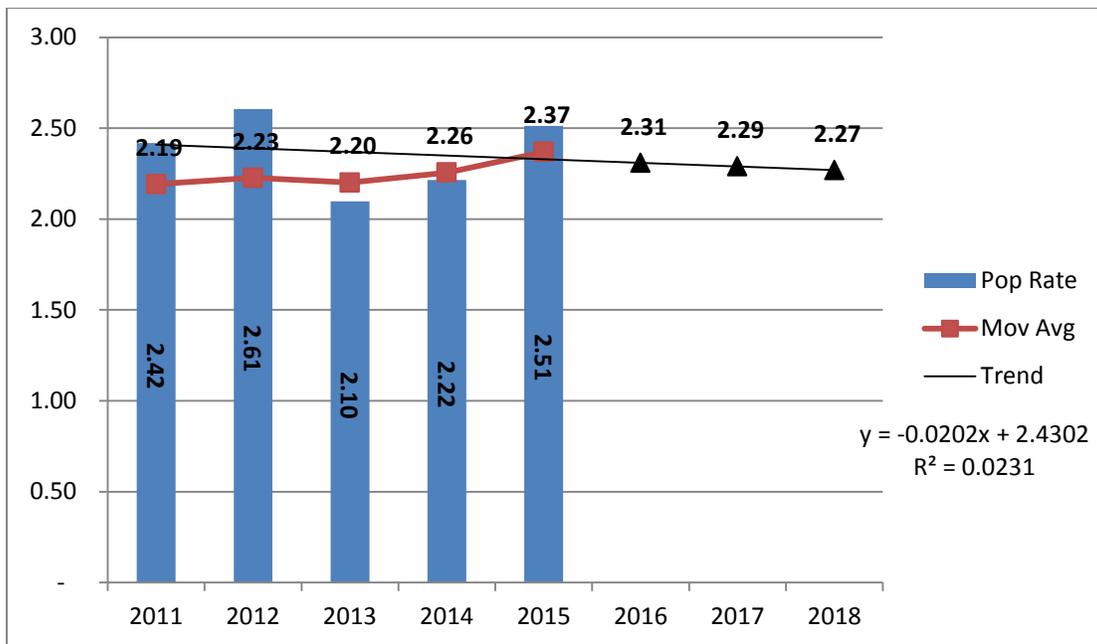
**Table 12. South Carolina Pedestrian Fatalities**

	2011	2012	2013	2014	2015	% Change: 2011 vs. 2015	% Change: 2015 vs. prior 4-yr Avg.
<b>Fatalities</b>	113	123	100	107	123	8.85%	11.06%
<b>Pop Rate*</b>	2.42	2.61	2.10	2.22	2.51	3.88%	7.63%
<b>Pct. Of Total</b>	13.65%	14.25%	13.02%	13.00%	12.56%	-7.94%	-6.80%

\* Fatality rate per 100,000 population



**Figure 14. South Carolina Pedestrian Fatalities**



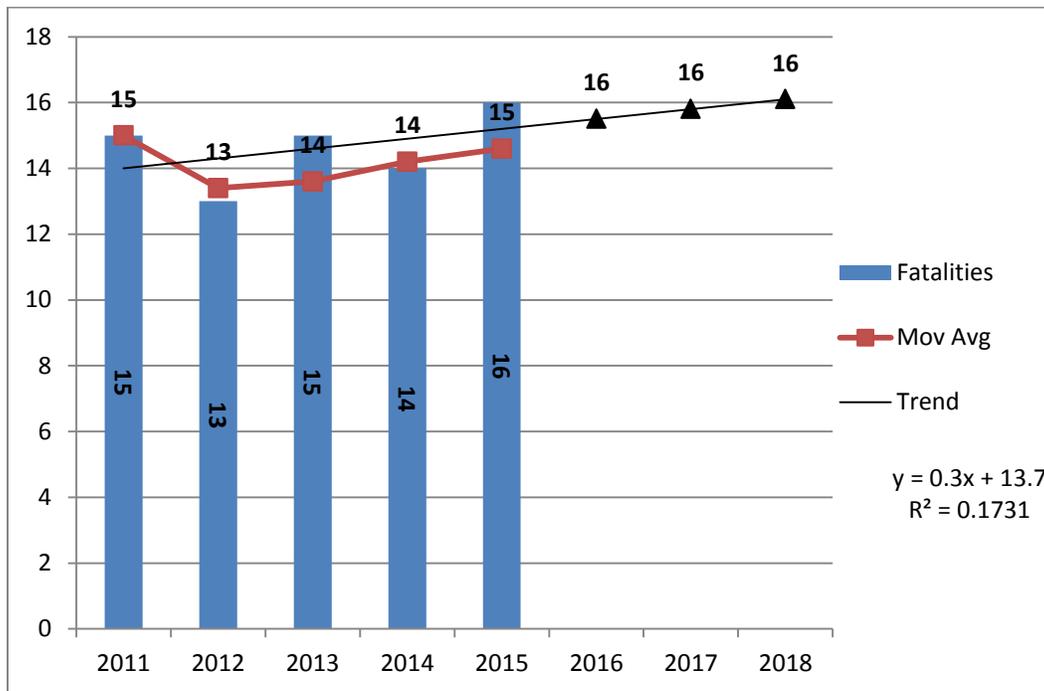
**Figure 15. South Carolina Pedestrian Fatalities, Population Rate**

The smallest category examined in this report was bicyclist deaths, accounting for, on average, 1.72% of all traffic-related fatalities in South Carolina over all five years (about 15 deaths annually). There was no clear pattern of change in bicyclist deaths from 2011 to 2015. The high of 16 deaths in 2015 represents an increase of 12.28% over the prior four year average. (See **Tables 13** [below] and **3** [page 13] and **Figures 16** [below] and **17** [page 19] for trends in bicyclist deaths.)

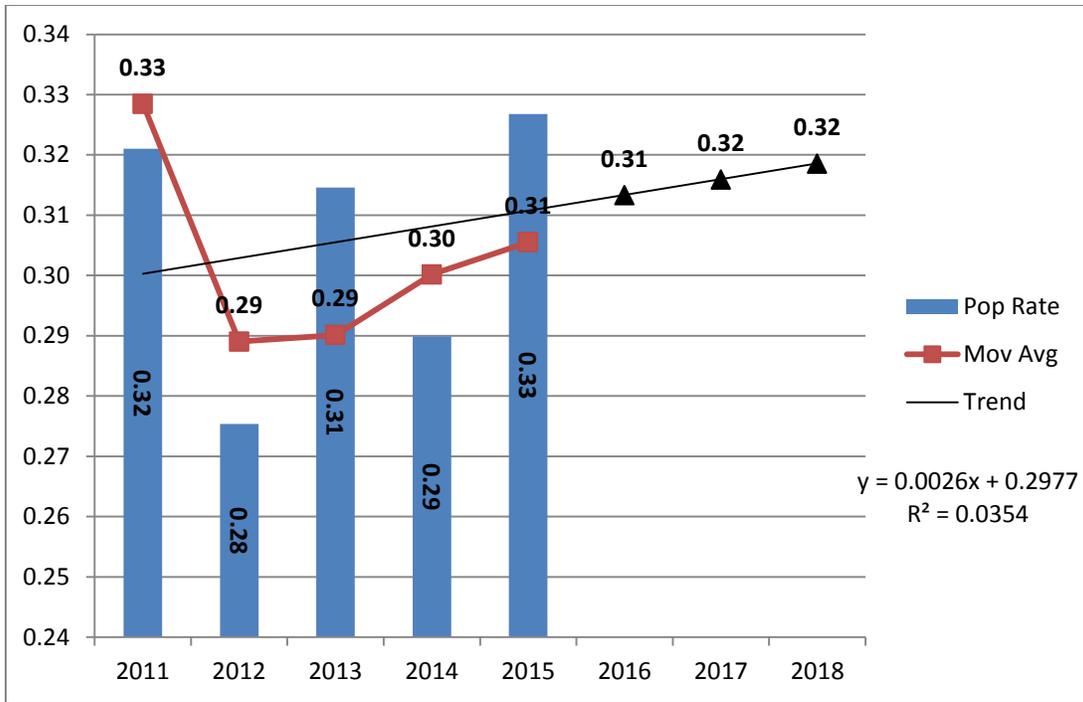
**Table 13. South Carolina Bicyclist Fatalities**

	2011	2012	2013	2014	2015	% Change: 2011 vs. 2015	% Change: 2015 vs. prior 4-yr Avg.
<b>Fatalities</b>	15	13	15	14	16	6.67%	12.28%
<b>Pop Rate*</b>	0.32	0.28	0.31	0.29	0.33	1.80%	8.93%
<b>Pct. Of Total</b>	1.81%	1.51%	1.95%	1.70%	1.63%	-9.79%	-6.24%

\* Fatality rate per 100,000 population



**Figure 16. South Carolina Bicyclist Fatalities**



**Figure 17. South Carolina Bicyclist Fatalities, Population Rate**

### SC Traffic Fatality Summary

Total traffic deaths in South Carolina numbered 828 in 2011, increasing to 863 in 2012, before decreasing to 768 in 2013 (the third lowest number of deaths in the prior 50-year state history). The following year (2014) traffic deaths increased to 823 and totaled 979 deaths in 2015. Overall, there was an increase of 151 deaths in comparing 2011 with 2015. It is not certain what effect changes in the economy or other related factors had on the more unfavorable results of 2015.

The only observed statistical decline from 2011 through 2015 was in impaired-driving deaths (-2.59%). The remaining categories all saw increases. The top five increasing categories in traffic fatalities were: Motorcyclists (42.64%); Older Driver-Involved Fatalities (41.82%); Speeding Fatalities (29.86%); Driver Fatalities (23.52%); and Unrestrained Occupant Fatalities (18.60%).

## **Target Zero Initiative**

The data presented above and the strong commitment of the Governor’s Representative in South Carolina, the Director of the SC Department of Public Safety, has assisted the state in moving toward the adoption of Target Zero as its main goal in terms of traffic-related deaths. Thus, the state has geared its highway safety efforts toward eliminating traffic fatalities rather than merely reducing them. During the last decade, several states have adopted a variety of enforcement and educational strategies with a view toward eliminating traffic fatalities on their respective roadways. This is a radical departure from the traditional goal-setting approaches adopted by states in efforts to simply reduce traffic fatalities. Though obviously not achievable overnight, the goal of zero fatalities is a noble goal and the only legitimate way to look at the issue of highway traffic fatalities in our state. The SC Department of Public Safety (SCDPS), under the leadership of Director Leroy Smith, decided to adopt this strategy as the only legitimate way of continuing to drive down traffic fatalities in our state. During FFY 2018, “Target Zero, A Goal We Can All Live With” will continue to be incorporated into various data-driven performance strategies to move toward eliminating traffic deaths in South Carolina.

In May 2014, the SC Department of Public Safety, with the assistance of its agency contractor, Fisher Communications, developed a six-and-a-half minute video presentation relative to “Target Zero.” The video was modeled after presentations prepared in other states and utilized a person-on-the-street format interviewing citizens at various recognizable venues all over the state and asking them a series of questions, including “How many traffic fatalities were there in the US last year?”; “What are the leading causes of traffic fatalities?”; “What is a reasonable goal for the reduction of traffic fatalities in SC?”; and “What is a reasonable goal for the number of traffic fatalities in your family?” The purpose of the video was to allow people interviewed to slowly come to the realization that the only legitimate goal is zero traffic fatalities, and if this is an appropriate goal for an individual’s family, then it is the appropriate goal for everyone’s family. The video went on to explain the “Target Zero” rationale to those interviewed and asked them how they felt about the rationale. The video concluded with those interviewed looking into the camera and saying, “I support ‘Target Zero’ in South Carolina.” The video was edited into four 60-second spots using the same format and concentrating on specific areas of the state. These spots were aired, once appropriate funding was identified, in these respective areas of the state focusing on the state’s four major media markets. The full video presentation is available on the South Carolina Department of Public Safety’s YouTube page (<https://www.youtube.com/watch?v=re7aXvciMN8&feature=youtu.be>). Additional information about the Target Zero Plan can be found on South Carolina’s Target Zero website (<http://www.sctargetzeroplan.org/>). The Target Zero website went live in July 2015 and serves as a comprehensive resource outlining South Carolina’s Target Zero Safety Plan. The Target Zero Safety Plan contains a detailed roadmap of each highway safety initiative in South Carolina. Additionally, the website contains a link that allows the public to take the Target Zero pledge: promising to always buckle up, drive sober, obey the speed limit, and drive without distractions. Other important aspects of the website include crash data, preventative highway safety measures, ongoing safety campaigns, and important Target Zero news.

## **Priority Areas**

FFY 2018 priority areas for the Highway Safety Plan will focus on the following:

**Impaired Driving Countermeasures:** Enforcement, adjudication, education, and systematic improvements are necessary to reduce impaired driving and drugged driving. This includes programs focusing on youth alcohol traffic safety issues.

**Police Traffic Services/Speed Enforcement:** The development or enhancement of traffic enforcement programs necessary to directly impact traffic crashes, fatalities, and injuries. Speeding programs are a priority; however, these programs should also include attention to DUI enforcement and occupant protection. Priority will be given to projects with integrated enforcement strategies to effectively combat impaired driving and other aggressive driving behaviors, such as speeding. Components of grant proposals may also include efforts to educate and improve the driving skills, attitudes, and behaviors of young drivers, ages 15-24.

**Adjudication/Prosecution:** The development and implementation of programs designed to successfully prosecute, adjudicate, and monitor DUI cases.

**Occupant Protection:** The development and implementation of programs designed to increase usage of safety belts among all age groups and proper usage of child restraints.

## **Other Areas of Funding:**

**Traffic Records (Statewide Emphasis):** The continued development and implementation of programs designed to enhance the collection, analysis, and dissemination of collision, citation, and public contact data, increasing the capability for identifying and alleviating highway safety problems.

### **Other Vulnerable Roadway Users**

**Motorcycle Safety:** The development and implementation of programs to reduce the frequency of involvement of motorcycles in traffic collisions and to reduce the number of motorcycle-related crash injuries and fatalities.

**Pedestrian Safety:** The development, implementation, and evaluation of educational and enforcement programs that will enhance pedestrian safety, thus reducing the occurrence of pedestrian involvement in automobile crashes and the number of pedestrian fatalities occurring as the result of automobile collisions.

**Bicyclist Safety:** The development, implementation, and evaluation of educational and enforcement programs that will enhance bicyclist safety, thus reducing the occurrence of bicyclists' involvement in automobile crashes and the number of bicyclist fatalities occurring as the result of automobile collisions.

**Moped Operator Safety:** The development, implementation, and evaluation of educational and enforcement programs that will enhance moped operator safety, thus reducing the occurrence of moped operator involvement in automobile crashes and the number of moped operator fatalities occurring as the result of automobile collisions.

## HIGHWAY SAFETY PLANNING PROCESS

As defined in the CFR 23 (1300.11), each year the state's Highway Safety Plan must include the planning process utilized by the highway safety office to obtain its source data and the processes used to identify the state's specific highway safety problems. The state must also describe highway safety performance measures, define performance targets, and develop/select evidence-based countermeasure strategies and projects to address traffic safety problems and achieve its performance targets. The state must also define the efforts used to coordinate data collection and information systems with the state's Strategic Highway Safety Plan and the outcomes from this coordination.

The state receives significant input from its Traffic Records Coordinating Committee (TRCC), which is composed of members from the SC Department of Public Safety (SCDPS), the SC Department of Transportation (SCDOT), the SC Department of Motor Vehicles (SCDMV), the SC Judicial Department (SCJD), and the SC Department of Health and Environmental Control (SCDHEC), as well as local law enforcement, in the continuous upgrading of its traffic records and data collection systems. The TRCC annually updates the state's Traffic Records Strategic Plan, which is recommended by the TRCC Working Group and approved by the TRCC Executive Group. Projects contained in the TRSP are also included in this document. The countermeasure strategies identified in this plan are performance-based and were developed with significant input from the Statistical Analysis Center, which is housed within the Office of Highway Safety and Justice Programs (OHSJP), as well as with input from a variety of councils/task forces maintained and/or participated in by the SCDPS.

The OHSJP receives input from its Motorcycle Safety Task Force, which is composed of members from SCDPS, SCDOT, the SC Technical College System, AARP, motorcycle advocacy groups, SCDMV, and state and local law enforcement, in regards to its planned motorcycle safety activities for the upcoming year.

In addition, the OHSJP receives significant input from the SC Impaired Driving Prevention Council (SCIDPC), which is a multi-agency, multi-disciplinary task force, seeking to utilize a variety of approaches in attacking the DUI problem in the state and is made up of representatives from law enforcement, the criminal justice system (prosecution, adjudication, and probation), driver licensing, treatment and rehabilitation, ignition interlock program, data and traffic records, public health, and communication. The OHSJP develops an Impaired Driving Countermeasures Plan (IDCP) annually that is approved by the SCIDPC. Activities and strategies contained in the IDCP are also contained in the HSP. The SCIDPC is composed of representatives from the following agencies (please note primary agency function[s] indicated by each listed agency):

SC Office of the Governor – executive, administration, advisory  
SCDPS – law enforcement, communication, data/traffic records, OHSJP  
SCDOT – data/traffic records  
SCDMV – driver licensing, data/traffic records, ignition interlock device program

SC Department of Corrections (SCDC) – criminal justice  
 SC Dept. of Alcohol and Other Drug Abuse Services (SCDAODAS) –  
 treatment/rehabilitation/prevention, data  
 SC Legislature – administration, legislation  
 SC Department of Insurance (SCDOI) – data  
 SC Commission on Prosecution Coordination (SCCPC) – prosecution  
 SC Solicitors Association (SCSoA) – prosecution  
 SC Dept. of Probation, Parole and Pardon Services (SCDPPPS) – criminal justice, ignition  
 interlock device program  
 SC Criminal Justice Academy (SCCJA) – law enforcement training  
 SC State Law Enforcement Division (SLED) – law enforcement  
 SC Department of Education (SCDOE) – education  
 SC Judicial Department (SCJD) – criminal justice, adjudication  
 SC Attorney General’s Office (SCAGO) – criminal justice  
 SC Sheriffs’ Association (SCSA) – law enforcement  
 SC Law Enforcement Officers’ Association (SCLEOA) – law enforcement  
 SC Summary Court Judges’ Association (SCSCJA) – criminal justice, adjudication  
 SC Campus Law Enforcement Association (SCCLEA) – law enforcement  
 SC Coroners’ Association (SCCA) – public health, criminal justice  
 SC Trucking Association (SCTA) – administration, advisory  
 Behavioral Health Services Association (BHSA) – public health, treatment/rehabilitation  
 SC Victims Assistance Network (SCVAN) – advocacy, victim services  
 SC Mothers Against Drunk Driving (SCMADD) – advocacy, victim services  
 Families of Highway Fatalities (FHF) – advocacy, victim services  
 State Office of Victim Assistance (SOVA) – advocacy, victim assistance  
 American College of Emergency Physicians (ACEP) – public health  
 Primary Care Physician Association (PCPA) – public health  
 American Automobile Association (AAA) – administration, data, advocacy  
 Safety Council of South Carolina (SC Chapter of National Safety Council) – advocacy, data  
 SC Restaurant and Lodging Association (SCRLA) – administration, business/industry  
 Federal Highway Administration (FHWA) – advisory  
 National Highway Traffic Safety Administration (NHTSA) – advisory  
 Federal Motor Carrier Safety Administration (FMCSA) - advisory

### Data Sources and Processes

OHSJP’s Statistical Analysis and Research Section collects and analyzes information concerning traffic collisions on South Carolina’s roadways. OHSJP statisticians perform analysis on traffic data to determine when and where collisions are occurring, the demographics involved in collisions, and the specific causes of collisions. This information is presented to OHSJP staff to be used for the planning and implementation of appropriate countermeasures (e.g., enforcement and education initiatives) and program development efforts to help reduce traffic collisions, injuries, and fatalities. The Statistical Analysis and Research Section also houses a staff who performs data entry services. Specifically, several fields of information from completed traffic

collision reports are input by operators into the Traffic Collision Master File. Responsibilities of this section are far-ranging and encompass programming, consultation, descriptive analysis, inferential statistical analysis, report preparation, etc. The current databases maintained and used for statistical analysis are detailed below:

#### Traffic Collision Master File

Traffic collisions that occur in South Carolina and are investigated by law enforcement agencies are reported to the SCDPS on the Traffic Collision Report Form (TR-310), which is designed and printed by the OHSJP. Data from the TR-310 is either electronically reported or entered by data entry staff into the Traffic Records Master File. Data entered into the Traffic Records Master File are retrieved by OHSJP statisticians and used for performing statistical studies for various users, including law enforcement agencies, governmental units, attorneys, engineers, media representatives, and private users. These studies, conducted upon written request, are primarily descriptive in nature and focus on a specific traffic collision topic ranging from collisions at a specific intersection or section of roadway, to collisions during specific months in selected counties, to rankings of specific intersections in a county or jurisdiction.

#### South Carolina Traffic Fatality Register

The OHSJP maintains the Traffic Fatality Register as an up-to-date preliminary process of counting traffic fatalities. Comparisons with previous years through the same date are required as an ongoing assessment of traffic safety programs. Data for this file are received through the Highway Patrol Communications Office and TR-310s received from all investigative agencies. The Traffic Fatality Register is used on a daily basis to record the latest available information concerning persons who die in traffic collisions in South Carolina, including passengers, pedestrians, bicyclists, etc. Through the Traffic Fatality Register, a report is generated on a daily basis and distributed to highway safety committees and program stakeholders, as well as community and constituent groups. The SCDOT, SLED, SCCJA, NHTSA Region 4 office, and local law enforcement agencies are among the recipients of this critical fatality and seat belt use data distributed through our Statistical Analysis Center.

#### Fatality Analysis Reporting System (FARS)

FARS was established in the 1970s as a uniform system for gathering information on fatal traffic collisions in the United States. The data collected is used by a large number of organizations in government, academia, and private industry to analyze a wide variety of traffic safety issues. FARS collects uniform data from each of the 50 states plus the District of Columbia and Puerto Rico. Participation is required and consists of gathering and transmitting fatal collision information to a central data center in Washington, D.C. Currently, data transmittal is performed in each state by means of a personal computer linked, via telephone lines with modems (MDE System), to the headquarters in Washington.

## SAFETYNET

SAFETYNET is an automated information management system designed to support Federal and State Motor Carrier Safety Programs by allowing monitoring of the safety performance of Interstate and Intrastate commercial motor carriers. OHSJP and the State Transport Police collaborate in maintaining this data. OHSJP uses the crash data from the Traffic Collision Master File to upload information regarding commercial vehicle activity. Data is uploaded weekly to the Motor Carrier Management Information Systems (MCMIS) carrier's profile nationwide.

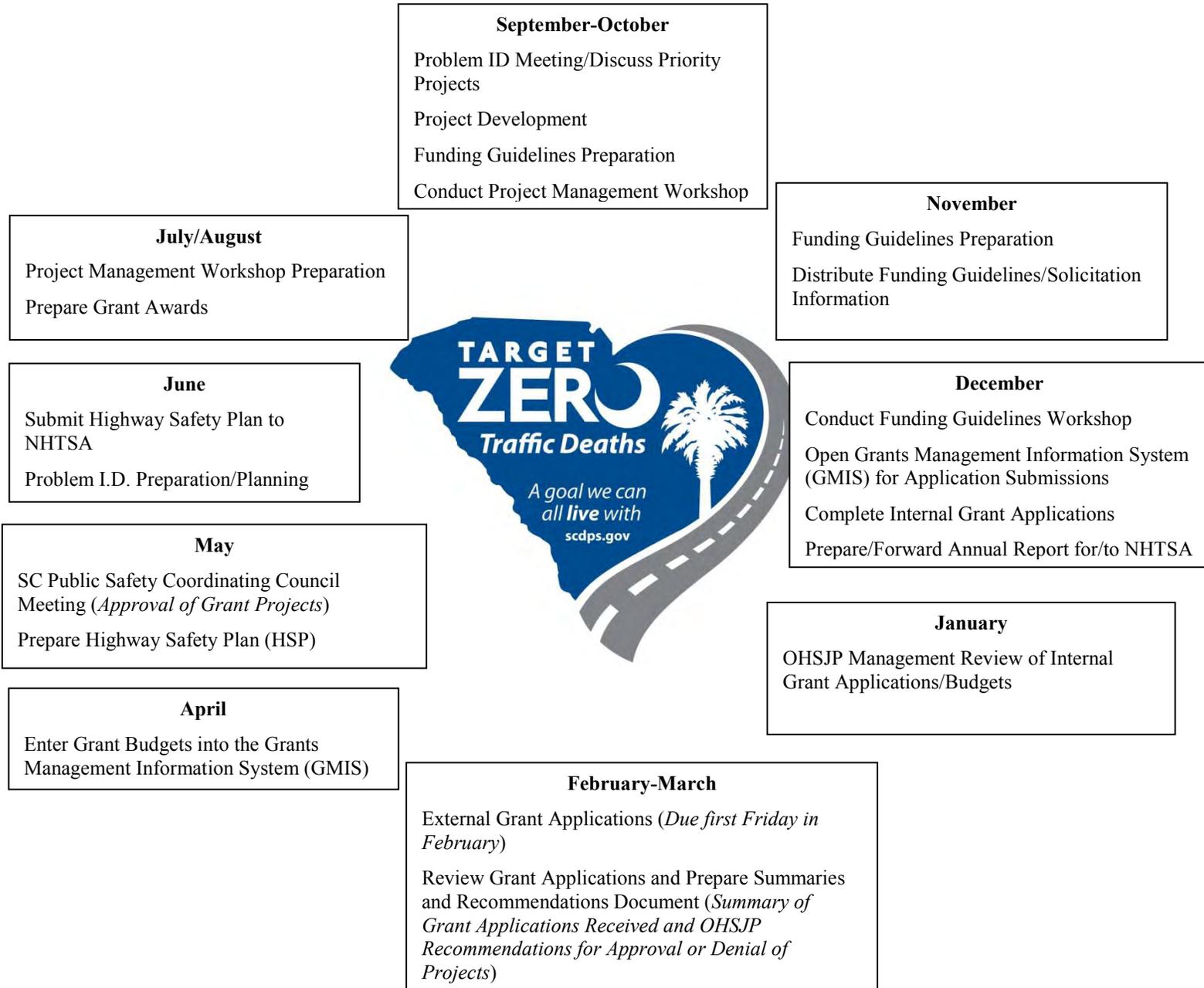
## South Carolina Collision and Ticket Tracking System (SCCATTS)

The South Carolina Collision and Ticket Tracking System (SCCATTS) is a collaborative effort among several SCDPS divisions and various external agencies created to address the shortcomings of a system that predominantly generated and processed traffic collision reports and traffic citations manually. The goal of SCCATTS is to enhance highway safety through the timely collection/analysis of, and response to, pertinent data.

# HIGHWAY SAFETY PLANNING CYCLE

The diagram below illustrates South Carolina’s process cycle for developing the annual HSP.

## Highway Safety Planning Process and Development



# **FFY 2018 PROCESS TO IDENTIFY SOUTH CAROLINA'S HIGHWAY SAFETY PROBLEMS**

## Phase 1

The FFY 2018 Problem Identification process began with a Statewide Statistical Overview conducted by the Statistical Analysis Center housed within the Office of Highway Safety and Justice Programs (OHSJP) to give a picture of the highway safety problems in general in the State of South Carolina. The overview included an identification of problem or priority counties in the state regarding traffic safety issues and concerns and was presented to OHSJP Management staff and Program Coordinators. A general discussion of targeted problem areas and identification of priority areas for funding followed. The analysis utilized evidence-based traffic crash data over a five-year period showing all counties in the State of South Carolina in six statistical categories regarding fatal and severe-injury crashes (number DUI-related, percentage DUI-related, number speed-related, percentage speed-related, number alcohol- and/or speed-related, and percentage alcohol- and/or speed-related). Additional data was provided in terms of occupant protection statistics, such as statewide safety belt use, child passenger safety seat use, and unbelted occupant traffic fatalities. Information was also provided regarding traffic statistics for vulnerable roadway users (motorcyclists, moped riders, pedestrians, and bicyclists). Priority areas for highway safety initiatives for FFY 2018 were tentatively adopted as Impaired Driving Countermeasures; Occupant Protection; and Police Traffic Services/Speed Enforcement. Other priority areas for consideration involved education/outreach.

## Phase 2

OHSJP management staff met on several occasions to determine funding priorities (programmatic and geographic) and develop a plan for project development for FFY 2018. During these meetings, OHSJP staff identified areas of the state where highway safety problems exist that are void of grant-funded projects or other efforts to reduce crashes and fatalities. The project development plan included, based on an estimate of federal funds being available in FFY 2018, soliciting quality grant applications from entities in those geographic areas where the greatest highway safety problems exist and for the type of projects that are likely to have the most impact.

It was the consensus of the OHSJP staff, based on the meetings outlined above and the review of evidence-based statewide statistical data and project development ideas and efforts, that certain types of projects were strategic to achieving the proposed performance measures by reducing the state's mileage death rate and the number of injury crashes. While project applications were considered from all nationally and state-identified program areas, the group recommended that projects considered strategic and evidence-based in reducing the number of traffic injuries and deaths on South Carolina's streets and highways be given priority consideration.

## **SOUTH CAROLINA PERFORMANCE MEASURES**

Listed in **Table 14** on page 41 are South Carolina’s Highway Safety Performance Measures which are consistent with the performance measures developed by USDOT in collaboration with the Governor’s Highway Safety Association (GHSA). The Table contains data points used to determine appropriate targets for success outlined in the Plan document. Data-driven targets for each performance measure have been established and placed in the appropriate corresponding program area within the HSP document. These performance targets will allow the OHSJP to track the state’s progress toward meeting each target from a specific baseline.

### Justification for Performance Targets

A description of the traffic safety performance measures, corresponding goals with established performance targets, justification for the targets, and grant projects selected for South Carolina’s FFY 2018 Highway Safety Plan are individually referenced by program area throughout this document. Grant projects identified for funding in this plan will be implemented through local and statewide traffic safety enforcement programs that are proven to be effective in preventing traffic violations, crashes, injuries, and fatalities in areas of South Carolina most at risk for such incidents.

## **PROCESS FOR SETTING TARGETS IN THE HSP**

When setting targets in the HSP for the core performance measures, the statisticians of the SC Statistical Analysis and Research Section performed an extensive analysis of the data related to each measure. South Carolina utilized an eight -data-point graphical analysis with a five-year rolling average for all but one of the performance measures. The exception was the seatbelt use rate performance measure, which utilizes a year-to-year analysis. For all the measures, after the data points were plotted and the graphs were created, a trend line was added that could be used to predict future values. The trend lines were based on linear and non-linear equations with R-squared (best fit measure) values, and 2015 state preliminary data. Additionally, statisticians explored the feasibility of the five-year predicted trend, determining whether or not the predicted values were achievable.

The statisticians then performed additional data analyses, often examining the data on an annual basis to determine the percent change from year to year. If, for example, the five-year moving average displayed a general downward trend for the total number of fatalities, but an examination of the fatality count by year revealed a significant increase in fatalities from 2013 to 2014 and 2014 to 2015, the target value from the trend line equation may have proven unfeasible. When this occurred, the statisticians, after consultation with other OHSJP staff, would adjust the target value based on additional data analyses and examination of Highway Safety projects, proposed countermeasures, and other factors unique to South Carolina which could impact the possibility of reaching a lofty target based solely on trend line data. Unique

factors examined included vehicle miles traveled, population changes, economic impact, legislative roadblocks, cultural dynamics, and policy issues. South Carolina used a variety of models as part of its trend analyses. Graphical models such as linear, logarithmic, and polynomial were used to determine a best fit, often depending on the normality of data for each performance measure. For example, a linear trend for the total number of fatalities may not have been the best fit due to the large and often unpredictable fluctuation in this figure from year to year.

#### Performance Targets (Annual Goals)

Annual Goals are individually listed and referenced by program area throughout the Highway Safety Plan.

**Table 14. South Carolina Highway Safety Plan Performance Measures and Goals**

**South Carolina Highway Safety Plan Performance Measures and Goals**

NHTSA/FHWA Common Core Measures		2005-2009	2006-2010	2007-2011	2008-2012	2009-2013	2010-2014	2011-2015	2014-2018 Goal	Percent Change
C-1	Traffic Fatalities	1,006	949	906	863	832	818	852	970	13.8%
C-2	Serious Injuries	3,860	3,722	3,556	3,415	3,366	3,314	3,241	3,067	-5.4%
C-3	Fatalities/VMT	2.01	1.90	1.83	1.76	1.70	1.67	1.71	1.81	5.8%
NHTSA Core Measures		2005-2009	2006-2010	2007-2011	2008-2012	2009-2013	2010-2014	2011-2015	2018 Goal	
C-3R	Fatalities/VMT - Rural	3.73	3.46	3.32	3.20	3.00	2.78	2.85	2.47	-13.3%
C-3U	Fatalities/VMT - Urban	0.34	0.40	0.39	0.40	0.48	0.66	0.70	0.69	-1.4%
C-4	Unrestrained Passenger Vehicle Occupants	458	411	371	335	301	280	279	278	-0.4%
C-5	Alcohol Impaired Driving Fatalities	419	402	380	357	345	336	326	317	-2.8%
C-6	Speed Related Fatalities	408	370	341	315	306	300	315	314	-0.3%
C-7	MC Fatalities	116	115	118	121	127	129	146	145	-0.7%
C-8	Unhelmeted MC Fatalities	86	85	89	90	93	96	106	105	-0.9%
C-9	Driver Age 20 or Younger Inv in Fatal Crashes	154	142	131	122	114	112	114	113	-0.9%
C-10	Pedestrian Fatalities	105	103	100	103	103	107	113	112	-0.9%

**Additional State Measures**

C-11	Bicyclist Fatalities	16	15	15	13	14	14	15	14	-6.7%
C-12	Moped Fatalities	11	13	17	22	25	28	32	31	-3.1%

A-1	Number Seatbelt Citations*	Unavail.	151,290	195,240	238,775	239,429	231,485	214,720	no goal required
A-2	Number Impaired Driving Arrests*	Unavail.	15,243	19,681	24,357	25,137	24,906	23,902	no goal required
A-3	Number Speeding Citations*	Unavail.	297,964	359,867	434,068	427,708	411,676	400,246	no goal required

\* During grant-funded enforcement activities

Annual Tracking		2010	2011	2012	2013	2014	2015	2016	2018 Goal
B-1	Observed Seatbelt Use	85.4%	86.0%	90.5%	91.7%	90.0%	91.6%	93.9%	94.0%

# PROCESS FOR DEVELOPING AND SELECTING EVIDENCE-BASED COUNTERMEASURES AND PROJECTS

## Development of the Funding Guidelines

With the completion of the Problem Identification process, staff developed the *2018 Highway Safety Funding Guidelines*. This document set guidelines for the submission of grant applications for highway safety funding in accordance with the priorities established through the problem identification process and basic federal requirements of the Section 402 program. Under the new performance-based process, the guidelines stipulated that "Applicants who do not demonstrate a traffic safety problem/need will not be considered for funding." In order to place funding where the problems exist, the Guidelines further specified that "Priority consideration will be given to applicants proposing major alcohol countermeasures, occupant protection, speed enforcement, and education/outreach projects within the counties identified previously as having the highest numbers and percentages of alcohol and/or speed-related traffic collisions, deaths, and injuries during the last three years." The guidelines (1) described the highway safety problems identified by OHSJP staff; (2) discussed the types of projects desired and for which priority would be given based on the problem identification process; (3) described allowable and unallowable activities/program costs; (4) discussed the areas eligible for funding; (5) provided the criteria by which applications would be reviewed and evaluated; (6) gave a checklist for completion of the grant application; (7) discussed the responsibilities of funded applicants; and (8) gave specific requirements for various types of applications submitted under the various program areas.

## Solicitation Process

Once the guidelines were completed, a flyer containing the grant opportunity and the Funding Guidelines Workshop information was emailed on October 31, 2016, to all participants of the South Carolina Law Enforcement Network. On October 27, 2016, a full page postcard was mailed to approximately 700 recipients, including state and local law enforcement agencies, state agencies, school districts, Project Directors of current grant projects, coroners, and Safe Kids coalitions within the state informing them of the grant opportunity, inviting them to the Funding Guidelines Workshop, and referring them to the Office of Highway Safety and Justice Programs' website at [www.scdps.gov/ohsjp/](http://www.scdps.gov/ohsjp/) for more information. The website contained the complete Funding Guidelines document, as well as a link to the online Highway Safety Grant application through the Grants Management Information System (GMIS), and instructions for the preparation of the grant application document. The application deadline was Friday, February 3, 2017, at 5:00 p.m.

## Workshops for Potential Applicants

A Funding Guidelines workshop was held in Columbia on November 30, 2016, at the South Carolina Department of Public Safety with approximately 60 individuals in attendance. During the workshop, attendees were provided with an explanation of the highway safety problem in South Carolina; a description of the various program areas eligible for funding; an explanation of

allowable costs; a description of the types of projects for which priority consideration would be given; a description of the criteria by which applications would be reviewed; specific instructions on the proper completion of the grant application; and a presentation on how to write a winning grant proposal. During the Workshop, everyone received a packet of all items covered in order to review as the material was being presented and to have a reference for their records. Additionally, the workshop included a complete overview of the online grant application and instructions on how to complete and submit the application. Participants came from across the state and represented all sectors of the highway safety community (education, enforcement, etc.). Participants were informed that three completed grant application samples would be available on the SCDPS website to assist in the preparation of their applications.

### Highway Safety Strategies and Projects

Each countermeasure strategy and project South Carolina plans to implement to reach the performance targets utilizing Section 402 and Section 405 funding streams during the FFY 2018 grant year is described. The systematic data collection and analysis used in the project selection process supports the successful implementation of an evidence-based traffic safety enforcement program in this state.

### Strategies for Project Selection

The deadline for Highway Safety grant applications for FFY 2018 funding was Friday, February 3, 2017, at 5:00 p.m. Grant applications moved through a multi-stage review process. The first stage of the review process involved the Grants Administration Manager, the Planning and Evaluation Coordinator, a Program Coordinator, and the Senior Accountant for the Office of Highway Safety and Justice Programs reviewing and discussing the applications submitted by the due date and time. A second stage of the review process involved additional meetings to discuss grant applications in detail. Applications for continued and new highway safety activities received from state agencies, political subdivisions, and private, non-profit organizations were reviewed at both stages in accordance with the review criteria listed below:

1. The degree to which the proposal addressed a nationally or state-identified problem area. Primary consideration was granted to those projects which addressed major impaired driving countermeasures, occupant protection, speed enforcement, and traffic records programs within the counties identified previously as having the highest numbers and percentages of alcohol and/or speed-related traffic collisions, deaths, and injuries during the last three years.
2. The extent to which the proposal met the published criteria within the specific emphasis area.
3. The degree to which the subgrantee identified, analyzed, and comprehended the local or state problems. Applicants who did not demonstrate a traffic safety problem/need were not recommended for funding.

4. The extent to which the proposal sought to provide a realistic and comprehensive approach toward problem solution, including documenting coordination with local and state agencies necessary for successful implementation.
5. The assignment of specific and measurable objectives with performance indicators capable of assessing project activity.
6. The extent to which the estimated cost justified the anticipated results.
7. The ability of the proposed efforts to generate additional identifiable highway safety activity in the program area; the ability of the applicant to become self-sufficient and to continue project efforts once federal funds are no longer available.
8. The ability of the applicant to successfully implement the project based on the experience of the agency in implementing similar projects and the capability of the agency to provide necessary administrative support to the project. For continuation projects, the quality of work and the responsiveness to grant requirements demonstrated in past funding years, current or past grant performance, results of past monitoring visits, and the timeliness and thoroughness of required reports were all given consideration.

The first segment of the staffing allowed OHSJP staff to review the application against established criteria and determine the written quality of the grant application. Individual proposals were discussed based on supplemental considerations, such as current or past grant performance; success in attaining self-sufficiency (if a past subgrantee); likelihood of project to significantly reduce crashes, injuries, and fatalities; multi-jurisdictional nature of the project; letters of support from interested parties; and other factors which could affect funding consideration. Once all reviewers had completed their individual reviews, a multi-day staffing review was established.

A formal process for discussion of every application was implemented. The presenting Program Coordinator first outlined the highway safety problem identified in the application and discussed the approach proposed to resolve the problem. At the close of the discussion and/or information gathering, a vote of all reviewers was taken as to whether to recommend denial or approval.

The second stage of the grant review process was based on discussions among the Grants Administration Manager, OHSJP Business Manager, and Director of the OHSJP to reach a general consensus on each of the grant applications. Upon the conclusion of the two stages of staffing meetings, the third portion of the review process began. Ranking priority for projects recommended for funding was given to (1) ongoing grant applications for the overall management and administration of the Highway Safety grant program; (2) continuation grant applications; (3) new grant applications located in priority counties or addressing one of the

Funding Guidelines priority areas; and (4) new grant applications which demonstrated a highway safety problem and were located outside priority counties.

#### Coordination with HSP and the Strategic Highway Safety Plan (SHSP)/State Highway Safety Improvement Program (HSIP)

The state views the coordination of the HSP with the SHSP as an effort to build a unified state approach to highway safety. This coordination is evidenced by the performance measures meetings with Metropolitan Planning Organizations (MPO) and SC Department of Transportation (DOT), which are conducted by both the OHSJP and the SC DOT. The coordination is also evidenced by joint enforcement efforts such as the establishment of the Safety Improvement Teams (SIT) for work zones, and the Target Zero teams (see **page 52** for additional information), which are funded under SCDOT 164 funding.

South Carolina completed the update of its Strategic Highway Safety Plan (SHSP) in March 2015. The updated plan, titled “*Target Zero*” ([http://www.scdps.gov/docs/Target%20Zero\\_Final\\_w\\_Signatures\\_15APR15.pdf](http://www.scdps.gov/docs/Target%20Zero_Final_w_Signatures_15APR15.pdf)) was developed in consultation and coordination with federal, state, and local safety partners with the goal of eliminating traffic fatalities and reducing serious traffic-related injuries.

The Emphasis Areas for *Target Zero* were identified using a data-driven process and include performance measures such as the number and rate of fatalities and serious injuries. The major problem areas for SC remain similar to those identified in the 2007 SHSP with only slight changes in terminology. The nine Emphasis Areas are: Roadway Departure; Intersection and Other High-Risk Roadway Locations; Occupant Protection; Impaired Driving; Excessive Speed; Other High-Risk Drivers; Vulnerable Roadway Users; Commercial Motor Vehicles; and Safety Data Collection, Access, and Analysis. In an effort to coordinate the SHSP with the HSP, the Strategic Highway Safety Plan Manager was actively involved in many of the SHSP steering committee meetings. Data analyses performed by the Statistical Analysis Center for the purpose of identifying the Emphasis Areas for the updated SHSP were also utilized in the setting of performance measures and targets in the FFY 2018 HSP. The state views the coordination of the HSP with the SHSP as an effort to build a unified state approach to highway safety.

#### Performance Measures Common to the HSP, SHSP and State Highway Safety Improvement Program

The performance measures that are common to South Carolina’s HSP, SHSP and the state’s Highway Safety Improvement Program (HSIP) are the number of Traffic Fatalities, number of Severe Traffic Injuries, and the Traffic Fatality VMT Rate. The Federal Highway Administration (FHWA) and the South Carolina Department of Transportation (SCDOT) are responsible for the development of the HSIP. The SCDPS, SCDOT, FHWA, and other local, state and federal agencies and safety advocates collaborated on the creation of the Strategic Highway Safety Plan (SHSP). The state’s Highway Safety Plan, though developed by the OHSJP, reflects multiple

partnerships among a variety of federal, state, and local agencies. The number of Traffic Fatalities, number of Severe Traffic Injuries, and the Traffic Fatality VMT Rate performance measures are mutually identified in the HSP and SHSP with evidence-based targets within emphasis areas that were developed through extensive data analysis. **At the current time in the State of South Carolina, the performance measures for the state's HSIP have not yet been developed. Therefore, there is no document to check against to determine if targets are identical between the HSP and HSIP. However, it should be noted that the performance measures and goals contained within this HSP were mutually agreed upon by SCDPS's Office of Highway Safety and Justice Programs (OHSJP) Director, Highway Safety Administrator, and Strategic Highway Safety Plan (SHSP) Manager, the SC Department of Transportation's (SCDOT) State Safety Engineer, and the Federal Highway Administration's (FHWA) Safety and Traffic Engineer for South Carolina, all of whom serve on the state's Strategic Highway Safety Plan steering committee. The SCDOT State Safety Engineer and the FHWA-SC Safety and Traffic Engineer also are involved in the development of the Highway Safety Improvement Program for South Carolina. It is understood that the performance measures common to the state's HSP, SHSP and HSIP are and will be defined identically and appropriately aligned.**

#### Data Sources Consulted

Goodwin, A., Thomas, L., Kirley, B., Hall, W., O'Brien, N., & Hill, K. (2015, November). *Countermeasures That Work: A Highway Safety Countermeasure Guide for State Highway Safety Offices, Eighth Edition*. (Report No. DOT HS 812 202). Washington, DC: National Highway Traffic Safety Administration.

*South Carolina /SCDPS Crash Statistics*  
OHSJP Statistical Analysis Center

*S.C. Strategic Highway Safety Plan (March 2015)*  
SCDPS and SC Department of Transportation  
[http://www.scdps.gov/docs/Target%20Zero\\_Final\\_w\\_Signatures\\_15APR15.pdf](http://www.scdps.gov/docs/Target%20Zero_Final_w_Signatures_15APR15.pdf)

*Fatality Analysis Reporting System* National Highway Traffic Safety Administration

## HIGHWAY SAFETY PERFORMANCE PLAN

The table of NHTSA Core Outcome Measures on page 41 includes the 2018 numerical goals and targets for South Carolina which were determined by the OHSJP Statistical Analysis Center. The 2011-2015 five-year baseline average and trend line data from five-year moving averages were used to develop quantifiable and measurable highway safety performance targets with current safety levels that are data-driven and based on highway safety problems identified by the OHSJP during the problem identification process for FFY 2018. As stated earlier, justification and a description of the traffic safety performance measures, corresponding goals, and grant projects selected for South Carolina's FFY 2018 Highway Safety Plan are individually referenced by program area throughout this document.

### Summary List of Program Strategies

The OHSJP staff recommended that proposals for the following projects receive priority attention for FFY 2018 Highway Safety funding:

- \* DUI and speeding enforcement projects focusing the traffic enforcement efforts of local and state jurisdictions, as well as multi-jurisdictional projects, on the apprehension of impaired drivers and those exceeding speed limits in the State of South Carolina. These types of projects provide support for the statewide *Sober or Slammer!* Campaign, which is South Carolina's version of the national *Drive Sober or Get Pulled Over*. Campaign. These types of projects have components which encourage the participation of the Law Enforcement Network in statewide sustained impaired driving enforcement initiatives. The South Carolina Highway Patrol will provide enhanced DUI enforcement activity as necessary to ensure that the statewide enforcement campaigns are successful. The OHSJP will provide funding for overtime hours worked by the Highway Patrol resulting from the enhanced DUI enforcement.
- \* The continued funding of a special DUI prosecutor to attack the problem of DUI recidivism and increase the conviction rate of DUI offenders in a judicial circuit in which there have been difficulties in obtaining DUI convictions and in which there exists a backlog of DUI cases.
- \* Projects to educate young drivers, ages 15-24, as to how alcohol impairs driving ability and the consequences of driving while impaired. Proposals will also be entertained for training projects for the state's judiciary and prosecutors, which provide education on how driving ability is impaired at various blood alcohol levels. Law enforcement projects should also include guidelines for conducting public safety checkpoints; the use of horizontal gaze nystagmus as a field sobriety test; the use of passive alcohol sensors for the presence of ambient alcohol during traffic stops; and DUI sentencing alternatives.
- \* Extensive formalized training on traffic safety issues for law enforcement officers statewide, including Drug Recognition Expert (DRE) training.

- \* Projects to establish or strengthen traffic enforcement units within local law enforcement agencies. Such projects must at a minimum include a comprehensive enforcement effort, including DUI enforcement, speed enforcement, and occupant protection enforcement. Such projects must also include Law Enforcement Network participation and participation in all components of statewide mobilization enforcement initiatives (occupant protection, impaired driving, speed enforcement, etc.).
- \* Projects to continue the automation of the state's collision and uniform traffic citation report forms, and to provide appropriate software and equipment to local law enforcement agencies for participation in the state's SCCATTS initiative.
- \* Statewide enforcement campaigns (*Buckle up, South Carolina. It's the law and it's enforced.*, the state's version of the national *Click-it-or-Ticket* Campaign) combining education, media, diversity outreach, and enforcement components to improve occupant restraint usage by South Carolina citizens and visitors and to attack the ever-growing impaired driving problem in the state.
- \* A project to maintain a Traffic Safety Resource Prosecutor in the State of South Carolina to provide training on the prosecution of traffic safety violations, predominantly DUI, occurring in the State of South Carolina and to assist in the actual prosecution of traffic safety violations statewide.
- \* Projects to educate parents on the proper use of child safety seats and to promote the proper use of safety belts among all age groups. Projects targeting the usage of safety belts by young drivers and male drivers, ages 15-34.
- \* Projects addressing vulnerable roadway users, including pedestrian safety issues, moped riders, and bicyclists.
- \* Projects addressing the safe operation of motorcycles, encouraging voluntary compliance with helmet laws, promoting rider education, and dealing with impaired riding issues. This would include a statewide motorcycle safety campaign to alert motorists of the presence of motorcyclists on the roadways and encourage both drivers and bikers to appropriately share the roadways.

## **EVIDENCE-BASED TRAFFIC SAFETY ENFORCEMENT PROGRAM (TSEP)**

For FFY 2018, the OHSJP will implement an Evidence-Based Traffic Safety Enforcement Plan (TSEP) comprising strategies that will include efforts utilizing highway safety grant enforcement projects in priority counties in the state, law enforcement training projects, the maintenance of the SC Law Enforcement Network, the development and implementation of Target Zero Teams of SC Highway Patrol Troopers in critical areas of the state, and planned high-visibility enforcement strategies to support national mobilizations. The following sections outline these efforts in more detail, and **HSP Attachment 3a** provides additional information regarding high-visibility enforcement activity for the three (3) high-visibility enforcement mobilizations that occurred during the previous twelve (12) months.

### **Highway Safety Grant Enforcement Projects**

For FFY 2018, the SC Public Safety Coordinating Council has approved twenty-six (26) traffic enforcement projects, the majority of which will be implemented, based on the availability of federal funding, in priority counties in the state.

Of the 26 enforcement projects, twenty-one (21) are police traffic services projects, which will fund a total of thirty-four (34) traffic officers in municipalities located in the priority counties of Richland, Charleston, Lexington, Aiken, York, Greenville, Laurens, Dorchester, Berkeley, and Beaufort, as well as enforcement projects in seven county sheriffs' offices (Charleston, Dorchester, Lancaster, Spartanburg, Florence, Kershaw, and Colleton counties). Refer to **Table S-19** on page 171 for a county listing of speed-related fatalities. The fifteen previously identified counties accounted for 55.6% of all speed-related fatalities in the state in 2015. The projects referenced above include eight third-year projects, four second-year projects, and nine first-year efforts. These projects will also encompass DUI enforcement efforts, however, they will primarily focus on general traffic enforcement to include speeding and occupant restraint violations; the conducting of educational presentations to inform local communities about traffic safety problems and issues; meeting with local judges to instruct them about the projects; media contacts to share success stories and enforcement strategies with the general public; and required participation in the SC Law Enforcement Network.

Of the 26 enforcement projects, five (5) are DUI enforcement projects, which will fund a total of eight (8) DUI enforcement traffic officers in the counties of Darlington (2 projects), Charleston (2 projects), and Berkeley. Of the five projects, two will be implemented in county sheriffs' offices. Refer to **Table 16** beginning on page 78 for a county listing of alcohol-impaired driving fatalities. The five previously identified counties accounted for 11.6% of all alcohol-impaired driving fatalities in the state in 2015. The projects referenced above include two third-year projects, one second-year project, and two first-year projects. The projects will focus exclusively on DUI enforcement and the enforcement of traffic behaviors that are associated with DUI violators; educating the public about the dangers of drinking and driving; media contacts regarding enforcement activity and results; and meeting with local judges to provide information about the projects. Project officers will be required to work schedules that are evidence-based,

meaning the hours (between 3 PM and 6 AM) which FARS data demonstrates to be those during which the most DUI-related traffic fatalities occur in the state (1,267, or 77.8%, of the 1,628 DUI-related fatalities during the years of 2011-2015). Project officers will also work roadways that have the highest number of DUI-related crashes within their respective jurisdictions.

## **LAW ENFORCEMENT TRAINING PROJECTS**

The OHSJP will also fund two projects that provide training to law enforcement officers statewide through the SC Criminal Justice Academy. One of the two training projects implemented through the SC Criminal Justice Academy will be funded with Section 402 federal dollars and will focus on comprehensive, advanced training for traffic enforcement officers leading to a Traffic Safety Officer certification and/or a Traffic Safety Instructor Program certification. Training will not only assist officers in enhancing their knowledge and enforcement of traffic laws, but will also provide them with the skills needed to increase conviction rates of traffic law violators. The project will fund four Traffic Safety Instructors. Instructors will train officers from all over South Carolina in a variety of traffic enforcement and investigation areas, including the following:

- DUI Detection and Standardized Field Sobriety Testing (32 hours, 15 classes);
- DUI Detection and SFST Instructor (40 hours, 7 classes);
- SFST Recertification (2 hours, online classes);
- Speed Measurement Device Instructor, RADAR/LIDAR (40 hours, 3 classes);
- Speed Measurement Device Instructor Recertification (4 hours, 2 classes);
- Speed Measurement Device Operator, RADAR/LIDAR (24 hours, 6 classes);
- Speed Measurement Device Recertification, RADAR and/or LIDAR (5 hours, online classes);
- At-Scene Traffic Collision Investigation (80 hours, 4 classes);
- Technical Traffic Collision Investigation (80 hours, 3 classes);
- Traffic Collision Reconstruction (80 hours, 2 classes);
- Motorcycle Collision Investigation (40 hours, 2 classes);
- Pedestrian and Bicycle Collision Reconstruction (40 hours, 2 classes);
- Commercial Vehicle Collision Investigation Level I (40 hours, 1 class);
- Commercial Vehicle Collision Investigation Level II (40 hours, 1 class);
- Safe And Legal Traffic Stops (SALTS) (4 hours, 15 classes);
- Data Master DMT Operator Certification (8 hours, 40 classes);
- Data Master DMT Operator Recertification (3 hours, online classes);
- LIDAR Operator (16 hours, 1 class); and
- RADAR Operator Recertification (3 hours, online classes).

The other training project which will be continued with the SC Criminal Justice Academy focuses on Impaired Driving Countermeasures Training for Law Enforcement and will be funded with MAP-21 and Fast Act Section 405d federal dollars. This project funds one State Impaired Driving Coordinator, who will expend efforts in providing training to state traffic enforcement officers in the areas of Standardized Field Sobriety Tests Instructor (3 classes); Advanced Roadside Impaired Driving Enforcement (A-RIDE) (10 classes); and Drug Recognition Expert (DRE) (2 classes, 16 students each class). Since this project began several years ago, it has been largely responsible for increasing the number of DRE-certified officers in the state to 158 and the number of DRE-certified instructors to 28. This valuable training is provided to South Carolina's traffic enforcement officers, both state and local, at no cost.

### **SC Law Enforcement Network**

The OHSJP will continue to fund, with Section 402 federal dollars, a Law Enforcement Coordination internal grant which funds two law enforcement liaisons, supervised by a SC Highway Patrol Captain assigned to the OHSJP, whose priorities are to develop and maintain the SC Law Enforcement Network (SCLLEN) system. Law enforcement liaisons will work to establish and maintain relationships between OHSJP and law enforcement agencies around the state and garner law enforcement support for participation in statewide enforcement mobilization campaigns. The grant project will also provide SCLLEN support grants to established networks around the state. The sixteen (16) established law enforcement networks correspond to the sixteen judicial circuits in the state. The support grants will be provided through the Law Enforcement Coordination grant to assist the networks with meeting room costs, recognition awards, the costs to attend training and/or conferences, educational materials, and the cost of helping to train traffic officers in their respective networks. The LEN system will allow statewide coverage and implementation of law enforcement activity including multi-jurisdictional enforcement activities.

The State of South Carolina has an effective, unique way of leveraging resources through its SCLLEN system. The OHSJP will continue in FFY 2018 awarding 16 grants of \$10,000 each (\$160,000 total) to an agency within each individual law enforcement network. Each of the 16 individual agencies serves as the Host Agency within its respective network. The purpose of the network, as mentioned above, is to disseminate information among participating law enforcement agencies (state, local, federal) regarding important traffic safety campaigns and other issues that may impact traffic enforcement within each network and to garner law enforcement support of and participation in statewide enforcement mobilization campaigns, including the two DUI annual mobilization crackdowns, known as *Sober or Slammer!*, and the state's high-visibility DUI Challenge enforcement campaign.

The statewide Law Enforcement DUI Challenge has been successful over the last decade with DUI-related traffic fatalities reduced by almost 35%, from 464 in 2007 to 301 in 2015, and the State is hopeful that the positive reductions will continue in FFY 18 and future years. The SCDPS will continue to implement a statewide Law Enforcement DUI Challenge in FFY 2018 that focuses predominantly on the SC Highway Patrol (SHP) for the enforcement component of the campaign, while still making every effort to recruit and partner with local law enforcement

agencies statewide. The SCHP is the premier traffic enforcement agency in the state and covers the entire geographic and population areas of South Carolina. The SCHP, during FFY 2018, will conduct special DUI enforcement emphases once a month on weekends from December 2017 to September 2018. The weekend enforcement efforts will be supported by radio and possibly television advertising announcing the enforcement beginning on Wednesday of each week preceding the scheduled enforcement weekends. In addition, during the two DUI mobilization crackdowns, the SCHP will conduct an additional four nights of specialized DUI enforcement, including saturation patrols and public safety checkpoints.

The SCHP will recruit and utilize the assistance of local law enforcement agencies during the weekend and crackdown efforts. Agencies with the highest DUI arrests made during the campaigns will be awarded a recognition plaque for their efforts. Law Enforcement Liaisons will encourage agencies within the Law Enforcement Network system in the state to participate in these enforcement events. Participating agencies will receive a certificate from the OHSJP in recognition of their participation.

Educational efforts will again utilize media (television, radio, and alternative advertising) to support campaign efforts. The focus of the educational efforts will be on the twenty priority counties, (Greenville, Horry, Richland, Lexington, Anderson, Spartanburg, Berkeley, Charleston, York, Aiken, Laurens, Florence, Orangeburg, Pickens, Lancaster, Dorchester, Beaufort, Darlington, Greenwood, and Sumter) which represent 83% of the state's population and approximately 75% of the state's alcohol-impaired driving fatalities over the five-year period 2011 to 2015 and are designated within the state's Highway Safety Plan and the Impaired Driving Countermeasures Plan.

## **Target Zero Teams**

The SC Department of Public Safety (SCDPS), utilizing Section 164 transfer funds from the SC Department of Transportation (SCDOT), will continue to implement a three-year enforcement program. The program, called Target Zero Teams, began June 1, 2015 and will run through May 31, 2018. The project name is derived from the state's "Target Zero Traffic Deaths" umbrella slogan for all highway safety initiatives implemented by SCDPS.

The law enforcement project provides SCDPS with complete funding for six, four-officer teams of SC Highway Patrol Troopers, which devote full-time efforts to the selective, concentrated, and strict enforcement of the state's traffic laws along roadway corridors identified by SCDPS and SCDOT as being highest for the occurrence of fatal and severe-injury collisions within four areas of the state, the Upstate, the Midlands, the Pee Dee, and the Lowcountry. Participating Troopers focus on traffic enforcement and spend little or no time engaging in crash investigation. Roadways have been identified through statistical analysis following strategies employed successfully by other states around the country. SCDOT selected the 16, 10 mile corridors based on an analysis fatal & injury crashes from 2009-2013. The 16 selected corridors accounted for 4.1% of the total traffic fatalities and 4.4% of the total injuries the state during that time period.

Please see **Appendix C** for additional information regarding the selected corridors and the budget.

The partnering agencies will continue to meet quarterly to review the lists of roadway corridors to be patrolled and to coordinate enforcement activities. SCDPS will provide weekly schedules to SCDOT of enforcement coverage. This will allow for shifting and reassignment of enforcement resources and priorities based on statistical information and enforcement successes. The partnering agreement between SCDPS and SCDOT allows for the project to be renewed for an additional year. Both the commander over the Target Zero Team and a SCDOT representative consistently review the data for the number of traffic collisions, citations, warnings, and arrests for the designated enforcement corridors. It has been SCDOT's policy to conduct formal evaluations on all of their safety improvement projects (which would include the TZ Teams) on a pre- and post- schedule of three years.

The TZ Teams project, combining enforcement and statistical analysis, has the potential to significantly and positively impact traffic-related severe injuries and fatalities statewide.

### **Planned High-Visibility Enforcement Strategies to Support National Mobilizations**

For FFY 2018, the OHSJP will implement high-visibility enforcement strategies in support of national high-visibility law enforcement mobilizations (*Click it or Ticket* and *Drive Sober or Get Pulled Over Crackdowns*) coordinated by the Secretary of Transportation. The impaired driving campaign, designated *Sober or Slammer!* in SC, will include enforcement/education initiatives around the Christmas/New Year's holidays of 2017-2018, the summer months, and the Labor Day holiday of 2018.

OHSJP staff will work with the SCDPS Contractor to develop and implement a campaign which will target those age groups which are most affected by negative alcohol and drug-related crash statistics, particularly males in the 21-35-year age group, but will address impaired driving issues generally as well. The OHSJP will assume an overall coordination role in this project and also will utilize the skills of SCDPS spokespersons in dealing with the media and others in various promotional events. Campaign themes and storyboard concepts for TV PSAs and artwork for print ads and billboards will be developed at various times during the year relative to the specific holiday/special enforcement emphases. The Contractor will be tasked with developing and producing a specified number of radio and TV PSAs, billboards, and possibly newspaper print ads, all featuring the campaign messages. The Contractor will market test all developed products through the use of focus groups or some other appropriate technique. The Contractor will be responsible for working with media outlets, outdoor advertisers, and others to secure free advertising time and space, with emphasis on that which will most directly impact the target groups. The Contractor also will be responsible for monitoring the time and frequency of usage of TV PSAs.

The SCHP, during FFY 2018, will conduct special DUI enforcement emphases once a month on weekends from December 2017 to September 2018. The weekend enforcement efforts will be supported by radio and possibly television advertising announcing the enforcement beginning on Wednesday of each week preceding the scheduled enforcement weekends. In addition, during the two DUI mobilization crackdowns, the SCHP will conduct an additional four nights of specialized DUI enforcement, including saturation patrols and public safety checkpoints. The SCHP will recruit and utilize the assistance of local law enforcement agencies during the weekend and crackdown efforts. Agencies with the highest DUI arrests made during the campaign will be awarded a recognition plaque for their efforts.

The state of South Carolina will again conduct a high-visibility statewide enforcement and education campaign during the Memorial Day 2018 holiday period from May 21 – June 3, 2018, known as *Buckle Up, South Carolina. It's the law and it's enforced. (BUSC)*, modeled after the national *Click-It-or-Ticket* mobilization to emphasize the importance of and to increase the use of occupant restraints. The campaign will include paid and earned media, increased enforcement activity by state and local law enforcement agencies, and diversity outreach elements in order to increase safety belt and child restraint use among the state's minority populations. The campaign will focus on nighttime safety belt enforcement to attempt to reduce unrestrained traffic fatalities and injuries, especially during these hours. The 2018 *BUSC* campaign media plan will follow similarly the media buy plan implemented for the 2017 *BUSC* campaign. The SC Highway Patrol (SCHP), the SC State Transport Police (STP), and the Law Enforcement Network system in South Carolina, which is composed of local law enforcement agencies statewide, have indicated that they will again participate in 2018. This level of participation will again allow the OHSJP to cover 100% of the state's population. Additionally, all Police Traffic Services subgrantees have an objective to participate in the *BUSC* campaign and have an objective specifically related to increasing occupant protection violation citations. Diversity outreach is accomplished through focusing placement of paid media on stations and during time slots that attract African American, Hispanic, youth, and rural male audiences. These demographic groups have shown statistically to have lower safety belt use rates than non-minority, urban and female counterparts. Campaign on-air messages, both radio and television, will be translated/dubbed into Spanish and aired on Hispanic television and radio stations statewide. The paid media components of this effort will include airing television and radio spots to alert the general public of the enforcement mobilization and to send the message that law enforcement in the state is serious about enforcing the state's occupant protection laws. The campaign will utilize the state's enforcement slogan, *Buckle up, South Carolina. It's the law, and it's enforced. (BUSC)*. The OHSJP will also hold press events in key media markets of the state to enhance the effort and to alert the general public regarding the enforcement and media components of the campaign. The mobilization crackdown will be coordinated through the SC Law Enforcement Network. Saturation patrols, nighttime seatbelt enforcement, and direct enforcement strategies will be employed to focus on occupant protection violations. South Carolina also plans to conduct pre- and post-campaign observational surveys in order to effectively evaluate the success of the program and determine the state's safety belt usage rate and pre- and post-campaign telephone surveys to gauge public awareness of the campaign and its enforcement and education messages.

**PRIORITY FUNDING AREAS  
FOR FFY 2018**

## PLANNING AND ADMINISTRATION

### Overview

The state of South Carolina has seen significant fatality reductions in the impaired driving category over the time period 2011-2015. According to 2015 FARS data, the state has experienced a significant decrease in alcohol-impaired driving fatalities (-8 from 2011 to 2015; +39 in 2012; -8 in 2013; -61 in 2014; -30 in 2015). South Carolina has experienced a 2.59% decline in impaired driving fatalities from 2011 to 2015 compared to a 4.05% increase nationally (see **Table 3** on page 13; **Table 5** on page 16; as well as **Figure 2** on page 16 and **Figure 3** on page 17 for trends). This area has clearly been impacted by the state's sophisticated and well-coordinated Law Enforcement Network system, which enlists approximately 200 state and local law enforcement agencies statewide in singular and multi-jurisdictional enforcement efforts and campaigns focusing on speed, occupant protection, and DUI violators and integrated enforcement efforts year-round.

Though the state has experienced the positive gains outlined above, there is still much work to be done to improve highway safety in the state and to continue to drive down traffic collisions, injuries, and deaths on the state's roadways. The state has implemented a variety of enforcement, education, EMS, and engineering efforts to address the highway safety problems that remain. The SC Strategic Highway Safety Plan (SHSP), *Target Zero*, updated in 2015, identified a number of strategies in an effort to improve highway safety in the state, including targeted conventional enforcement of traffic laws (p. 70: 2.1); increasing speed and DUI enforcement in areas identified with a high occurrence of speed- and DUI-related crashes (p. 46: 1.1,1.2; p. 82 1.4); conducting enhanced speed enforcement in work zones (p. 75: 1.2); continuing of blitz enforcement campaigns and waves (p. 83: 5.3); conducting education and awareness campaigns targeting the general public (p. 46: 3.1, 3.2); educating parents about the liability of social hosting (p. 82: 4.2); funding Drug Recognition Expert programs for law enforcement (p. 82: 3.1); aggressive enforcement of the primary safety belt law (p. 33: 2.1-2.3); conducting public safety checkpoints and saturation patrols in high-crash/risk areas for DUI (p. 82: 1.4); and many others. These initiatives demonstrate that not only has the state, and the OHSJP in particular, taken seriously the SHSP document, but the state has used its limited federal and state resources wisely and in partnership among federal, state, and local agencies to improve traffic safety in the state.

The NHTSA-produced *Countermeasures That Work: A Highway Safety Countermeasure Guide for State Highway Safety Offices, Eighth Edition, 2015* stresses the importance of key emphasis areas relative to impaired driving, speed enforcement, occupant protection issues, and motorcycle and pedestrian safety. The document also outlines significant strategies and appropriate countermeasures for these traffic safety issues and problems. Many of these countermeasures have been implemented over time in the State of South Carolina, including highly effective countermeasures, such as administrative license revocation or suspension for DUI offenders (ch. 1, 1.1, p. 1-12); publicizing sobriety checkpoints (ch. 1, 2.1, pp. 1-21 to 1-

23); ignition interlocks (ch. 1, 4.2, pp. 1-38 to 1-40); speed limit enforcement (ch. 3, 2.3, pp. 3-29 to 3-31); statewide primary safety belt enforcement (ch. 2, 1.1, pp. 2-9 to 2-10), short-term high-visibility belt law enforcement following the national *Click it or Ticket* model (ch. 2, 2.1, pp. 2-13 to 2-14); and communications strategies to lower belt use groups (ch. 2, 3.2, pp. 2-19 to 2-21). The state has also implemented countermeasures deemed likely to be effective, such as high BAC sanctions (ch. 1, 1.3, p. 1-15); mass media campaigns (ch. 1, 5.2, pp. 1-49 to 1-50); communications and outreach supporting enforcement (ch. 3, 4.1, p. 3-38); and sustained enforcement (ch. 2, 2.3, p. 2-17). Also, South Carolina implements countermeasures that have been deemed effective in specific situations, such as combined enforcement emphasizing nighttime safety belt enforcement (ch. 2, 2.2 pp. 2-15 to 2-16). In addition, the state has implemented countermeasures that have not been clearly demonstrated as effective overall, but may have impact in specific areas, such as the development of inspection stations for child safety seats (ch. 2, 7.2, p. 2-31).

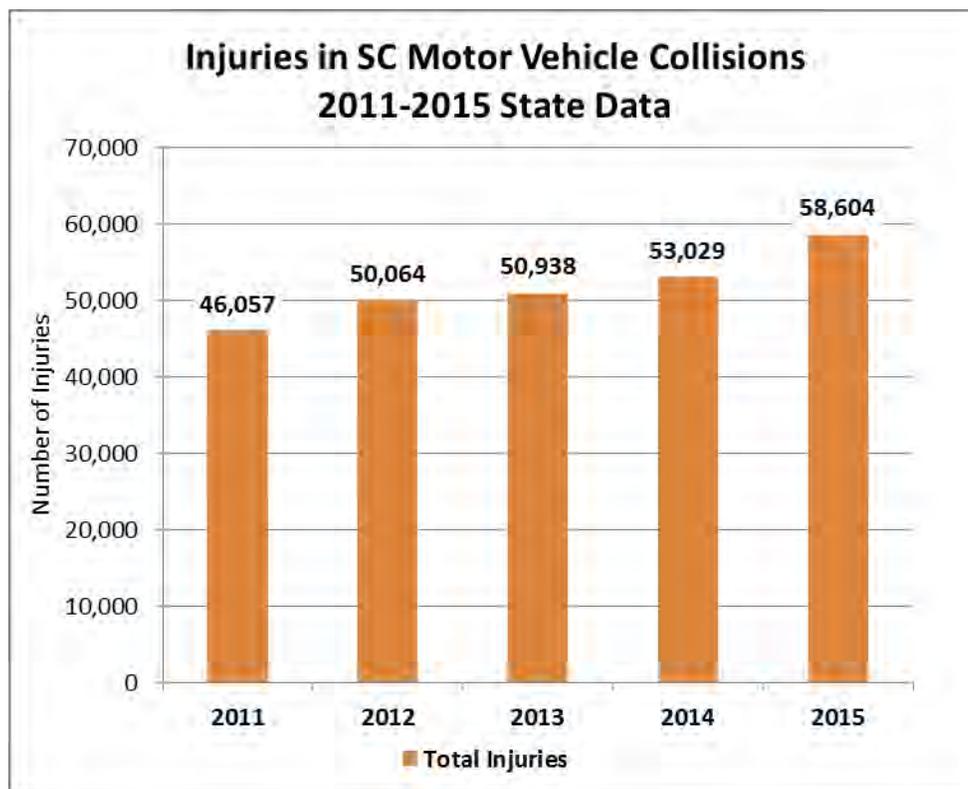
The following data sections outline specifically the problems being faced by the State of South Carolina in terms of highway safety issues and demonstrate the foundation upon which the state has built its response to the problems for its FFY 2018 Highway Safety Plan.

### **Traffic Fatalities**

Pages 11-29 of this Plan contain an exhaustive analysis of South Carolina traffic fatality data. Please refer to these pages for statistical charts and narrative data regarding the significance of traffic fatality problems being experienced by the state.

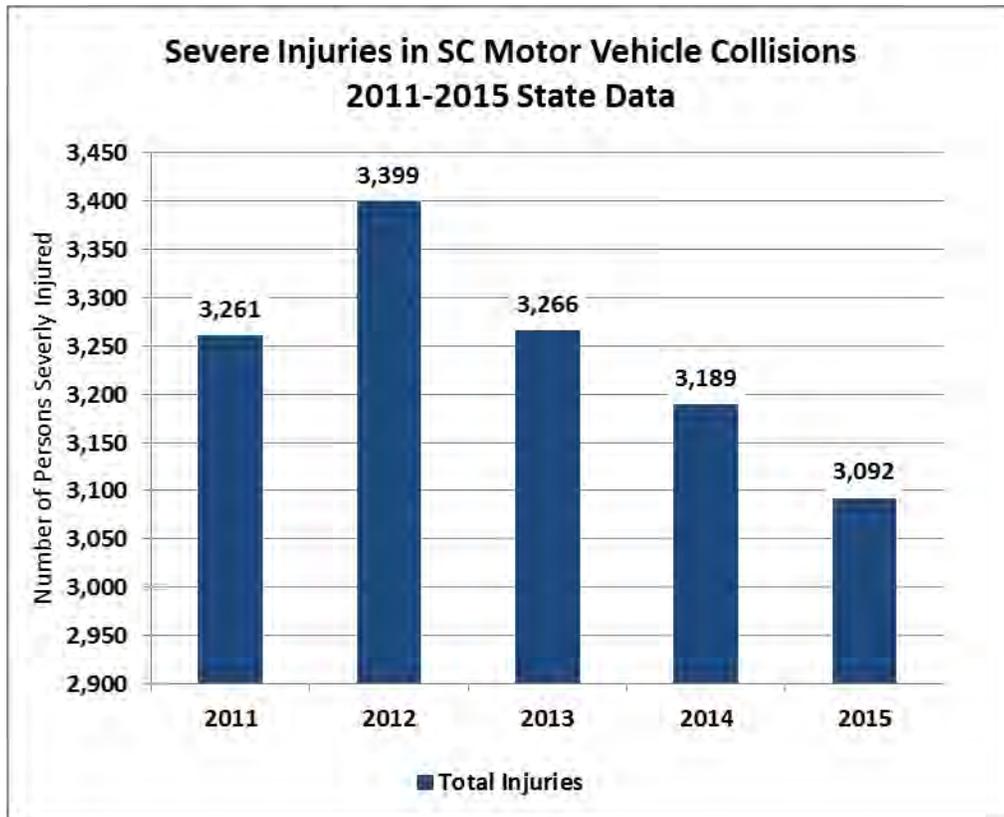
## Traffic Injuries

**Figure S-1** below contains South Carolina state statistical data which indicates there were 258,692 persons injured in motor vehicle collisions from 2011 through 2015. The crash data compiled by the OHSJP Statistical Analysis Center indicates that the number of annual motor vehicle injuries sustained during collisions increased from 46,057 in 2011 to 58,604 in 2015. The 2015 data relative to the actual number of injuries sustained in traffic crashes represents a 27.2% increase when compared to the number of people injured in traffic collisions in 2011. When compared to the average of the four-year period 2011-2014 (50,022 injuries), the 2015 figure represents a 17.2% increase. Of the 258,692 people injured during a vehicle crash from 2011 to 2015, 16,207 people (**Figure S-2**, p. 59), or 6.3%, sustained severe injuries as a result of a crash.



**Figure S-1**

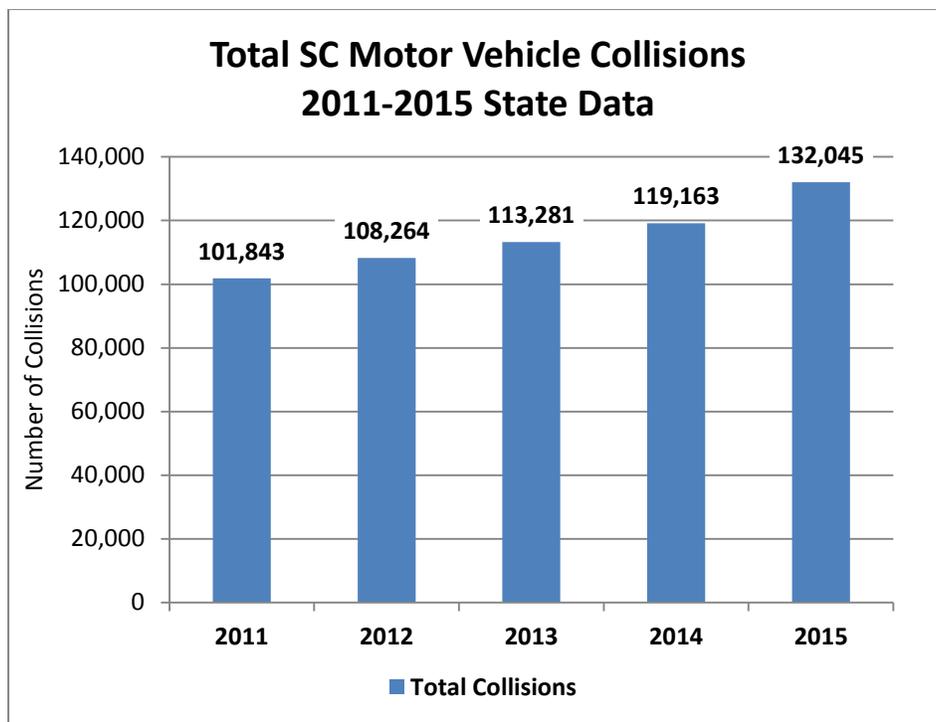
**Figure S-2** below contains data regarding severe traffic injuries occurring in the state during the years 2011-2015. Of the 258,692 traffic-related injuries occurring during this time period, 16,207, or 6.3%, were severe injuries. There were 3,092 traffic-related severe injuries in 2015, a 5.2% reduction as compared to 2011. The 2015 figure of 3,092 severe traffic-related injuries was also a 5.7% reduction as compared to the average of the years 2011-2014 (3,278.75).



**Figure S-2. Severe Injuries in SC Motor Vehicle Collisions, 2011-2015**

### Traffic Collisions

From 2011 to 2015, state statistical data listed in **Figure S-3** below shows that there were 576,497 vehicle collisions in South Carolina. Of the 576,497 vehicle collisions reported from 2011 to 2015, 17,099 (**Figure S-4** on page 61), or 3.0%, were fatal or severe-injury crashes. From 2011 to 2015, the state has experienced a 31.5% increase in the number of reported vehicle crashes. When compared to the four-year average of traffic crashes occurring from 2011 to 2014 (110,634) the 2015 figure represents a 21.1% increase. The leading counties for fatal and severe-injury crashes from 2011 to 2015 were, in decreasing order, Horry, Charleston, Greenville, Richland, Spartanburg, Berkeley, Anderson, Lexington, York, Florence, Beaufort, Dorchester, Aiken, Orangeburg, Pickens, Lancaster, Laurens, Sumter, Colleton, and Georgetown.



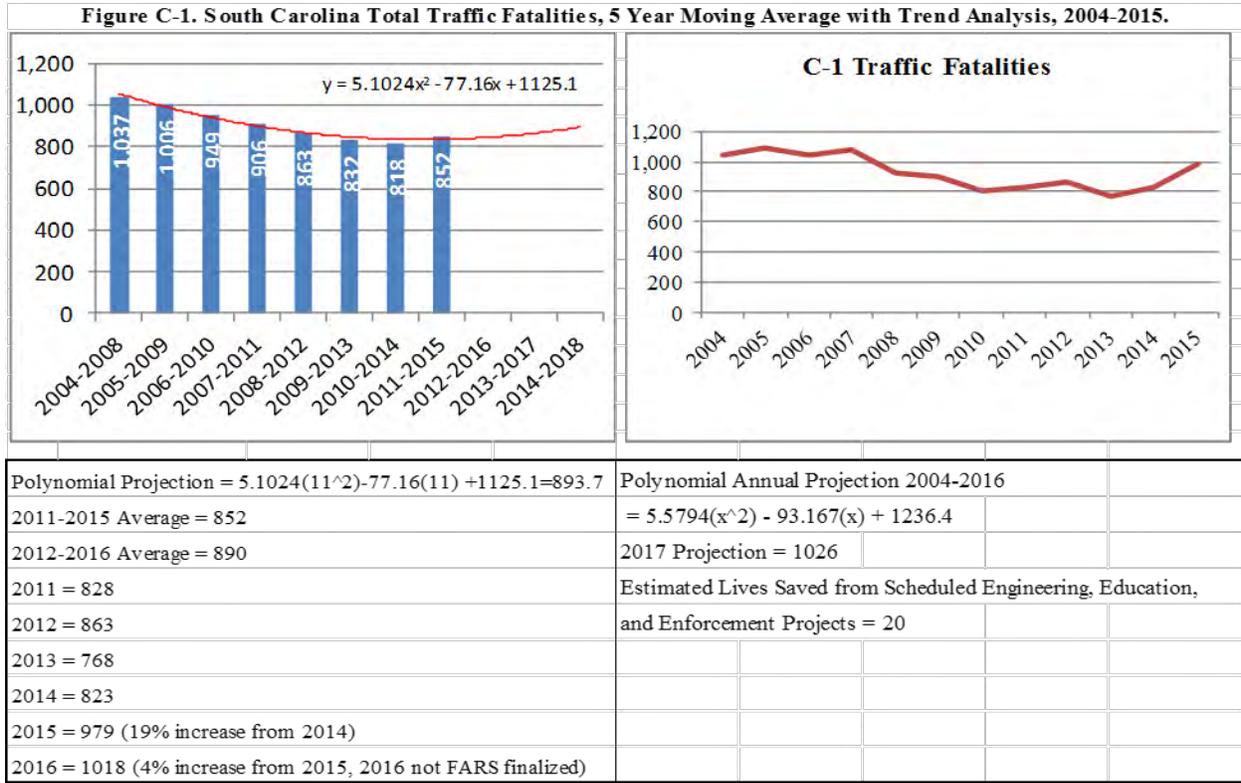
**Figure S-3. Total SC Motor Vehicle Collisions, 2011-2015**

**Figure S-4. All SC Fatal and Severe Injury Collisions  
2011-2015 State Data**

County	2011	2012	2013	2014	2015	Total 2010-2014
<b>Horry</b>	304	322	307	330	299	<b>1,562</b>
<b>Charleston</b>	290	301	314	308	281	<b>1,494</b>
<b>Greenville</b>	254	305	309	277	252	<b>1,397</b>
<b>Richland</b>	182	200	205	180	198	<b>965</b>
<b>Spartanburg</b>	173	195	185	178	202	<b>933</b>
<b>Berkeley</b>	132	194	187	153	148	<b>814</b>
<b>Anderson</b>	147	164	149	139	161	<b>760</b>
<b>Lexington</b>	171	151	142	137	151	<b>752</b>
<b>York</b>	130	124	124	127	125	<b>630</b>
<b>Florence</b>	96	103	93	78	86	<b>456</b>
<b>Beaufort</b>	83	102	67	95	107	<b>454</b>
<b>Dorchester</b>	98	113	78	70	85	<b>444</b>
<b>Aiken</b>	97	73	82	91	96	<b>439</b>
<b>Orangeburg</b>	82	82	97	75	79	<b>415</b>
<b>Pickens</b>	71	88	68	69	67	<b>363</b>
<b>Lancaster</b>	68	57	56	83	86	<b>350</b>
<b>Laurens</b>	77	67	63	58	67	<b>332</b>
<b>Sumter</b>	84	66	63	58	60	<b>331</b>
<b>Colleton</b>	66	68	57	44	56	<b>291</b>
<b>Greenwood</b>	75	59	47	40	62	<b>283</b>
<b>Georgetown</b>	35	67	71	46	63	<b>282</b>
<b>Darlington</b>	52	46	52	59	52	<b>261</b>
<b>Jasper</b>	58	50	46	46	43	<b>243</b>
Oconee	50	58	27	48	53	236
Cherokee	46	40	39	56	51	232
Kershaw	40	42	50	28	33	193
Williamsburg	28	37	41	42	38	186
Chesterfield	27	34	36	35	44	176
Newberry	31	39	36	26	34	166
Chester	31	27	30	33	39	160
Clarendon	23	29	24	21	32	129
Barnwell	31	21	18	32	26	128
Fairfield	26	28	22	26	22	124
Dillon	18	29	16	27	24	114
Marion	17	24	22	27	23	113
Hampton	21	23	24	20	23	111
Marlboro	24	17	15	26	20	102
Edgefield	36	22	14	8	17	97
Abbeville	23	12	26	13	17	91
Union	21	12	17	18	23	91
Calhoun	17	20	19	18	15	89
Saluda	22	22	15	13	15	87
Lee	15	16	12	16	16	75
Bamberg	11	14	20	11	13	69
Allendale	4	6	11	11	10	42
McCormick	10	5	6	6	10	37
<b>Total</b>	<b>3,397</b>	<b>3,574</b>	<b>3,402</b>	<b>3,302</b>	<b>3,424</b>	<b>17,099</b>

**Goals:**

1. To decrease the upward trend of traffic fatalities from the 2016 preliminary number of 1,018 to 1,006 by December 31, 2018 with a five year average of 970 from 2014-2018.

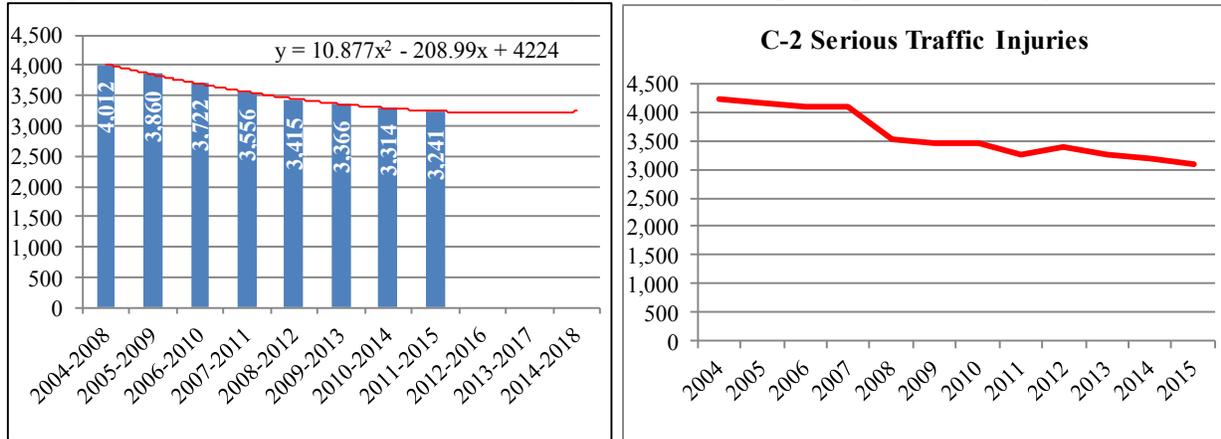


As shown in Figure C-1 above, the five-year moving average with a polynomial trend analysis projects South Carolina will experience a five-year average number of 893.7 traffic fatalities by December 31, 2018. This equates to an estimated 918 annual traffic fatalities for 2018, which is a 6% decrease from 2015. Preliminary state data compiled by the OHSJP Statistical Analysis Research Section indicates there were 1,018 traffic fatalities in 2016, an increase of 4% from 979 in 2015. Projections based on preliminary 2017 state data from January to April, indicates an increase (about 12%) in the number of traffic fatalities when compared to the same time period in 2016. Given the preliminary information for 2016 and 2017 with the general upward trend since 2014, the best trend line calculated was unable to predict the increases in 2016 and potentially 2017. In conjunction with SCDOT, South Carolina looked at another approach to find a reasonable figure to match the needs of SCDOT and SCDPS. A polynomial order 2 trend analysis was conducted on the annual data from 2004 through 2016 preliminary data. The projected figure for 2017 was 1,026. Together, SCDOT and SCDPS estimated 20 lives could be saved from scheduled engineering, education, and enforcement projects in 2017.

Using the 2017 projected figure as the 2018 starting figure minus the estimated lives saved and after much discussion with SCDOT and SCDPS-OHSJP staff, OHSJP will set a goal of 970 average traffic fatalities from 2014-2018 with 1,006 traffic fatalities in 2018, a 1.18% reduction in the number of traffic fatalities by December 31, 2018 from the preliminary 2016 calendar year.

- To decrease serious traffic injuries by 5.4%, from the 2011-2015 baseline average of 3,241 to 3,067 for 2014-2018 by December 31, 2018.

**Figure C-2. South Carolina Total Traffic Serious Injuries, 5 Year Moving Average with Trend Analysis, 2004-2015.**

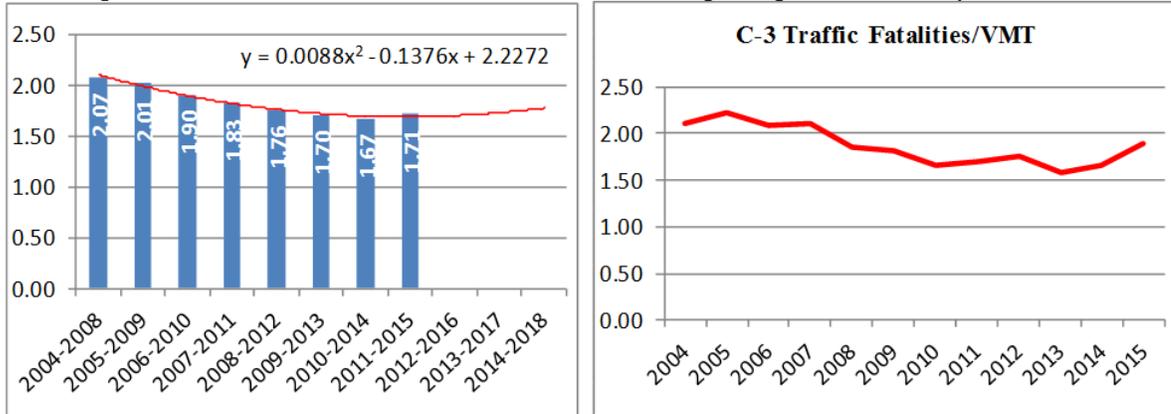


Polynomial Projection =  $10.877(11^2) - 208.99(11) + 4224 = 3,241.2$   
 2011-2015 Average = 3233.2  
 2012-2016 Average = 3193  
 2011 = 3261  
 2012 = 3399  
 2013 = 3266  
 2014 = 3189  
 2015 = 3092 (3.0% decrease from 2014)  
 2016 = 3026 (2.1% decrease from 2015, 2016 not finalized)

As shown in Figure C-2 above, the five-year moving average with polynomial trend analysis projects South Carolina will experience a five-year average number of 3,241 serious traffic injuries by December 31, 2018. This equates to an estimated 3,363 annual serious traffic injuries for 2018, which is a 8.8% increase from 2015. Preliminary state data compiled by the OHSJP Statistical Analysis Research Section indicates there were 3,026 serious traffic injuries in 2016, a decrease of 2% from 3,092 in 2015. In conjunction with SCDOT, South Carolina looked at another approach to find a reasonable figure to match the needs of SCDOT and SCDPS. A polynomial order 2 trend analysis was conducted on the annual data from 2004 through 2016 preliminary data. The projected figure for 2017 was 3,063. Together, SCDOT and SCDPS estimated 70 lives could be saved from scheduled engineering, education, and enforcement projects in 2017. Using the 2017 project figure as the 2018 starting figure minus the estimated lives saved and after much discussion with SCDOT and SCDPS-OHSJP staff, OHSJP will set a goal of 3,067 average serious traffic injuries from 2014 to 2018 with 2,993 serious traffic injuries in 2018, a 1.09% decrease in serious traffic injuries by December 31, 2018 from the 2016 calendar year.

- To decrease traffic fatalities/VMT by 9.5%, from the 2015 baseline average of 1.89 to 1.71 by December 31, 2018 with a five year average of 1.81 from 2014-2018.

Figure C-3. South Carolina Traffic Fatalities/VMT, 5 Year Moving Average with Trend Analysis, 2004-2015.

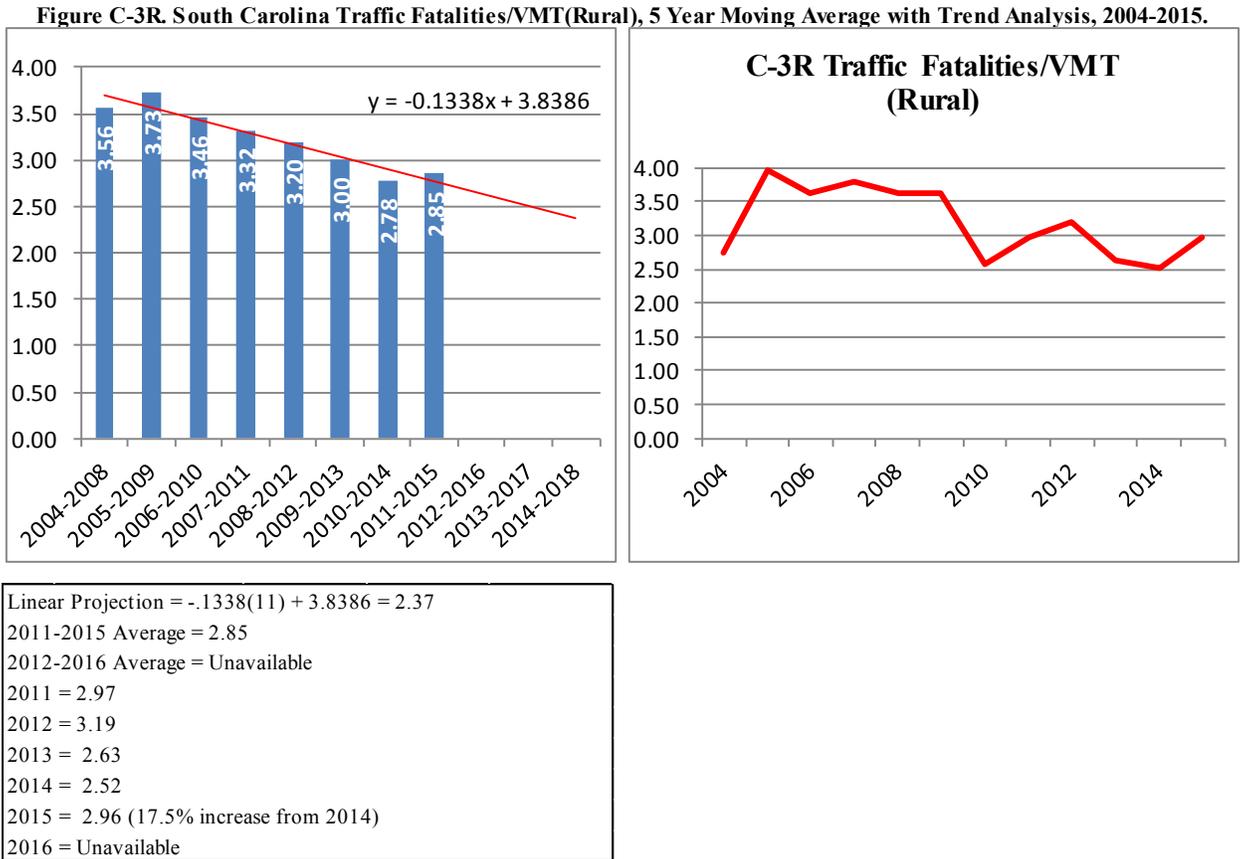


Polynomial Projection =  $0.0088(11^2) - 0.1376(11) + 2.2272 = 1.78$   
 2011-2015 Average = 1.71  
 2011-2015 Average = 1.76  
 2011 = 1.70  
 2012 = 1.76  
 2013 = 1.57  
 2014 = 1.65  
 2015 = 1.89 (14.5% increase from 2014)  
 2016 = 1.87 (1.1% decrease from 2015, 2016 not FARS finalized)

As shown in Figure C-3 above, the five-year moving average with polynomial trend analysis projects South Carolina will experience a five-year average number of 1.78 traffic fatalities/VMT by December 31, 2018. This equates to an estimated 1.81 annual traffic fatalities/VMT for 2018, which is a 4.2% reduction from 2015. Preliminary state data compiled by the OHSJP Statistical Analysis Research Section indicates that there were 1.87 traffic fatalities/VMT in 2016, an increase of 1.1% from 2015. While preliminary VMT is unavailable for 2017, the preliminary number of fatalities for the first four months of 2017 are worse (about 12%) than 2016. After much discussion between SCDOT and SCDPS-OHSJP staff, OHSJP will set a goal of 1.81 average traffic fatalities/VMT from 2014 to 2018 with 1.71 traffic fatalities/VMT in 2018, a 8.56% decrease in traffic fatalities/VMT by December 31, 2018 from the 2016 calendar year.

The vehicle miles traveled (VMT) in SC had a significant increase in 2015 (3.5%) and 2016 (5.2%) compared with previous years. The VMT is expected to continue to rise in the next few years, but at a slower rate. The US Energy Information Administration projecting a slightly higher average cost of regular gas in 2017 and continuing into 2018.

- To decrease traffic fatalities/VMT (Rural) 13.3% from the 2011-2015 baseline average of 2.85 to 2.47 by December 31, 2018.

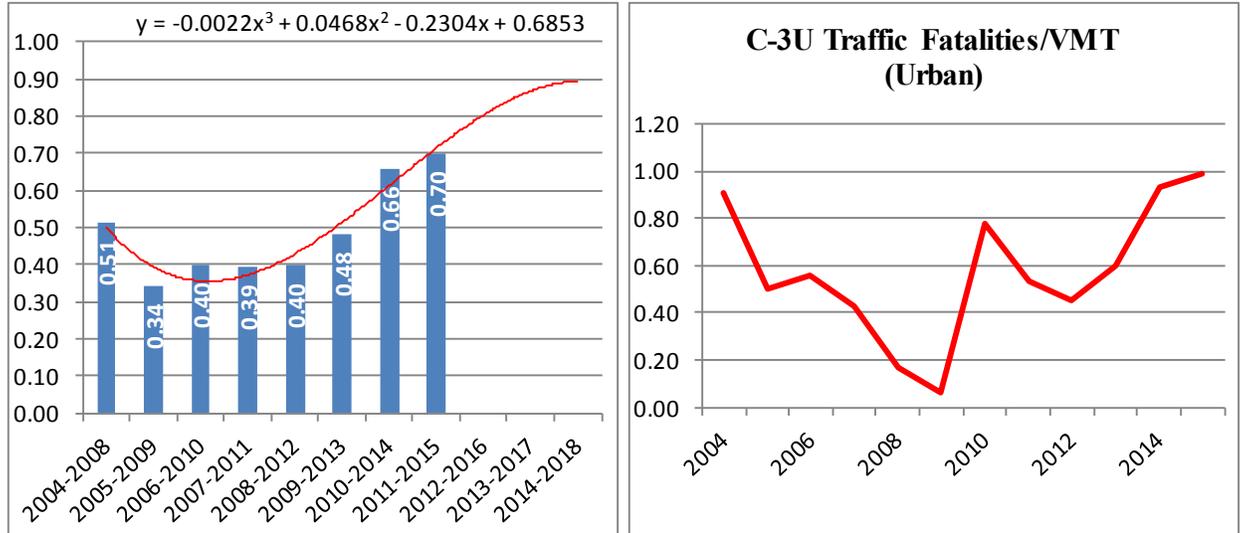


As shown in Figure C-3R (Rural) above, the five-year moving average with a linear trend analysis projects South Carolina will experience a five-year average number of 2.37 traffic fatalities/VMT (Rural) by December 31, 2018. This equates to an estimated 2.10 annual traffic fatalities/VMT (Rural) for 2018. Preliminary state data compiled by the OHSJP Statistical Analysis Research Section indicates there were 1,018 traffic fatalities in 2016, an increase of 4% from 979 in 2014. The state preliminary projection for 2017, based on the first four months of data, indicates an increase (about 12%) in traffic fatalities in comparison with 2016. Based on the information available, OHSJP will set its target to a 2.47 annual traffic fatalities/VMT (Rural) by December 31, 2018.

The vehicle miles traveled (VMT) in SC had a significant increase in 2015 (3.5%) and 2016 (5.2%) compared with previous years. The VMT is expected to continue to rise in the next few years, but at a slower rate. The US Energy Information Administration projecting a slightly higher average cost of regular gas in 2017 and continuing into 2018.

- To decrease traffic fatalities/VMT (Urban) 1.4% from the 2011-2015 baseline average of 0.70 to 0.69 by December 31, 2018.

Figure C-3U. South Carolina Traffic Fatalities/VMT(Urban), 5 Year Moving Average with Trend Analysis, 2004-2015.



Polynomial Projection =  $-0.0022(11^3) + 0.0468(11^2) - 0.2304(11) + 0.6853 = 0.89$   
 2011-2015 Average = 0.70  
 2012-2016 Average = Unavailable  
 2011 = 0.53  
 2012 = 0.45  
 2013 = 0.60  
 2014 = 0.93  
 2015 = 0.99 (6.5% increase from 2014)  
 2016 = Unavailable

As shown in Figure C-3U (Urban) above, the five-year moving average with a polynomial trend analysis projects South Carolina will experience a five-year average number of 0.89 traffic fatalities/VMT (Urban) by December 31, 2018. This equates to an estimated 0.72 annual traffic fatalities/VMT (Urban) in 2018. Preliminary state data compiled by the OHSJP Statistical Analysis Research Section indicates there were 1,018 traffic fatalities in 2016, an increase of 4% from 979 in 2014. The state preliminary projection for 2017, based on the first four months of data, indicates an increase (about 12%) in traffic fatalities in comparison with 2016. Based on available information, OHJSP will set its target to a 0.69 annual traffic fatalities/VMT (Urban) by December 31, 2018.

The vehicle miles traveled (VMT) in SC had a significant increase in 2015 (3.5%) and 2016 (5.2%) compared with previous years. The VMT is expected to continue to rise in the next few years, but at a slower rate. The US Energy Information Administration projecting a slightly higher average cost of regular gas in 2017 and continuing into 2018.

**Objectives:**

1. To decrease traffic fatalities and serious injuries by implementing comprehensive strategies aimed at reducing the number and severity of traffic crashes by December 31, 2018.
2. To maintain an effective staff to administer the Highway Safety Program in South Carolina throughout the FY 2018 grant year.
3. To prepare and submit to NHTSA the FY 2019 Highway Safety Plan for South Carolina by July 1, 2018.
4. To evaluate the effectiveness of programs and their impact upon the performance goals by preparing and submitting to NHTSA the FY 2018 Annual Report for South Carolina by December 31, 2018.

**Performance Indicators:****Goals:**

1. A comparison of the 2011-2015 calendar base year average for traffic fatalities will be made to the most current available FARS data.
2. A comparison of the 2011-2015 calendar base year average for traffic-related serious injuries will be made to the most current available state data.
3. A comparison of the 2011-2015 calendar base year average for fatalities/VMT will be made to the most current available FARS data.
4. A comparison of the 2011-2015 calendar base year average for fatalities/VMT (Rural) will be made to the most current available FARS data.
5. A comparison of the 2011-2015 calendar base year average for fatalities/VMT (Urban) will be made to the most current available FARS data.

**Objectives:**

1. A comparison of the number of traffic fatalities and serious injuries from the previous year will be made to the most current available statewide and FARS databases.
2. Maintain the level of staff to effectively manage all OHSJP initiatives.
3. Submit the FY 2018 Highway Safety Plan to NHTSA by the assigned deadline.
4. Conduct program evaluations and produce annual reports on program effectiveness by the assigned deadlines.

**Strategies:**

1. Highway Safety staff will monitor traffic crash and other appropriate data on an on-going basis in order to make course corrections as necessary.
2. Project personnel will be trained in project management and financial management of grants in order to obtain maximum performance.
3. Highway Safety staff will conduct a Problem Identification meeting to identify highway safety problems in the state.

4. Highway Safety staff will conduct project development to encourage potential subgrantees in identified problem areas to submit grant applications and provide technical assistance.
5. Highway Safety staff will conduct a Funding Guidelines Workshop to provide information to potential subgrantees on the processes and requirements involved with the submission of highway safety grant applications and encourage the development of projects that will positively impact highway safety in the state.
6. Highway Safety staff will review all applications submitted by the established deadline and participate in the staffing process for FFY 2019 grant projects.
7. Highway Safety staff will monitor 100% of all projects funded in order to provide adequate technical assistance and to ensure compliance with grant guidelines.
8. Highway Safety staff will coordinate statewide public information and education efforts to promote compliance with occupant protection laws and impaired driving laws. An overarching theme of all campaign efforts will be utilized by the OHSJP and the SCDPS. The theme will follow a highway safety initiative entitled, *Target Zero, A Goal We Can All Live With*. The statewide campaign will involve the SC Highway Patrol, and other law enforcement agencies statewide will be encouraged to participate. Thus, the campaign will touch all citizens of the state in each of the state's forty-six (46) counties.
9. Highway Safety staff will develop/implement technical training programs as needed to support local project initiatives.
10. The OHSJP will continue to provide grant funding for the Law Enforcement Networks (LEN) to assist them in their ongoing enforcement efforts and in recruiting additional enforcement agencies to enlist in the system. The OHSJP will continue to provide training to LENs through LEN Coordinator meetings, regularly scheduled LEN meetings, and Traffic Safety Officer Certification courses.
11. Highway Safety staff will continue to provide Law Enforcement Liaison services to both state and local law enforcement agencies.
12. The OHSJP will conduct periodic surveys to track driver attitudes and awareness concerning impaired driving, safety belt use and speed issues utilizing, in part, recommended questions developed by NHTSA and GHSA.
13. The OHSJP and the SC Department of Transportation (SCDOT) will continue their strong partnership to enhance traffic safety initiatives through a variety of activities:
  - a. dissemination of information to the public regarding highway safety and engineering issues through the use of variable message signs, radio stations, social web sites and presentations. The SCDOT variable message signs are used during each enforcement campaign to keep the various safety messages front and center for the target audience.

In addition, the SCDOT will continue utilizing variable message signs to communicate the state's ongoing traffic fatality total combined with traffic safety messaging to increase the public's awareness of the significance of the traffic fatality problem in South Carolina.

- b. continue implementation of the SCCATTS project to create a fully electronic traffic records system.
- c. continue the implementation of the Safety Improvement Team (SIT), funded by SCDOT, to focus on high-crash corridors.
- d. continue to utilize the "Target Zero" slogan and logo in all FFY 2018 media campaigns including television advertising, billboard advertising, and alternative advertising to include social media to promote the "Target Zero" traffic fatalities concept throughout the State of South Carolina.
- e. utilize Section 164 transfer funds to continue six, four-member Target Zero Enforcement Teams in four key areas of the state (Upstate, Midlands, Lowcountry, and Pee Dee) to aggressively enforce traffic laws (speeding, DUI, and occupant protection, etc.) on roadway corridors identified as high-risk for fatal and severe-injury traffic crashes over the most recent five-year period.

### **PROJECT FUNDED:**

#### **Highway Safety Planning and Administration**

**Problem Identification:** In South Carolina, preliminary state data from our Statistical Analysis Center indicates that there were 1,017 traffic fatalities in 2016. This figure represents approximately a 4% increase from the 979 traffic fatalities reported for 2015. Based on the number of fatalities and a 3.6% increase in vehicle miles of travel for 2015, the mileage death rate for 2015 is 1.89, which represents a 14.5% increase from 2014 (1.65). Overall, from 2011 to 2015, fatalities increased by 18.24% in South Carolina, compared to increases of 8.05% nationwide. Also, during the same timeframe of 2011 to 2015, state statistical data shows that there were 574,596 vehicle crashes in South Carolina. In those 574,596 vehicle crashes reported from 2011 to 2015, 258,052 persons were injured. Of those 258,052 persons injured, 16,185 persons, or 6.3%, sustained severe injuries. When comparing the vehicle crashes in 2011 to the 132,045 vehicle crashes in 2015, the state has experienced a 29.7% increase in the number of reported vehicle crashes during this five-year period.

**Project Description:** The 402 State and Community Highway Safety Program in South Carolina is administered by the Office of Highway Safety and Justice Programs (OHSJP) of the SC Department of Public Safety (SCDPS). The mission of the OHSJP is to develop and implement comprehensive strategies aimed at reducing the number and severity of traffic crashes on the state's streets and highways. The Program Administration area of the OHSJP will coordinate

highway safety programming focused on public outreach and education, aggressive traffic law enforcement, promotion of new safety technologies, the integration of public health strategies and techniques, collaboration with safety and business organizations, and cooperation with state and local governments. Programming resources will be directed to nationally and state-identified priority areas outlined in this document. The Program Administration area will ensure monitoring of traffic data to coordinate appropriate statewide highway safety messages to all citizens and visitors of the state. Highway safety staff members will conduct a Problem Identification meeting annually to identify highway safety problems. A Funding Guidelines Workshop will be conducted to provide information to potential subgrantees and to encourage the development of data-driven, evidence-based projects that will positively impact highway safety. Pre-work Conferences and a Project Management Course will be conducted during FFY 2018 with all Project Directors of newly awarded highway safety projects.

Program Administration will continue a sustained DUI enforcement initiative by implementing the 2018 Law Enforcement DUI Challenge known as *Sober or Slammer!* campaign (corresponding to the national *Drive Sober or Get Pulled Over* campaign) on a statewide level utilizing strategies that have proven results. The campaign will run from December 1, 2017 through September 1, 2018. According to the *Countermeasures That Work, A Highway Safety Countermeasure Guide for State Highway Safety Offices, Eighth Edition, 2015* (Chapter 1, section 2.2), publicized saturation patrol programs and sobriety checkpoints are effective in reducing alcohol-related fatal crashes and deterring drunk driving. The SCLLEN will encourage participants to join the campaign and utilize these enforcement strategies in their DUI enforcement efforts statewide alongside the SCHP.

Program Administration will also continue the state's occupant protection enforcement mobilization in the time period leading up to and after the Memorial Day holiday in May 2018. The statewide campaign, known as *Buckle up, South Carolina. It's the law and it's enforced.*, will mirror the national *Click-it-or-Ticket* campaign. The 2018 campaign will once again focus on nighttime safety belt enforcement at the state and local level. This strategy will not only impact the time of day when seat belt usage rates decline, but will also result in additional DUI arrests. All major mobilizations will include outreach components that focus on the diverse population of our state.

The OHSJP will provide funding to highway safety staff and advocates to attend significant conferences and training events related to highway safety issues. Highway safety staff, other SCDPS staff, and partner agencies/groups will continue to educate and inform the citizens of the state and its visitors about the state's primary enforcement safety belt law. Highway safety staff will continue to support and assist in the further development of the Law Enforcement Network (LEN) system in the state. Sixteen (16) LENs have been formed corresponding to the sixteen judicial circuits in South Carolina. The OHSJP will continue to maintain a strong partnership with the SC Department of Transportation (SCDOT) to enhance traffic safety initiatives through a variety of activities.

The OHSJP's Planning and Administration highway safety project staff will direct the planning, development, coordination, monitoring, evaluating, and auditing of projects under the Section

402 Program. Highway safety staff are also responsible for coordinating and evaluating the highway safety efforts among the various agencies throughout the state. The goal of the Planning and Administration Program Area is to decrease the upward trend of traffic fatalities from the 2016 preliminary number of 1,018 to 1,006 by December 31, 2018 with a five year average of 970 from 2014-2018.

**Countermeasures That Work:** In the Resources section (page 5-5) of the *Countermeasures That Work, A Highway Safety Countermeasure Guide for State Highway Safety Offices, Eighth Edition, 2015*, the guide states that it does not include countermeasures for which SHSOs have little or no authority or responsibility, or that cannot be supported under typical highway safety grant programs. For example, the “guide does not include administrative or management topics such as traffic safety data systems and analyses, program planning and assessments, State and community task forces, or comprehensive multi-prolonged community traffic safety strategies.”

**Strategic Highway Safety Plan:** South Carolina’s Strategic Highway Safety Plan (SHSP) was updated in 2015 and given the title of “Target Zero” to reflect the state’s adoption of the national Target Zero initiative of zero traffic fatalities. The SCDPS adopted this strategy as the only legitimate way of continuing to drive down traffic fatalities in our state.

The SHSP update was conducted through a partnership approach that identifies ways to eliminate traffic fatalities and reduce serious injuries on South Carolina highways. Emphasis Areas were identified based on a detailed analysis of fatal and severe-injury crashes from 2009 to 2012. The most recent SHSP includes a brief review of each Emphasis Area, followed by a list of definitive strategies designed to reduce or mitigate the severity of vehicle crashes. Each emphasis area in the SHSP cites the significance of the problem for the state and recommends engineering, education, enforcement, EMS, and public policy strategies for appropriate countermeasures to address the problem.

**Summary Table**

Agency	County	Project Number	Budget	Number of Personnel
SC Department of Public Safety: Office of Highway Safety and Justice Programs	Statewide	PA-2018-HS-01-18	\$149,508	2

**Budget Table**

<b>Project Number</b>	<b>Subgrantee</b>	<b>Project Title</b>	<b>Budget</b>	<b>Budget Source</b>
<b>PA-2018- HS-01-18</b>	<b>South Carolina Department of Public Safety: Office of Highway Safety &amp; Justice Programs</b>	<b>Highway Safety Planning &amp; Administration</b>	<b>\$149,508</b>  <b>\$149,508</b>	<b>State Funds</b>  <b>NHTSA 402</b>
<b>NHTSA 402 Total</b>			<b>\$149,508</b>	
<b>Total All Funds</b>			<b>\$299,016</b>	

## ALCOHOL COUNTERMEASURES PROGRAM AREA

### Overview

The State of South Carolina has been committed to reducing the occurrence of alcohol-impaired driving and the resulting traffic crashes, injuries, and fatalities. The state has experienced significant reductions in alcohol-impaired driving traffic fatalities in recent years. The most recent preliminary FARS data provided by the National Highway Traffic Safety Administration (NHTSA) indicates that 301 people died on South Carolina roadways in 2015 as a result of alcohol-impaired driving collisions (see **Table 5** on page 16). This raw number translates into a VMT alcohol-impaired driving fatality rate (traffic fatalities per 100 million vehicle miles traveled) for the state of 0.58, higher than the national rate of 0.33.

The SC Strategic Highway Safety Plan (SHSP), *Target Zero*, updated in 2015, identified impaired driving as one of its Emphasis Areas (pp. 79-83), citing the significance of the problem for the state and recommending engineering, education, enforcement, EMS, and public policy strategies for appropriate countermeasures to attack the problem based on data-driven and evidence-based practices (pp. 82-83).

The NHTSA-produced *Countermeasures That Work: A Highway Safety Countermeasure Guide for State Highway Safety Offices, Eighth Edition, 2015 (CTW, 2015)* stresses the importance of this emphasis area and outlines significant strategies to reduce impaired driving (pp.1-4 to 1-6) and appropriate countermeasures to bring about alcohol- and drug-impaired driving reductions (pp. 1-7 to 1-74). The four basic strategies identified to reduce impaired driving are Deterrence, to include laws, enforcement, prosecution and adjudication, and offender treatment, monitoring, and control; Prevention; Communications and Outreach; and Alcohol Treatment (pp. 1-4 to 1-5).

Of the four impaired driving countermeasures strategies identified, the State of South Carolina will continue to effectively implement *Deterrence* of high quality in the areas of Enforcement, with the SC Highway Patrol (SCHP) and law enforcement agencies across the state utilizing high-visibility saturation patrols (pp.1-21 to 1-27), Prosecution, and Adjudication, with continued funding for a Court Monitoring Program (pp.1-29 to 1-34).

In FFY 2016, the OHSJP implemented the Mothers Against Drunk Driving (MADD) SC Court Monitoring Program to provide data on how DUI cases are disposed of and to report how the remaining cases are processed in the respective judicial circuits. It is believed that court monitoring programs help increase DUI arrests, decrease plea agreements, and increase guilty pleas (CTW, 2015, pp. 1-33). In terms of legislation, South Carolina enacted an amended DUI law in February 2009. Though South Carolina's DUI law was strengthened, it remains problematic for a number of reasons and likely does not function in the state at the deterrence level outlined by the document. However, the state did make strides in harshening penalties for impaired driving and for breath test refusals associated with DUI arrests.

In April 2014, South Carolina amended the ignition interlock portion of the state's DUI statutes in Act 158, which went into effect on October 1, 2014. Ignition interlock devices are now required for first-time DUI offenders who are convicted of having had blood alcohol concentrations (BACs) of 0.15% or higher. The law is known as "Emma's Law" and is named after six-year-old Emma Longstreet, who was the state's first traffic fatality of 2012. Young Miss Longstreet was killed by a drunk driver on Sunday morning, January 1, 2012, as she and her family were traveling to church. The ignition interlock device program is a voluntary alternative to hard suspensions for first-time DUI offenders who are convicted of having refused to submit to a breath test. First-time DUI offenders who are convicted of having had blood alcohol concentrations (BACs) of 0.14% or lower have ignition interlock devices as an alternative to presently existing special driving privileges. Hard suspensions for subsequent DUI offenders were removed, and those persons are immediately subjected to ignition interlock requirements.

For persons mandated to obtain ignition interlock devices, the requirement no longer has a time limit. Under the amended law, the suspension will be indefinite and will only end when ignition interlock requirements have been fulfilled. However, the legislation continued to allow a person who does not own a vehicle to operate an employer's vehicle without an ignition interlock device installed. Some of those statutory provisions resulted in the State of South Carolina being deemed out of compliance with USDOT Section 164 requirements. It should be noted that during the 2015 legislative session of the SC General Assembly, Emma's Law was amended, effective June 1, 2015, to deal with the problem areas that caused the state to fall out of compliance with Section 164. The amended legislation became compliant by amending the employer vehicle sections, S.C. Code § 56-1-400(B), and S.C. Code § 56-5-2941(L).

The State of South Carolina began a Pilot DUI Court in two judicial circuits during FFY 2014, which combine adjudication strategies with *Alcohol Treatment*. In FFY 2015, 2016, and 2017 the OHSJP provided grant funding for the continuation of the DUI Courts in South Carolina, which provide for the monitoring and treatment of offenders convicted of DUI. The overall goal of the DUI Court program is to see a reduction in recidivism and a change in behavior for those who complete the program (CTW, 2015, pp. 1-29 to 1-30, and 1-37).

Another strategy that South Carolina will continue to utilize to reduce impaired driving is *Communications and Outreach*. Each year a statewide high-visibility enforcement and education initiative is utilized (*Sober or Slammer!* campaign, modeled after and conducted with the national *Drive Sober or Get Pulled Over* campaign), which combines enforcement, education, media, and diversity outreach components to attempt to reduce impaired driving crashes, injuries, and fatalities in the state. Participation of state and local law enforcement agencies throughout every judicial circuit in the state is encouraged. Communication and outreach strategies have proven to be highly effective for South Carolina as demonstrated by the decline in the number of alcohol-impaired driving fatalities in the state (CTW, 2015, pp. 1-46, and 1-49 to 1-50).

The data sections below outline specific problems that the State of South Carolina is facing in terms of alcohol-impaired driving. The information also demonstrates the foundation on which the state has built a response to the problem for the FFY 2018 Highway Safety Plan. The OHSJP conducted a Highway Safety Grant Special Solicitation for FFY 2018 Impaired Driving

Countermeasures Projects. The application deadline was June 30, 2017; therefore, the number of projects to be implemented will be more than what is presented in this FFY 2018 Highway Safety Plan and the FFY 2018 Impaired Driving Countermeasures Plan. A total of twenty (20) Impaired Driving Countermeasures grant applications were received by the deadline. The applications ranged from enforcement, education, and prosecution projects. A total amount of \$4,013,626 was requested. The Public Safety Coordinating Council (PSCC) will meet September 6, 2017, to review/vote on the projects that the OHSJP staff recommends for funding. Once the projects have received approval, the OHSJP will incorporate the new Impaired Driving Countermeasures projects in the 1<sup>st</sup> quarter FFY 18 HSP update.

## **Traffic Fatalities**

According to **Table 5**, on page 16, compiled from the NHTSA's *Analysis of Fatal Crash Data South Carolina: 2011-2015* and updated by the SC Department of Public Safety's Office of Highway Safety and Justice Programs (OHSJP) using 2015 preliminary FARS data, shows that in 2011, there were 309 alcohol-impaired driving fatalities in South Carolina. This number fluctuated each year until reaching its lowest point of the 2011-2015 five-year cycle (301) in 2015. The 301 alcohol-impaired driving fatalities in 2015 represent a considerable change (9.27% decrease) from the 2011-2014 average, and a less significant change (2.59% decrease) from the 2011 total (309). The VMT-based projected alcohol-impaired traffic fatality rate for 2015 (0.58) represented a 13.75% decrease from the prior four-year average and an 8.22% decrease when compared to the 2011 rate (0.63). South Carolina's alcohol-impaired population-based fatality rate followed a similar pattern as the VMT rate, with the 2015 rate (6.15 deaths per 100,000 population) representing a 12.01% decrease when compared to the 2011-2014 average (6.99) and a 7.03% decrease when compared to the rate in 2011 (6.61). These declines suggest that different factors may have been affecting alcohol-impaired driving deaths as opposed to non-alcohol impaired driving, which showed an increase during the same time period (see **Table 1** on page 11).

The impaired driving fatality percentage of total deaths is a key index of the problem of alcohol-impaired driving fatalities. **Table 5** on page 16 indicates that South Carolina's proportion of impaired-driving deaths declined significantly in 2015 when compared to both the prior four-year average and the 2011 proportion. In South Carolina, this proportion decreased by 24.09% in 2015 (30.75%) when compared to the average of the previous four years (40.5%) and by 17.61% in 2015 when compared to the 2011 proportion (37.32%).

**Table 15** on the next page provides nationwide data. Over the entire five-year period, 2011-2015, the average alcohol-impaired driving VMT rate in South Carolina (0.65 traffic deaths per 100 million VMT, see **Table 1** on page 11) was much higher than the rate for the nation (0.34). Over the entire five-year period, the alcohol-impaired driving population-based fatality rate in South Carolina (6.82 deaths per 100,000 residents) was much higher than the rates for the nation (3.19) (See **Table 15** on the following page).

**Table 15** on the next page indicates that nationwide, alcohol-impaired traffic deaths increased by 2.09% in 2015 compared to an average of the four prior years, while VMT-based and

population-based fatality rates fell and rose by 2.74% and 0.18%, respectively. The national declines in VMT-based fatality rate and percent of total death are significantly smaller than those seen for the state.

**Table 15. Nationwide Alcohol-Impaired Driving Fatalities**

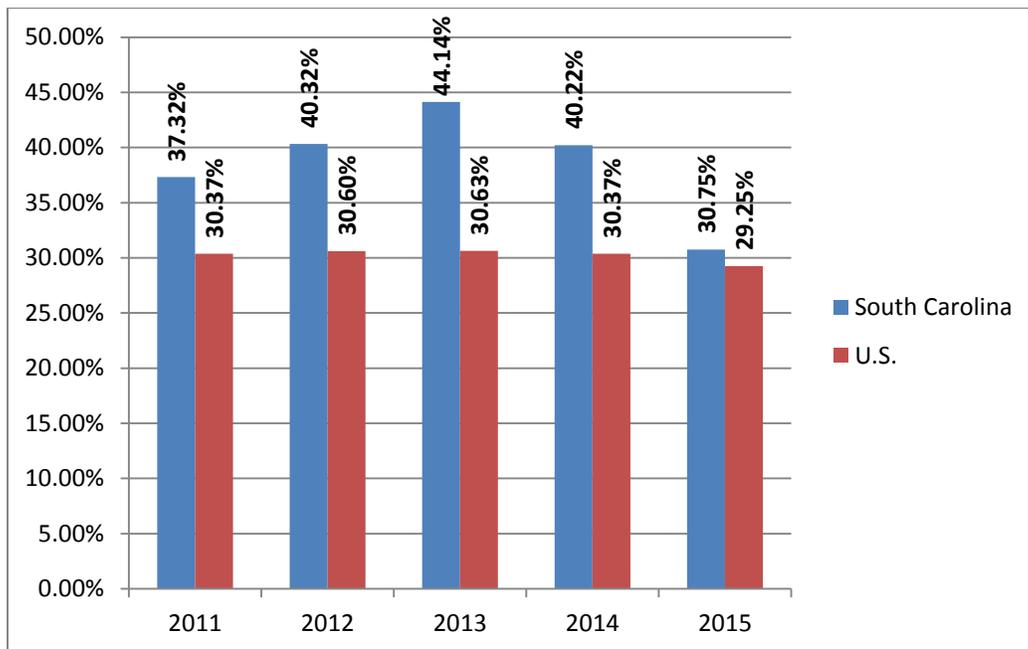
	2011	2012	2013	2014	2015	% Change 2011 vs. 2015	% Change 2015 vs. prior 4-yr Avg.
<b>Fatalities</b>	9,865	10,336	10,076	9,943	10,265	4.05%	2.09%
<b>VMT Rate*</b>	0.33	0.35	0.34	0.33	0.33	-1.96%	-2.74%
<b>Pop. Rate**</b>	3.16	3.29	3.18	3.12	3.20	0.96%	0.18%
<b>Pct of Total</b>	30.37%	30.60%	30.63%	30.37%	29.25%	-3.69%	-4.07%

\* Rate per 100 million miles of travel

\*\* Rate per 100,000 population

As shown in **Figure 18** below, the percentage of fatalities in South Carolina that involved alcohol-impaired driving was consistently above that of the nation from 2011 to 2014. However, in 2015, 30.75% of all fatalities in South Carolina were alcohol-impaired driving fatalities, in line with the nationwide percentage of 29.25%.

**Figure 18: Alcohol-Impaired Driving Fatalities as Percent of Total Fatalities**



Alcohol-impaired driving data for South Carolina shown in **Figure 2** (page 16), and **Figure 3** (page 17) are based on NHTSA FARS data and display graphically the downward trends in South Carolina in terms of four key indices of alcohol-impaired data – alcohol-impaired driving fatalities, VMT-based fatality rate, population-based alcohol-impaired driving fatality rate, and percent of total fatalities. Though the state has much work to do to improve the problem of alcohol-impaired driving, the trends displayed in these figures are encouraging.

### Alcohol-Impaired Driving Fatalities: Counties

**Table 16** below and on page 79 shows the alcohol-impaired driving fatalities by county for South Carolina. According to data compiled from the OHSJP Statistical Analysis and Research Section and FARS, in South Carolina, from 2011 to 2015, the five counties with the most alcohol-impaired driving fatalities were Greenville (127); Lexington (114); Horry (112); Richland (107); and Charleston (102). Of these five counties, the following four showed decreases in the number of 2015 deaths when compared to the respective prior four-year average: Charleston (-31.03%), Richland (-29.67%), Greenville (-6.80%), and Lexington (-4.35%), while Horry experienced a slight increase (3.37%). Throughout the five-year period 2011-2015, the counties with the highest percentages of alcohol-impaired driving fatalities as compared to the total traffic fatalities were Edgefield (52.38%); Lexington (51.82%); Greenwood (51.11%); Fairfield (50.00%); and McCormick (50.00%).

**Table 16. Alcohol-Impaired Driving Fatalities by County**

Alcohol-Impaired Driving (A-I) Fatalities*						Total A-I Fatalities	Total Fatalities	% A-I	% Change 2015 vs. prior 4-yr Avg.
County	2011	2012	2013	2014	2015				
Abbeville	1	3	3	2	2	11	27	40.74%	-11.11%
Aiken	12	8	14	9	9	52	123	42.28%	-16.28%
Allendale	0	1	2	1	0	4	16	25.00%	-100.00%
Anderson	13	13	13	19	8	66	201	32.84%	-44.83%
Bamberg	1	1	1	2	1	6	18	33.33%	-20.00%
Barnwell	6	1	0	1	4	12	31	38.71%	100.00%
Beaufort	4	8	7	10	3	32	88	36.36%	-58.62%
Berkeley	15	14	13	14	10	66	169	39.05%	-28.57%
Calhoun	2	1	2	4	2	11	47	23.40%	-11.11%
Charleston	20	24	19	24	15	102	256	39.84%	-31.03%
Cherokee	4	2	3	6	5	20	64	31.25%	33.33%
Chester	3	1	6	3	2	15	48	31.25%	-38.46%
Chesterfield	2	5	4	2	8	21	48	43.75%	146.15%
Clarendon	3	3	5	3	6	20	65	30.77%	71.43%
Colleton	8	8	3	7	7	33	88	37.50%	7.69%
Darlington	8	7	10	3	10	38	88	43.18%	42.86%
Dillon	4	4	2	6	2	18	53	33.96%	-50.00%

Dorchester	6	8	8	5	11	38	98	38.78%	62.96%
Edgefield	6	2	0	2	1	11	21	52.38%	-60.00%
Fairfield	4	4	5	7	1	21	42	50.00%	-80.00%
Florence	6	8	9	11	9	43	144	29.86%	5.88%
Georgetown	2	7	5	4	4	22	58	37.93%	-11.11%
Greenville	21	25	35	22	24	127	328	38.72%	-6.80%
Greenwood	6	5	2	4	6	23	45	51.11%	41.18%
Hampton	2	4	2	2	2	12	25	48.00%	-20.00%
Horry	18	21	23	27	23	112	298	37.58%	3.37%
Jasper	7	5	3	2	3	20	78	25.64%	-29.41%
Kershaw	5	7	12	5	5	34	71	47.89%	-31.03%
Lancaster	8	5	2	5	4	24	69	34.78%	-20.00%
Laurens	4	7	6	6	5	28	94	29.79%	-13.04%
Lee	1	1	3	1	6	12	27	44.44%	300.00%
Lexington	27	28	21	16	22	114	220	51.82%	-4.35%
Marion	0	4	3	3	4	14	41	34.15%	60.00%
Marlboro	6	1	1	4	2	14	37	37.84%	-33.33%
McCormick	0	2	0	4	0	6	12	50.00%	-100.00%
Newberry	1	6	3	2	1	13	40	32.50%	-66.67%
Oconee	4	8	1	4	3	20	64	31.25%	-29.41%
Orangeburg	10	7	18	10	8	53	144	36.81%	-28.89%
Pickens	6	5	5	8	6	30	75	40.00%	0.00%
Richland	17	28	28	18	16	107	240	44.58%	-29.67%
Saluda	1	5	1	3	0	10	23	43.48%	-100.00%
Spartanburg	13	25	11	19	24	92	240	38.33%	41.18%
Sumter	9	5	10	12	4	40	103	38.83%	-55.56%
Union	1	1	0	1	4	7	17	41.18%	433.33%
Williamsburg	2	5	7	3	2	19	53	35.85%	-52.94%
York	12	11	11	8	7	49	124	39.52%	-33.33%
<b>Totals</b>	<b>311</b>	<b>354</b>	<b>342</b>	<b>334</b>	<b>301</b>	<b>1,642</b>	<b>4,261</b>	<b>40.10%</b>	<b>-18.70%</b>

Different county pictures emerge when looking at population-based alcohol-impaired traffic fatality rates in South Carolina. The population-based traffic fatality rates by county are shown in **Table 17** on page 80-81, with highlighting indicating counties with the highest rates in 2015 (Lee [33.53]; Colleton [18.55]; Barnwell [18.41]; Clarendon [17.76]; and Chesterfield [17.38]). These counties are much smaller in population than the average SC county, and it should be noted that the counties' population-based fatality rates can vary drastically from year to year as the chart on the next page shows. Thus, counties with the highest rates in 2015 may have had a much smaller rate in prior years. As a result, using this data to frame and inform strategies should be considered with caution.

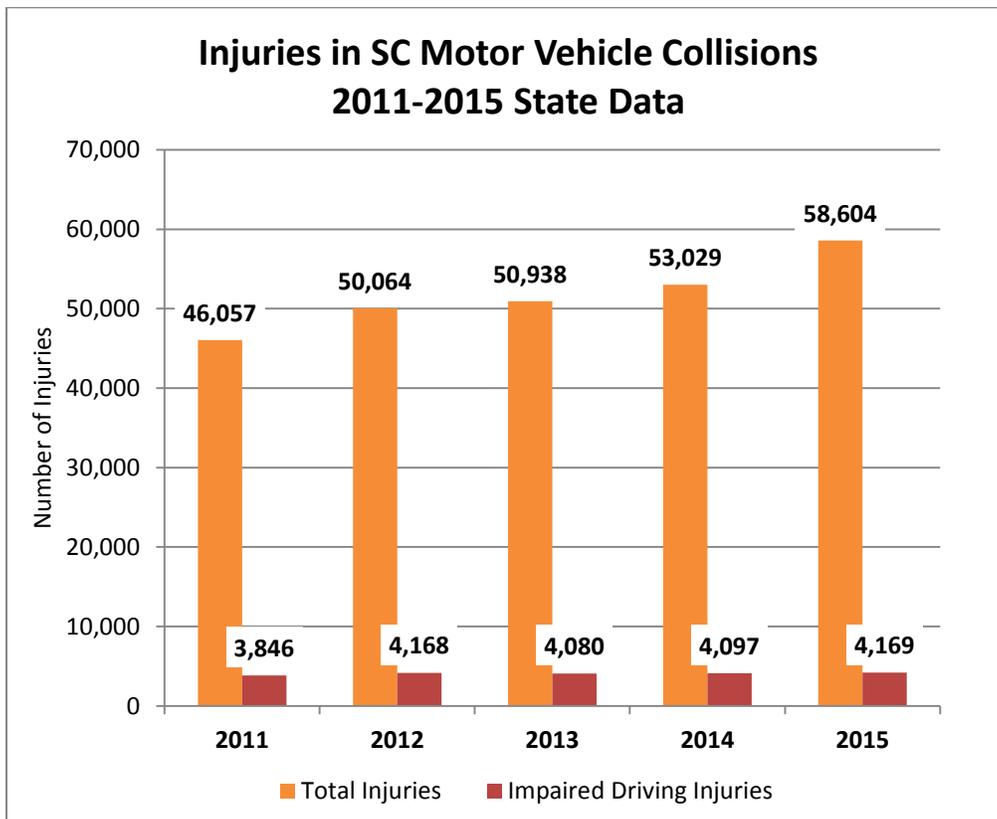
**Table 17. Alcohol-Impaired Driving Fatalities by County: Rate per 100,000 Population**

<b>County</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>
Abbeville	3.98	11.98	12.01	8.02	8.02
Aiken	7.42	4.90	8.53	5.47	5.43
Allendale	0.00	10.01	20.37	10.32	0.00
Anderson	6.90	6.87	6.82	9.85	4.11
Bamberg	6.30	6.33	6.48	13.17	6.72
Barnwell	26.78	4.49	0.00	4.56	18.41
Beaufort	2.44	4.78	4.09	5.71	1.67
Berkeley	8.17	7.39	6.71	7.06	4.93
Calhoun	13.18	6.70	13.29	26.90	13.53
Charleston	5.59	6.57	5.10	6.31	3.85
Cherokee	7.19	3.59	5.38	10.71	8.90
Chester	9.13	3.06	18.37	9.27	6.20
Chesterfield	4.29	10.85	8.67	4.34	17.38
Clarendon	8.66	8.76	14.63	8.81	17.76
Colleton	20.79	20.93	7.94	18.53	18.55
Darlington	11.72	10.27	14.73	4.43	14.80
Dillon	12.59	12.69	6.37	19.18	6.40
Dorchester	4.28	5.62	5.51	3.37	7.21
Edgefield	22.44	7.59	0.00	7.56	3.77
Fairfield	16.96	17.19	21.69	30.58	4.40
Florence	4.36	5.80	6.51	7.91	6.48
Georgetown	3.32	11.62	8.27	6.59	6.53
Greenville	4.57	5.36	7.38	4.56	4.88
Greenwood	8.59	7.15	2.87	5.75	8.59
Hampton	9.63	19.30	9.81	9.79	9.98
Horry	6.54	7.45	7.96	9.05	7.44
Jasper	27.55	19.29	11.29	7.40	10.78
Kershaw	8.06	11.25	19.18	7.92	7.86
Lancaster	10.29	6.32	2.49	6.02	4.66
Laurens	6.02	10.57	9.07	9.02	7.50
Lee	5.28	5.35	16.28	5.44	33.53
Lexington	10.13	10.37	7.68	5.77	7.81
Marion	0.00	12.35	9.38	9.39	12.60
Marlboro	21.07	3.55	3.58	14.34	7.27
McCormick	0.00	20.11	0.00	40.56	0.00
Newberry	2.67	15.97	7.99	5.29	2.63
Oconee	5.39	10.72	1.33	5.32	3.96
Orangeburg	10.90	7.66	19.86	11.12	8.97
Pickens	5.02	4.18	4.19	6.63	4.93

<b>Richland</b>	4.36	7.11	7.04	4.48	3.93
<b>Saluda</b>	5.03	25.04	4.98	14.98	0.00
<b>Spartanburg</b>	4.54	7.97	3.78	6.47	8.07
<b>Sumter</b>	8.38	4.63	9.26	11.12	3.72
<b>Union</b>	3.49	3.54	0.00	3.58	14.40
<b>Williamsburg</b>	5.86	14.87	21.12	9.16	6.15
<b>York</b>	5.21	4.69	4.60	3.26	2.79
<b>County Average</b>	<b>8.37</b>	<b>9.41</b>	<b>8.53</b>	<b>9.68</b>	<b>7.99</b>

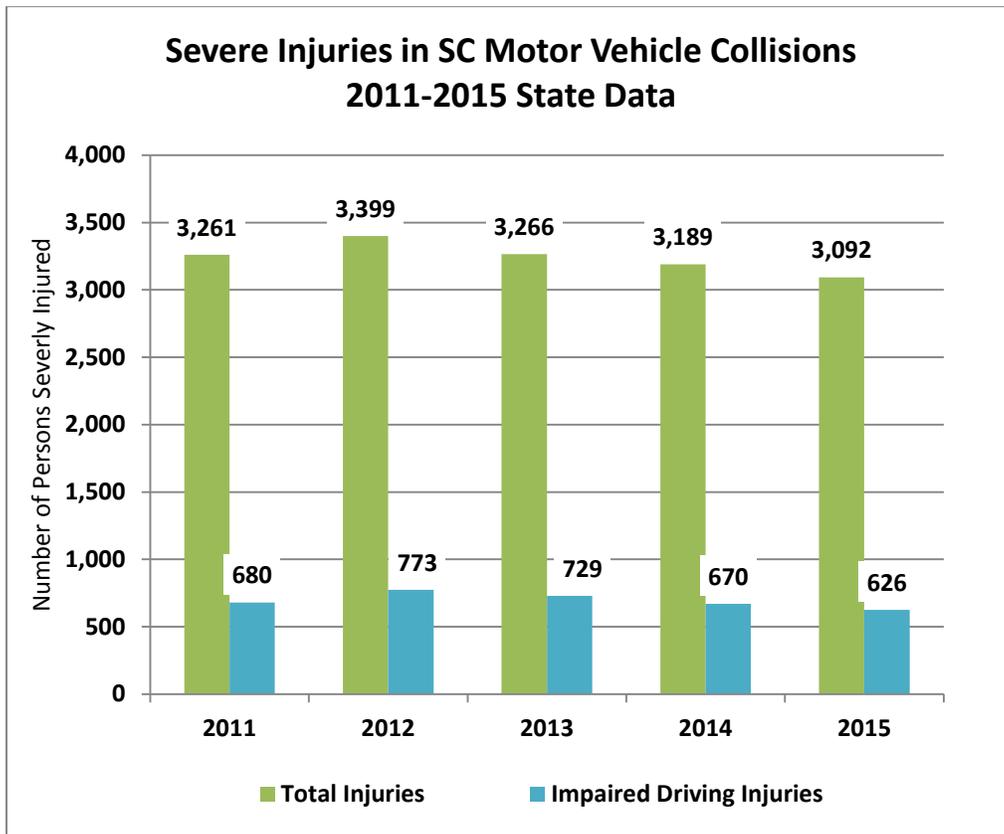
## Traffic Injuries

According to state data, from 2011 to 2015, a total of 258,692 people were injured in motor-vehicle collisions in South Carolina. Of the 258,692 injuries, 20,360, or 7.9%, were impaired driving-related (State data cannot separate alcohol- and drug-impaired driving). **Figure S-5** below displays graphically how total injuries compare to impaired driving-related injuries in the state from 2011 to 2015.



**Figure S-5. Injuries in SC Motor Vehicle Collisions, 2011-2015**

**Figure S-6** below compares total severe traffic-related injuries in SC from 2011 to 2015 to those severe injuries that were the result of impaired-driving collisions. From 2011 to 2015, SC experienced a total of 16,207 severe traffic-related injuries. Of these 16,207 severe-injuries, 3,478, or 21.5%, were impaired-driving-related. The state experienced a decrease (7.9%) in 2015 in impaired-driving-related severe injuries (626), as compared to the number of impaired-driving-related severe injuries in 2011 (680). The state also experienced a decrease (12.2%) in 2015 as compared to the average of the four-year period 2011-2014 (713 severe injuries).

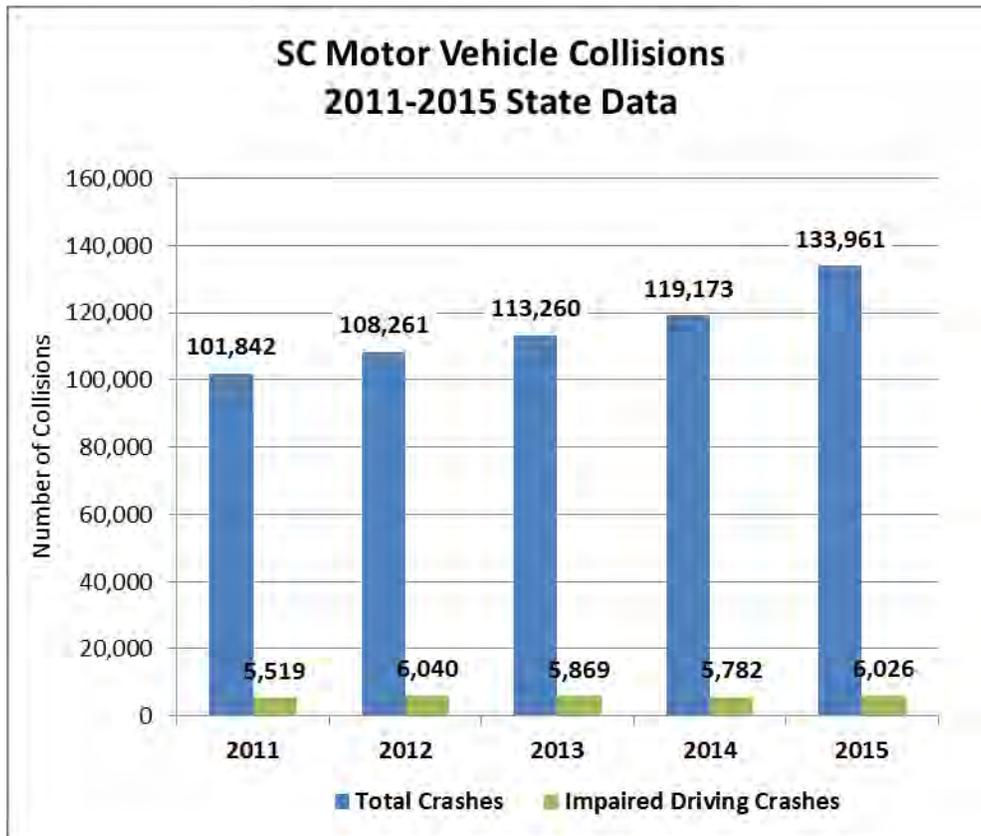


**Figure S-6. Severe Injuries in SC Motor Vehicle Collisions, 2011-2015**

## Traffic Crashes

### Alcohol-Impaired Driving Collisions

According to state data, over the five-year period 2011-2015, South Carolina experienced 29,236 impaired-driving collisions. During the same period, there was a 9.2% increase in the number of impaired-driving collisions, from 5,519 in 2011 to 6,026 in 2015 (see **Figure S-7** below). The 2015 figure of 6,026 impaired-driving-related crashes was 3.9% higher than the average number of impaired-driving-related crashes for the years 2011-2014 (5,802.5).



**Figure S-7. SC Motor Vehicle Crashes and impaired Driving Crashes, 2011-2015**

## Drivers Involved in Impaired-Driving-Related Collisions

Drivers in the 20-24 year old age group made up the largest age group represented among all at-fault drivers (29,404) involved in impaired-driving crashes from 2011-2015, totaling 5,104 drivers. Of the 5,104 drivers, 241, or 4.7%, were involved in a fatal impaired-driving collision. The second highest age group of at-fault impaired drivers was aged 25-29 (4,684 drivers), 222, or 4.7%, of whom were involved in a fatal impaired-driving-related crash. This age group was followed by drivers aged 30-34, totaling 3,955 at-fault drivers involved in impaired-driving crashes, 167, or 4.2%, of whom were involved in a fatal impaired-driving-related collision (see **Table S-1** below and **Table S-2** on the next page). During the period 2011-2015, 81.7% of the at-fault drivers involved in impaired-driving crashes were male, 18% were female, and 0.3% were gender unknown (**Table S-3** on the following page). In regards to ethnicity, Caucasians were the leading group of at-fault drivers involved in impaired-driving collisions, constituting 65.3% of the total drivers (**Table S-4** on the following page). African Americans were the next highest group, with 30.45%, followed by Hispanic drivers, who accounted for 3.3% of the total at-fault drivers involved in impaired-driving crashes (0.65% and 0.29% represent other and unknown ethnicities).

**Table S-1 Impaired Driving Collisions by ‘Contributed To’ Driver Age Group, 2011-2015**

Age Group	2011	2012	2013	2014	2015	Total
Under 15	1	0	4	1	0	6
15-19	303	322	279	265	245	1,414
20-24	953	1,083	1,065	982	1,021	5,104
25-29	873	965	940	924	982	4,684
30-34	774	798	763	783	837	3,955
35-39	512	589	616	571	643	2,931
40-44	523	586	557	570	528	2,764
45-49	535	572	500	478	484	2,569
50-54	438	509	454	471	486	2,358
55-59	279	278	333	341	377	1,608
60-64	172	186	176	189	232	955
65-69	80	104	104	99	101	488
70+	55	54	81	90	75	355
Unknown	56	42	37	40	38	213
<b>Total</b>	<b>5,554</b>	<b>6,088</b>	<b>5,909</b>	<b>5,804</b>	<b>6,049</b>	<b>29,404</b>

**Table S-2. Impaired Driving Fatal Crashes by ‘Contributed To’ Driver Age Group, 2011-2015**

Age Group	2011	2012	2013	2014	2015	Total
Under 15	0					
15-19	18	20	16	21	14	89
20-24	51	49	47	44	50	241
25-29	46	41	38	52	45	222
30-34	38	33	33	35	28	167
35-39	26	22	25	28	28	129
40-44	21	22	36	26	24	129
45-49	25	33	25	16	29	128
50-54	22	27	22	18	20	109
55-59	12	18	17	16	18	81
60-64	8	4	3	12	13	40
65-69	4	4	7	5	3	23
70+	4	7	3	7	6	27
Unknown	1	2	1	0	0	4
<b>Total</b>	<b>276</b>	<b>282</b>	<b>273</b>	<b>280</b>	<b>278</b>	<b>1389</b>

**Table S-3. Impaired Driving Fatal Crashes by ‘Contributed To’ Driver Gender, 2011-2015**

Gender	2011	2012	2013	2014	2015	Total
Male	224	231	229	222	229	1,135
Female	51	49	43	58	49	250
Unknown	1	2	1	0	0	4
<b>Total</b>	<b>276</b>	<b>282</b>	<b>273</b>	<b>280</b>	<b>278</b>	<b>1,389</b>

**Table S-4. Impaired Driving Fatal Crashes by ‘Contributed To’ Driver Ethnicity, 2011-2015**

Ethnicity	2011	2012	2013	2014	2015	Total
Caucasian	180	191	174	176	186	907
African American	79	79	90	90	85	423
Hispanic	14	8	7	13	4	46
Other	2	2	1	1	3	9
Unknown	1	2	1	0	0	4
<b>Total</b>	<b>276</b>	<b>282</b>	<b>273</b>	<b>280</b>	<b>278</b>	<b>1389</b>

### Alcohol-Impaired Driving Fatalities: Blood Alcohol Content (BAC) Percentages

As shown in **Table 18** below, from 2011 through 2015, the percentage of fatalities in South Carolina in which the highest BAC in the crash was 0.08 or above was 89%. Only 11% of the known BAC test results were in the 0.01 to 0.07 range (BAC test results were available in 72% of the fatal crashes in South Carolina from 2011 to 2015). Additional analysis show 64% of these fatal crashes had a driver with double the legal limit of alcohol in their system at the time of the crash.

**Table 18. Fatalities by the Highest BAC in the Crash\***

Highest BAC	Number of Fatal Collisions
0.01-0.07	108
0.08-0.14	241
0.15-0.21	344
0.22-0.28	206
0.29-0.35	64
0.36+	16
Unknown	381
Total	1,360

### Alcohol-Impaired Fatal Crashes: Month, Day, and Time

As shown in **Table 19** on page 88, the three months with the greatest number of alcohol-impairment-related fatal crashes in South Carolina during the 2011-2015 period were May (145 crashes, 9.79% of total), July (143 crashes, 9.66% of the total), and October (141 crashes, or 9.52% of the total). Nationwide, the three months with the greatest percentage of such crashes were August (9.78%), July (9.70%), and then May (9.18%).

During the timeframe 2011-2015, alcohol-impairment-related fatal crashes were much more common on the weekends and Fridays than on other days of the week for South Carolina and the US as a whole. In South Carolina, the most alcohol-impairment-related fatal crashes occurred on Saturdays (387 crashes, 26.13% of total), followed by Sundays (331, 22.35%), and then Fridays (214, 14.45%). The same pattern was observed for the nation. Nationally, 24.51% of alcohol-impairment-related fatal crashes occurred on Saturdays, 22.30% on Sundays, and 14.73% on Fridays.

During the five years 2011-2015, alcohol-impairment-related fatal crashes were much more common after 6 p.m. and before 3 a.m. for South Carolina and the US as a whole. In South Carolina, the most alcohol-impairment-related fatal crashes occurred between midnight and 3

a.m. (339 crashes, 22.89% of total), followed by 9 p.m. to midnight (333, 22.48%), and then 6 p.m. to 9 p.m. (260, 17.56%). Nationwide the pattern was similar, as 24.65% of alcohol-impairment-related fatal crashes occurred between midnight and 3 a.m., 20.58% between 9 p.m. and midnight, and 17.27% between 6 p.m. and 9 p.m. It should be noted that, when adding the 3 a.m. to 6 a.m. (177, 11.95%) and 3 p.m. to 6 p.m. (158, 10.67%) timeframes to the equation, 85.55% of South Carolina's alcohol-impairment-related fatal crashes occurred between the hours of 3 p.m. and 6 a.m.

**Table 19. Alcohol-Impairment-Related\* Fatal Crashes by Month, Day of Week, and Time of Day: Totals 2011-2015**

	South Carolina N=1481		U.S. N=45644
	N	%	%
<b>MONTH</b>			
January	114	7.70%	7.07%
February	99	6.68%	6.39%
March	125	8.44%	7.87%
April	132	8.91%	8.02%
May	145	9.79%	9.18%
June	125	8.44%	9.13%
July	143	9.66%	9.70%
August	121	8.17%	9.78%
September	126	8.51%	8.66%
October	141	9.52%	8.70%
November	104	7.02%	8.09%
December	106	7.16%	7.42%
<b>DAY OF WEEK</b>			
Sunday	331	22.35%	22.30%
Monday	160	10.80%	9.33%
Tuesday	118	7.97%	8.92%
Wednesday	136	9.18%	9.39%
Thursday	135	9.12%	10.81%
Friday	214	14.45%	14.73%
Saturday	387	26.13%	24.51%
<b>TIME OF DAY</b>			
Midnight-3am	339	22.89%	24.65%
3am-6am	177	11.95%	12.25%
6am-9am	70	4.73%	5.00%
9am-Noon	53	3.58%	2.90%
Noon-3pm	90	6.08%	5.36%
3pm-6pm	158	10.67%	10.79%
6pm-9pm	260	17.56%	17.27%
9pm-Midnight	333	22.48%	20.58%
Unknown	1	0.07%	1.20%

\*Based on fatal crashes in which any crash participant had a BAC of 0.08 or above. Total fatal crashes may differ slightly depending on grouping (month, day, time) due to imputation method.

## Impaired-Driving Fatalities: Route Category

As shown in **Table 20** below, during 2011-2015, almost half (44.21%) of impaired driving-related fatalities in South Carolina occurred on Secondary routes, followed by SC Primary and US Primary routes. County and Interstate routes had the least number of impaired driving-related fatalities with 7.00% and 7.60% of the total number of fatalities.

**Table 20. Impaired Driving Fatalities by Route Category**

Route Category	Number of Fatalities	Percentage of Total
Interstate	113	7.60%
US Primary	290	19.52%
SC Primary	322	21.67%
Secondary	657	44.21%
County	104	7.00%
Total	1,486	100%

## Alcohol-Impaired Fatal and Severe Injury Collisions

The Office of Highway Safety and Justice Programs' (OHSJP) Statistical Analysis and Research Section also reviewed the counties with the highest reported frequencies of fatal and severe-injury DUI-related collisions in South Carolina from 2011 to 2015. Combining DUI-related "fatal and severe-injury" data is another way that the OHSJP analyzed the impaired-driving problem in the state. During the five-year time frame 2011-2015, the counties identified as experiencing the most DUI-related fatal and severe-injury collisions were Greenville (402), Horry (317), Richland (246), Lexington (239), Anderson (213), Spartanburg (211), Berkeley (174), Charleston (161), York (152), Aiken (125), Florence (114), Laurens (113), Orangeburg (106), Pickens (94), and Lancaster (90) (see **Table S-5** on the following page). The five priority counties (Greenville, Lexington, Horry, Richland, and Charleston) identified in **Table 17** on pages 80 and 81 are all among the highlighted counties in the fatal and severe-injury DUI collision **Table S-5** on page 90.

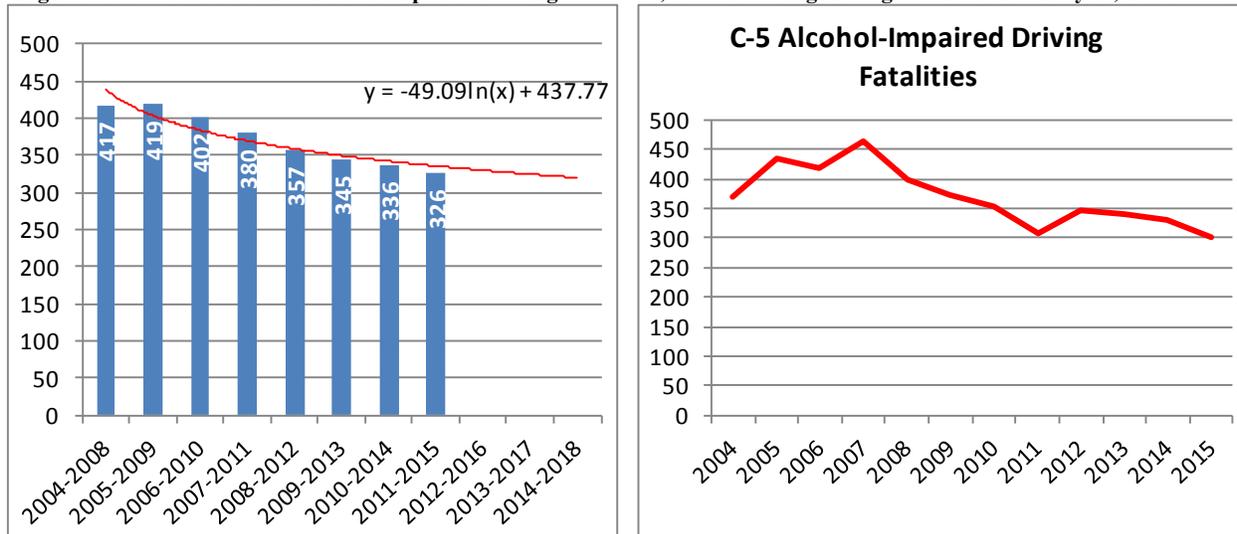
Table S-5. All Fatal and Severe Injury Alcohol and/or Drug Collisions 2011-2015							
County	2011	2012	2013	2014	2015	2011-2015	% DUI 2011-2015
Greenville	72	90	89	81	70	402	28.80%
Horry	54	89	60	59	55	317	20.30%
Richland	50	50	59	46	41	246	25.50%
Lexington	58	58	37	42	44	239	31.80%
Anderson	38	48	50	35	42	213	28.00%
Spartanburg	43	39	41	40	48	211	22.60%
Berkeley	32	33	46	35	28	174	21.40%
Charleston	33	32	33	39	24	161	10.80%
York	28	40	31	25	28	152	24.10%
Aiken	30	23	22	26	24	125	28.50%
Florence	20	28	24	28	14	114	25.00%
Laurens	21	22	24	24	22	113	34.00%
Orangeburg	22	13	31	19	21	106	25.50%
Pickens	27	15	19	21	12	94	25.90%
Lancaster	15	24	15	18	18	90	25.70%
Dorchester	17	21	17	14	19	88	19.80%
Beaufort	14	18	16	19	18	85	18.70%
Darlington	15	20	13	13	17	78	29.90%
Greenwood	22	16	10	14	16	78	27.60%
Sumter	19	14	17	17	10	77	23.30%
Oconee	12	18	8	14	16	68	28.80%
Georgetown	7	13	15	17	13	65	23.00%
Cherokee	13	14	6	14	15	62	26.70%
Kershaw	7	19	20	6	8	60	31.10%
Colleton	11	13	9	6	19	58	19.90%
Chesterfield	9	13	13	5	13	53	30.10%
Newberry	6	12	11	10	9	48	28.90%
Williamsburg	4	12	14	6	12	48	25.80%
Chester	9	8	7	8	7	39	24.40%
Jasper	8	6	8	5	9	36	14.80%
Clarendon	2	10	6	5	10	33	25.60%
Edgefield	15	7	1	4	4	31	32.00%
Fairfield	10	4	5	9	3	31	25.00%
Abbeville	3	6	10	4	5	28	30.80%
Barnwell	9	2	3	4	7	25	19.50%
Lee	1	4	5	6	7	23	30.70%
Dillon	4	5	5	6	2	22	19.30%
Saluda	3	6	8	3	2	22	25.30%
Marion	3	6	5	4	3	21	18.60%
Union	3	4	2	4	6	19	20.90%
Hampton	4	5	1	5	3	18	16.20%
Marlboro	6	3	3	2	3	17	16.70%
Calhoun	2	2	5	5	0	14	15.70%
Bamberg	4	1	2	4	2	13	18.80%
McCormick	3	1	1	4	2	11	29.70%
Allendale	2	1	2	0	1	6	14.30%
Total	790	888	829	775	752	4034	

## Performance Measures

### Goal:

To decrease the alcohol-impaired driving fatalities by 2.8% from the 2011-2015 baseline average of 326 to 317 by December 31, 2018.

**Figure C-5. South Carolina Alcohol-Impaired Driving Fatalities, 5 Year Moving Average with Trend Analysis, 2004-2015.**



Logarithmic Projection =  $-49.09\ln(11) + 437.77 = 320.1$   
 2011-2015 Average = 325.8  
 2012-2016 Average = 330.6  
 2011 = 309  
 2012 = 348  
 2013 = 340  
 2014 = 331  
 2015 = 301 (9.1% decrease from 2014)  
 2016 = 333 (10.6% increase from 2015, 2016 not FARS finalized)

As shown in Figure C-5 above, the five-year moving average with logarithmic trend analysis projects South Carolina will experience a five-year average number of 320 alcohol-impaired driving fatalities by December 31, 2018. This equates to an estimated 317 annual alcohol-impaired driving fatalities for 2018, which is a 5.3% increase from 2015. Preliminary state data, compiled by the OHSJP Statistical Analysis and Research Section, indicates there were 333 alcohol-impaired driving fatalities in 2016, an increase of 10.6% from 340 in 2015. Based on the state preliminary data and state projections, OHSJP will set a goal of 317 alcohol-impaired driving fatalities by December 31, 2018.

NHTSA uses an imputation method to account for drivers involved in fatal crashes who have missing blood-alcohol content (BAC) results. During an internal review by the state, it was found that the imputed data elements in a large number of cases were being coded as “unknown alcohol involvement by officer determination” should possibly have been coded as “no alcohol

involvement by officer determination. The 2015 data was recoded per NHTSA coding change and the new change of how SC coded these cases in FARS is in effect. These cases were imputed as alcohol-involved at a higher rate by the imputation methodology. The state is working to modify its traffic collision report form to provide more accurate data on officer determination of alcohol impairment when paired with missing test results. These cases should be imputed as alcohol-involved much less frequently than those cases with “unknown” or missing test results.

South Carolina faces unique factors such as: the state’s current DUI law, though stronger than previous years, still has major flaws; the expansion of alcoholic beverage sales to Sunday; and annual per capita beer consumption significantly higher than the state’s population rank among the fifty states.

**Activity Measure A-2**

Activity Measure A-2 in South Carolina’s FFY 2018 Highway Safety Plan deals with the number of impaired driving arrests made by states over time. The chart below demonstrates that the State of South Carolina has been trending upward in terms of law enforcement activity relative to DUI arrests, but the DUI arrests have started to drop in the past few years. According to NHTSA, there is no target required for this activity measure for the FFY 2018 Highway Safety Plan. Thus, the Figure below is presented as demonstration of enforcement activity over the last four data points relative to this type of citation.

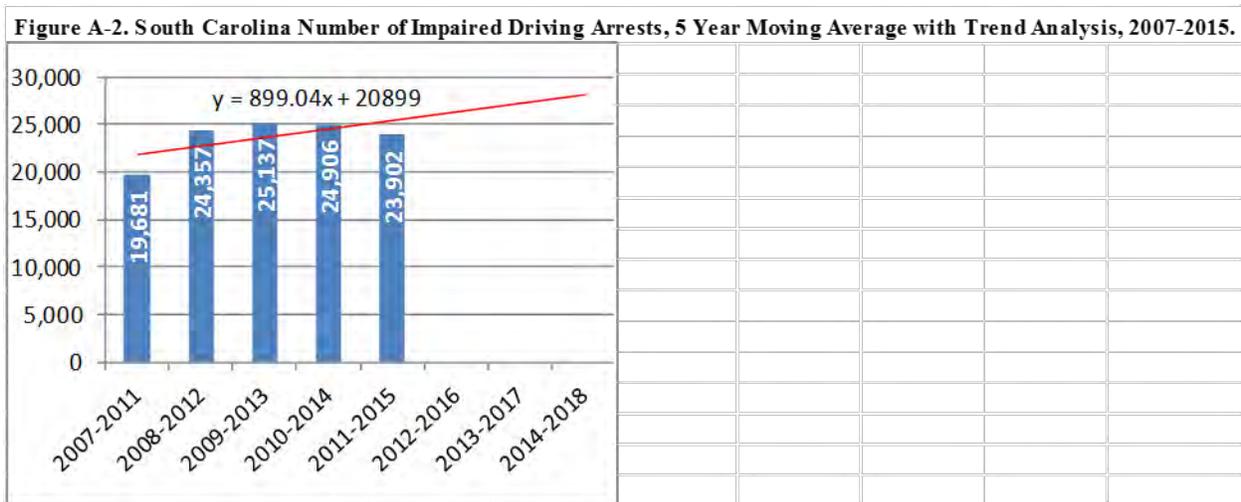


Figure A-2. South Carolina Number of Impaired Driving Arrests, 5-Year Moving Average with Trend Analysis, 2007-2015.

## **Objectives:**

1. To provide at least six statewide trainings to law enforcement officers, prosecutors, and magistrates to increase effective prosecution of highway safety offenses, particularly DUI, by September 30, 2018.
2. To continue the Law Enforcement DUI Challenge as part of the DUI enforcement campaign for FFY 2018 based on high-visibility enforcement and education, focusing predominantly on the SC Highway Patrol (SCHP). The SCHP will conduct special DUI enforcement emphases once a month on weekends from December 2017 to September 2018, to include saturation patrols and public safety checkpoints during two DUI mobilization crackdowns during the year (Christmas/New Year's and Labor Day). The SCHP will recruit and utilize the assistance of local law enforcement agencies during the weekend and crackdown efforts. Law Enforcement Liaisons, with the OHSJP, will also solicit assistance from local law enforcement agencies through the SC Law Enforcement Network.
3. To conduct at least two public information and education and enforcement campaigns to emphasize impaired driving enforcement initiatives during FFY 2018.
4. To maintain the South Carolina Impaired Driving Prevention Council (SCIDPC) during FFY 2018 and conduct a minimum of two meetings to continue the implementation of NHTSA's recommendations resulting from the South Carolina Impaired Driving Assessment of 2016. The assessment report will continue to be used as a blueprint to guide the SCIDPC toward continued improvement of impaired driving countermeasure programs in South Carolina.
5. To conduct a minimum of 312 public safety checkpoints by September 30, 2018.
6. To conduct a minimum of 282 educational presentations during the grant year to schools, churches, businesses and civic groups on the dangers of DUI and the importance of traffic safety.
7. To have each grant-funded officer attend at least two DUI-related trainings during the grant year.
8. To issue at least 312 press releases to the local media and/or social media outlets detailing the activities of the DUI Units and the police traffic services grant projects.
9. To conduct at least one (1) Drug Recognition Expert (DRE) course during the grant cycle.
10. To conduct at least eight (8) Advanced Roadside Impaired Driving Enforcement (A-RIDE) trainings by the end of FFY 2018.

11. To coordinate at least two Standardized Field Sobriety Testing (SFST) Instructor trainings by September 30, 2018.
12. To reduce DUI recidivism, improve the adjudication of DUI offenses, and improve the administration of treatment to DUI offenders through the continuation of the Court Monitoring Program in South Carolina by the end of the FFY 2018 grant cycle.
13. To provide assistance to the South Carolina Highway Patrol (SCHP) in prosecuting DUI cases through a project to continue funding a specialized DUI prosecutor in Berkeley County, in which there have been difficulties in obtaining DUI convictions and in which there exists a backlog of DUI cases.
14. To continue a High School Ticket campaign to provide printed traffic safety messages on the front and back of the event tickets (athletic events, dances, proms, plays, etc.) issued to purchasers at approximately 90% of the state's more than 200 high schools. A portion of the tickets will have anti-DUI messaging. Approximately 5 million tickets will be printed and distributed statewide during the FFY 2018 grant year reaching teens and their parents in attendance at these events.
15. In partnership with the SC Department of Transportation, the SCDPS will continue six Target Zero Enforcement Teams, with four-Troopers in each, in key areas of the state during FFY 2018 to conduct aggressive traffic enforcement focusing on 16 corridors identified as having a high occurrence of fatal and severe-injury traffic crashes. Enforcement activities will include DUI enforcement.

**Performance Indicators:**

**Goal:**

A comparison of FARS and statewide alcohol-impaired fatality and injury data will be used to measure goals and objectives.

**Objectives:**

1. The number of trainings conducted for law enforcement officers, prosecutors, and magistrates will be documented and kept in the grant file.
2. The law enforcement participation in the DUI enforcement campaign for FFY 2018 will be documented and maintained by the OHSJP.

3. Earned and paid media reports on all impaired driving campaign efforts will be maintained by the OHSJP.
4. SCIDPC meeting agendas and sign-in sheets will be maintained by the OHSJP.
5. The number of public safety checkpoints will be documented and maintained in the appropriate grant file.
6. The number of educational presentations will be documented and maintained in the appropriate grant file.
7. The number of DUI enforcement trainings attended by the grant-funded officers will be documented and maintained in the appropriate grant file.
8. The number of press releases will be tracked and maintained in the proper grant file.
9. A list of DRE course participants will be documented and placed in the grant file.
10. The number of A-RIDE trainings and a list of training participants will be logged and maintained in the grant file.
11. The number of SFST instructor training courses and a list of course attendees will be documented and maintained in the grant file.
12. The OHSJP will maintain in the grant file a status of the DUI Court Monitoring Program with reports regarding the progress of the judicial process.
13. The OHSJP will maintain the status of cases handled by the Special DUI prosecutor.
14. The SCDPS Contractor will provide information to the OHSJP regarding the success of the High School Ticket campaign.
15. The SCDPS Office of Highway Safety and Justice Programs will monitor enforcement activities of the Target Zero Enforcement Teams, including DUI arrest activity.

### **Strategies**

1. The SCDPS will continue to implement a statewide Law Enforcement DUI Challenge, which has been successful over the last decade; DUI-related traffic fatalities reduced by almost 35%, from 464 in 2007 to 301 in 2015, and participation was provided from the vast majority of law enforcement agencies in the State in statewide campaign blitzes and crackdown

efforts. The Law Enforcement DUI Challenge will continue to incorporate *Sober or Slammer!* (which represents the state's version of the national *Drive Sober or Get Pulled Over* initiative); however, other components of the challenge have been modified to comply with NHTSA's Guidance regarding the purchase and use of equipment. The FFY 2018 strategy for the DUI enforcement campaign was also altered to focus predominantly on the SC Highway Patrol (SCHP) for the enforcement component of the campaign, while still making every effort to recruit and partner with local law enforcement agencies statewide. The SCHP is the premier traffic enforcement agency in the state and covers the entire geographic and population areas of South Carolina. The SCHP, during FFY 2018, will conduct special DUI enforcement emphases once a month on weekends from December 2017 to September 2018. The weekend enforcement efforts will be supported by radio and some television advertising beginning on Wednesday of each week preceding the scheduled enforcement weekends.

The SCHP will recruit and utilize the assistance of local law enforcement agencies during the weekend and crackdown efforts. Agencies with the highest DUI arrests made during the campaigns will be awarded a recognition plaque for their efforts. This recognition is consistent with the NHTSA Guidance and recommendations received by the OHSJP from the NHTSA Region 4 Office. Law Enforcement Liaisons will encourage agencies within the Law Enforcement Network system in the state to participate in these enforcement events.

Educational efforts will again utilize media (television, radio, and alternative advertising) to support campaign efforts. Educational efforts will focus on the twenty priority counties (Greenville, Richland, Lexington, Charleston, Horry, Spartanburg, Anderson, Orangeburg, Berkeley, Aiken, York, Florence, Sumter, Beaufort, Lancaster, Greenwood, Darlington, Dorchester, Pickens, and Laurens) designated within the state's Highway Safety Plan and the Impaired Driving Countermeasures Plan.

2. DUI enforcement projects will be funded in the following counties: Charleston (2 projects), Berkeley, and Darlington (2 projects). The projects will establish, continue, or add to existing Traffic Units in county sheriffs' offices and municipal law enforcement agencies to increase DUI enforcement in areas that are high-risk for DUI-related crashes. During the FFY 2018 grant cycle, each DUI enforcement grant will participate in at least 12 public safety checkpoints; have an appropriate, corresponding increase in the number of DUI arrests; conduct a minimum of 6 educational presentations on the dangers of DUI; and issue at least 12 press releases to the local and/or social media detailing the activities of the grant projects. The DUI-enforcement grants will fund a total of 8 grant-funded DUI enforcement officers.
3. DUI training courses such as SFST, DRE, A-RIDE, and DUI Detection and Interrogation will continue to be provided for state troopers and local law enforcement officials.

4. The state's Traffic Safety Resource Prosecutor will coordinate at least four training programs for prosecutors, law enforcement officers, and other traffic safety professionals with an emphasis on the effective prosecution of impaired driving cases.
5. The OHSJP will maintain the statewide SC Impaired Driving Prevention Council (SCIDPC) made up of professionals from various arenas of highway safety, including law enforcement, prosecution, adjudication, advocacy and treatment/rehabilitation in an effort to combat the increasing impaired driving problems and issues in the state. The SCIDPC will continue its work toward strengthening DUI laws in the State of South Carolina and will review the 2016 Impaired Driving Assessment Final Report to develop action plans outlining areas which the state should continue to target for improvement. The recommendations of the 2016 Impaired Driving Assessment will be used as a blueprint to strengthen the Impaired Driving Countermeasures Program for South Carolina.
6. The South Carolina Law Enforcement Division (SLED) will provide technical support to local law enforcement regarding BAC testing procedures and use of the equipment and to prosecutors through courtroom testimony.
7. The OHSJP will provide funding to continue the DUI Court Monitoring Program in the Fifth and Thirteenth Judicial Circuits to increase accountability in the judicial process in the State.
8. The public will be educated about the dangers of drinking and driving through the statewide distribution of educational materials, health and safety fairs, and statewide impaired driving campaigns.
9. The OHSJP will hold a DUI Recognition Ceremony honoring those law enforcement agencies and officers who have excelled in DUI enforcement during Calendar Year (CY) 2017.
10. BAC reports from Coroners and SLED will continue to be entered into a database to track BAC testing results.
11. OHSJP staff will continue to be involved with the SC Department of Alcohol and Other Drug Abuse Services' (SCDAODAS) Underage Drinking Action Group (UDAG). UDAG is dedicated to the reduction of underage drinking in the state and comprises a multi-disciplinary team of stakeholders. Participants hail from the following agencies/groups: the SC Department of Public Safety, SCDAODAS, the SC Department of Social Services, the SC Department of Transportation, Mothers Against Drunk Driving, the University of South Carolina, Clemson University, Pacific Institute for Research and Evaluation, SC Department of Education, the College of Charleston, the SC Law Enforcement Division (SLED), and the SC Petroleum Marketers.

12. The OHSJP will continue to utilize the SC Department of Transportation's variable message signs during statewide highway safety campaigns to bring public awareness to motorists commuting throughout the State of South Carolina.
13. The OHSJP will continue to support the SCDAODAS's underage drinking campaign, "*Parents Who Host, Lose the Most.*" The campaign is implemented at state and local levels during celebratory times such as homecoming, holidays, prom, and graduation when underage drinking parties are prevalent. "*Parents Who Host, Lose the Most*" encourages parents and the community to send a unified message that teen alcohol consumption is unhealthy, unsafe, and unacceptable.
14. The OHSJP will continue to support the National Safety Council's "Alive at 25" initiative. "Alive at 25" is designed to prevent teens from being killed in automobile crashes. The program is taught by off-duty Deputy Sheriffs and Municipal Police Officers and focuses on the behaviors and decision-making paradigms that young drivers and passengers display behind the wheel of a motor vehicle. As of March 17, 2017, 136,293 students have completed the program, and 87 have since been involved in a fatal collision which equates to .06%.
15. The OHSJP will update the statewide Impaired Driving Countermeasures Plan and present it to the SCIDPC for approval.
16. The OHSJP will work with Law Enforcement Liaison staff to disseminate information to Law Enforcement Networks which contain the counties identified as having the highest population-based alcohol-impaired fatality rates in 2015 (Lee, Colleton, Barnwell, Clarendon, and Chesterfield) in an effort to determine education and enforcement strategies which may be implemented through the Networks to assist in resolving the problem issues.
17. The OHSJP will continue to fund a special DUI prosecutor to attack the problem of DUI recidivism and increase the conviction rate of DUI offenders in Berkeley County in which there have been difficulties in obtaining DUI convictions and in which there exists a backlog of DUI cases.
18. The OHSJP will conduct the statewide *Sober or Slammer!* DUI enforcement campaign, to include greater emphasis in the months of May, July, and October, since these months show the highest number of DUI fatal collisions in the 2011-2015 time frame. The campaign will include enforcement and media efforts.
19. The SC Department of Public Safety will continue, with SCDOT funding, six, four-officer Target Zero Enforcement Teams within the SC Highway Patrol that will concentrate on

enforcement of traffic laws, including DUI enforcement, in three key areas of the state and focusing on highway corridors that are high-risk for fatal and severe-injury traffic crashes.

## **Projects to be Implemented**

### **Administration**

**Problem Identification:** Impaired driving continues to be the number one contributing factor in fatal crashes in South Carolina. From 2011 to 2015, the National Highway Traffic Safety Administration (NHTSA) reported that in South Carolina 1,628 persons died in collisions involving an alcohol-impaired driver with a BAC of 0.08 or more. According to preliminary state data, from 2011-2015 driving under the influence of alcohol or drugs was a contributing factor in at least 29,204 total collisions, resulting in at least 3,477 severe injuries. Additionally, over the five-year period 2011-2015, the average *VMT rate* in South Carolina (0.65 deaths per 100 million VMT) was much higher than the rate across the US (0.34 deaths).

**Project Description:** The project will maintain the employment of an Impaired Driving Countermeasures Program Coordinator (IDCPC); a percentage of an Administrative Assistant position; a percentage of two Senior Accountant positions; a percentage of one Program Coordinator II position; and a percentage of one Administrative Manager position to administer impaired-driving highway safety grants during the course of the grant year. The IDCPC will assist the Public Affairs Manager (PAM) of the OHSJP to develop and implement a statewide public information and education campaign for the FFY 2018 grant period. The IDCPC will also be responsible for the ongoing administration of impaired driving projects funded through the Highway Safety program, including providing technical assistance, making monthly phone calls to project personnel regarding project status, desk monitoring relative to implementation schedules, and on-site monitoring, as well as responding to requests for grant revisions. The IDCPC will complete pertinent sections of state and federal documents to include quarterly progress reports; the Annual Report; the Highway Safety Plan; the Summaries and Recommendations; and the Impaired Driving Countermeasures grant application.

Agency	Location	Project Title	Project Number	Budget	Personnel Funded
SC Department of Public Safety: Office of Highway Safety and Justice Programs	Statewide	Impaired Driving Countermeasures Program Management	M4PEM-2018-HS-25-18 M4HVE-2018-HS-25-18 M1*AL-2018-HS-25-18	\$1,468,532	1.92

## **DUI Enforcement**

**Problem Identification:** Though South Carolina has experienced significant reductions in alcohol-impaired driving traffic fatalities in recent years, the most recent FARS data provided by the National Highway Traffic Safety Administration (NHTSA) indicates that 301 people died on South Carolina roadways in 2015 as a result of alcohol-impaired driving collisions. This raw number translates into a VMT rate (traffic fatalities per 100 million vehicle miles traveled) for the state of 0.58, one of the highest in the nation. Additionally, during 2015, there were a total of 977 fatalities. Of the 977 fatalities, 301, or 31%, of these involved drivers or operators with a BAC of .08 or greater (NHTSA Traffic Safety Facts 12689-120516-v3, Alcohol-Impaired Driving, December 2016, p.7).

Priority counties established for the State of South Carolina for FFY 2018 in terms of alcohol-impaired driving projects are based on a combination of FARS data and state data. Counties identified as priority include Greenville, Horry, Richland, Lexington, Spartanburg, Anderson, Berkeley, Charleston, York, Aiken, Florence, Orangeburg, Pickens, Laurens, Sumter, Lancaster, Greenwood, Dorchester, Beaufort, and Darlington.

The OHSJP has continued the implementation of Data Driven Approaches to Crime and Traffic Safety (DDACTS) since 2012. DDACTS is an approach to deploying law enforcement, similar to the Hot Spot Locator approach, and several law enforcement agencies across the state have received DDACTS training. In addition, agencies are informed of the data available from the OHSJP's Statistical Analysis and Research Section in an effort to help them best utilize their resources. This information is provided to law enforcement agencies during workshops hosted by the OHSJP, such as Problem Identification, Pre-Work, Project Management, and Funding Guidelines.

**Project Description:** The DUI enforcement grant-funded officers will dedicate 100% of their time to conducting DUI enforcement efforts with a goal of preventing impaired-driving-related crashes. The grant-funded officers assigned to each DUI enforcement project will increase the number of DUI arrests by working night and weekend shifts between the hours of 3:00 p.m. and 6:00 a.m. conducting regular and saturation patrols and public safety checkpoints, which have proven to be effective countermeasures in reducing impaired driving. The grant-funded officers will be placed in problem areas known to have a high frequency of DUI-related collisions. Special interest will be placed on large-scale events, as well as prom night, sporting events, holiday break periods, and graduation week. The grant-funded officers will also participate actively in their respective Law Enforcement Networks and in all aspects of the *Sober or Slammer!* campaign, which will require additional nights of stepped-up DUI enforcement to include saturation patrols and public safety checkpoints. The grant-funded officers will be trained in SFST and DUI Trial Preparation by the end of the FFY 2018 grant cycle and will provide educational presentations to the community on the dangers of driving under the influence. Information regarding the activities of the DUI grant projects will be released to the local media and/or social media at least monthly. The subgrantees will submit required reports detailing the progress of the grant project to the OHSJP by established deadlines.

Agency	County	Project Title	Project Number	Budget	Personnel Funded	Public Safety Checkpoints	Educational Presentations
City of North Charleston	Charleston	North Charleston DUI Team	M4HVE-2018-HS-24-18	\$408,881	2	12	6
			PT-2018-HS-24-18	\$9,600			
Berkeley County Sheriff's Office	Berkeley	Traffic/DUI Enforcement	M4HVE-2018-HS-28-18	\$71,173	1	12	6
Darlington County Sheriff's Office	Darlington	County of Darlington-DUI Team	M4HVE-2018-HS-29-18	\$111,082	2	12	6
			PT-2018-HS-29-18	\$2,295			
City of Darlington Police Department	Darlington	DUI Enforcement	M4HVE-2018-HS-37-18	\$91,944	1	12	6
Town of Mount Pleasant	Charleston	DUI Enforcement and Education	M4HVE-2018-HS-30-18	\$171,896	2	12	6

*References: South Carolina's Strategic Highway Safety Plan, 2015; pp. 79-83  
Countermeasures That Work: Eighth Edition, 2015; Chapter 1: Sections 2.1, 2.2, and 2.3*

## **DUI Prosecution/Adjudication Projects**

**Problem Identification:** The State of South Carolina has historically ranked as one of the top states in the nation for the number of impaired-driving-related fatalities. According to the most recent FARS data provided by the National Highway Traffic Safety Administration (NHTSA), 301 people died on South Carolina roadways in 2015 as a result of an alcohol-impaired driving collision. This raw number translates into a VMT rate (traffic fatalities per 100 million vehicle miles traveled) for the state of 0.58, one of the highest in the nation. Over the five-year period, 2011-2015, the average alcohol-impaired driving *VMT rate* in South Carolina (0.65 traffic deaths per 100 million VMT) was much higher than the rate for the nation (0.34). Over the entire five-year period, the alcohol-impaired driving *population-based* fatality rate in South Carolina (6.82 deaths per 100,000 residents) was much higher than the rate for the nation (3.19).

The state is also challenged with a DUI law in need of strengthening, as it currently does not function in the state at the deterrence level required to prevent impaired driving or reduce impaired driving recidivism. Additionally, law enforcement officers, who are not trained attorneys, are required to prosecute their own DUI cases. This practice removes law enforcement officers from roadway responsibilities in actively conducting traffic enforcement and has caused a great number of DUI cases to be dismissed or pled to lesser charges.

**Project Descriptions:** The South Carolina Highway Patrol’s (SCHP) Berkeley County DUI Prosecution grant project will increase the DUI conviction rate in Berkeley County. The SCHP has limited resources and can benefit from Troopers spending more time in enforcement activity as opposed to preparing cases for court. The grant project will also work to reduce the backlog of DUI cases made by the SCHP in Berkeley County. The efforts of the SCHP Berkeley County DUI Prosecution grant project will ultimately reduce the number of DUI-related collisions, injuries, and fatalities occurring in Berkeley County.

The Mothers Against Drunk Driving (MADD) Court Monitoring Program will continue to monitor the prosecution of DUI-related cases in two circuits in the State. The program will continue to work to ensure accountability of the judicial process, and essentially increase the DUI conviction rate for the 16 Judicial Circuits in the State.

The Sixth Circuit Solicitor’s DUI Office grant project for an Assistant Solicitor to dedicate 100% of his/her time to the prosecution of DUI cases will enhance the ability for increased enforcement in Chester, Fairfield, and Lancaster counties, as officers and deputies will be responsible for handling fewer cases. This Assistant Solicitor will be located in the Lancaster County Office and will tend to the day-to-day direction of case preparation, interviewing of potential witnesses and victims, correspond with counsel for the defense, research legal issues and coordinate the logistics of the actual trial. This project will reduce the DUI case backlog and the amount of time it takes from arrest to prosecution and ultimately lead to a reduction in the number of DUI-related collision, injuries, and fatalities in the Sixth Circuit.

Agency	Location	Project Title	Project Number	Budget	Personnel Funded
South Carolina Department of Public Safety: Highway Patrol	Berkeley County	SCDPS-SCHP Berkeley County DUI Prosecutor Program	M4CS-2018-HS-20-18	\$114,917	1
Mothers Against Drunk Driving South Carolina	5 <sup>th</sup> and 13 <sup>th</sup> Judicial Circuits	MADD SC Court Monitoring Program	M4X-2018-HS-23-18	\$81,540	1
Sixth Circuit Solicitor’s DUI Office	Chester, Fairfield and Lancaster	DUI Prosecutor	M4CS-2018-HS-39-18	\$96,956	1

*References: South Carolina’s Strategic Highway Safety Plan, 2015; pp. 79-83 Countermeasures That Work: Eighth Edition, 2015; Chapter 1: Sections 3.1, 3.2, 3.3, and 4.1*

## **Training Projects**

**Problem Identification:** The State of South Carolina has historically ranked as one of the top states in the nation for the number of impaired-driving-related fatalities. The state has also been

challenged with a DUI law that favors the DUI offender. Additionally, law enforcement officers, who are not trained attorneys, are required to prosecute their own DUI cases. DUI countermeasures training programs are needed to improve the quality of the DUI cases made and to increase the DUI conviction rate for the State of South Carolina.

In the State of South Carolina, the SC Criminal Justice Academy (SCCJA) is the only authorized law enforcement training facility. The SCCJA provides basic training for all law enforcement, detention, and telecommunications officers. The SCCJA will continue the Impaired Driving Countermeasures Training for Law Enforcement project.

The South Carolina Commission on Prosecution Coordination (SCCPC) is tasked with improving South Carolina's Criminal Justice System by enhancing the professionalism and effectiveness of South Carolina's Solicitors and their staff through activities such as coordination of prosecution services, education, information, association, interaction, and achieving objectives that benefit and improve the Office of the Solicitor. The SCCPC will be responsible for the administration of the Traffic Safety Resource Prosecutor program.

**Project Description:** The purpose of the DUI Training Projects is to provide the necessary tools for the detection, apprehension, and successful prosecution of impaired drivers. The training programs will provide knowledge and training on the DUI law and proper roadside procedures for prosecutors, judges, and law enforcement officers that will assist in making quality DUI cases, resulting in an increased number of DUI convictions statewide. The more stakeholders educated in the administration of Impaired Driving Countermeasures, the larger the number of impaired drivers that will be taken off the roadways; higher conviction rates for impaired drivers will be achieved; and the number of impaired driving crashes, injuries, and fatalities will be decreased.

Agency	Location	Project Title	Project Number	Budget	Personnel Funded	Number of Trainings
South Carolina Criminal Justice Academy	Statewide	ID Countermeasures Training for Law Enforcement	M4TR-2018-HS-26-18	\$197,602	1	20
South Carolina Commission on Prosecution Coordination	Statewide	Traffic Safety Resource Prosecutor	M4CS-2018-HS-27-18	\$125,182	1	4

**References:** *South Carolina's Strategic Highway Safety Plan, 2015; pp. 79-83 Countermeasures That Work: Eighth Edition, 2015; Chapter 1: Sections 2.1; 2.2; 2.3; 7.1; 7.2; and 7.3*

## Impaired Driving Countermeasures Project Budget Summary

Project Number	Subgrantee	Project Title	Budget	Budget Source
M4HVE-2018-HS-25-18	SC Department of Public Safety: Office of Highway Safety and Justice Programs	Impaired Driving Countermeasures	\$168,532	Section 405d Impaired Driving
M4PEM-2018-HS-25-18	SC Department of Public Safety: Office of Highway Safety and Justice Programs	Impaired Driving Countermeasures	\$1,070,000	Section 405d Impaired Driving High/Paid and Earned Media MAP-21
M1*AL-2018-HS-25-18	SC Department of Public Safety: Office of Highway Safety and Justice Programs	Impaired Driving Countermeasures	\$230,000	Section 405b Impaired Driving High MAP-21
M4HVE-2018-HS-37-18	City of Darlington Police Department	DUI Enforcement	\$91,944	Section 405d Impaired Driving High MAP-21
M4HVE-2018-HS-24-18	City of North Charleston	North Charleston DUI Team	\$408,881	Section 405d Impaired Driving High MAP-21
PT-2018-HS-24-18-Radar			\$9,600	FAST Act 402 (radar)
M4HVE-2018-HS-28-18	Berkeley County Sheriff's Office	Traffic/DUI Enforcement	\$71,173	Section 405d Impaired Driving High MAP-21
M4HVE-2018-HS-29-18	Darlington County Sheriff's Office	County of Darlington-DUI Team	\$111,082	Section 405d Impaired Driving High MAP-21
PT-2018-HS-24-18-Radar			\$2,295	FAST Act 402 (radar)
M4X-2018-HS-23-18	Mothers Against Drunk Driving South Carolina	MADD SC Court Monitoring Program	\$81,540	Section 405d Impaired Driving High MAP-21

M4CS-2018-HS-39-18	Sixth Circuit Solicitor's DUI Office	DUI Prosecutor	\$96,956	Section 405d Impaired Driving High Map-21
M4CS-2018-HS-20-18	SC Department of Public Safety: Highway Patrol	SCHP Berkeley County DUI Prosecutor	\$114,917	Section 405d Impaired Driving High MAP-21
M4TR-2018-HS-26-18	South Carolina Criminal Justice Academy	Impaired Driving Countermeasures Training for Law Enforcement	\$197,602	Section 405d Impaired Driving High MAP-21
M4HVE-2018-HS-30-18	Town of Mount Pleasant	DUI Enforcement and Education	\$171,896	Section 405d Impaired Driving High MAP-21
M4CS-2018-HS-27-18	South Carolina Commission on Prosecution Coordination	Traffic Safety Resource Prosecutor	\$125,182	Section 405d Impaired Driving High MAP-21
<b>Total All Funds</b>			<b>\$2,950,600</b>	
<b>Section 405d Impaired Driving High/Paid and Earned Media MAP-21</b>			<b>\$2,709,705</b>	
<b>Section 405b Occupant Protection High MAP-21</b>			<b>\$230,000</b>	
<b>Section 402 Radar</b>			<b>\$11,895</b>	

## COMMUNITY TRAFFIC SAFETY PROGRAM AREA

### OVERVIEW

The Public Information, Outreach and Training (PIOT) section is a vital component of the South Carolina Highway Safety grant program which addresses various highway safety emphasis areas identified in the state. South Carolina needs a comprehensive grant project that focuses on the dissemination of traffic safety information to the general public and the law enforcement community. Marketing campaigns, training for highway safety professionals and sharing information at public events are key strategies to help meet performance measures and goals related to issues with occupant protection, police traffic services, DUI, and vulnerable roadway users.

The OHSJP, through the PIOT, will continue to use a full-service marketing firm to assist with such efforts as media buying, creative production, and evaluation of campaigns. However, the OHSJP, with the help of the agency's Communications Office and SC Highway Patrol Community Relations Officers, will oversee earned media efforts, such as issuing news releases, conducting press events, and coordinating media interviews.

The marketing firm will continue to assist with campaigns such as *Sober or Slammer!* and *Buckle Up, SC. It's the law and it's enforced.* Other public information initiatives include Child Passenger Safety, Motorcycle Safety, and Vulnerable Roadway Users (*Look*).

The OHSJP will utilize the Target Zero concept as an umbrella campaign under which all of its traffic safety campaigns will coalesce. Several states have initiated Target Zero campaigns that incorporate a variety of enforcement and educational strategies with a view toward eliminating traffic fatalities on their respective roadways. The concept was unveiled in South Carolina in October 2012 at a news event conducted by the Governor's Office, which recognized accomplishments of SCDPS in the arena of traffic safety.

A South Carolina Target Zero logo was developed in 2013 to help promote the concept to the public. The OHSJP wanted a logo unique to South Carolina and looked toward the state flag. With its iconic crescent moon and palmetto tree, the South Carolina flag is a popular marketing tool used by many businesses in their logos and featured on many consumer goods, such as clothing, jewelry, cookware, sporting supplies, and home décor. The Target Zero logo uses an update of a previously used logo that features a stylized image of the state's outline and the flag's emblems. All paid media efforts – broadcast and print – feature Target Zero with the accompanying tagline, "A Target Zero message from SCDPS."

In the coming year, the OHSJP must increase efforts to reach out to underserved audiences and hard-to-reach populations. The OHSJP already incorporates Hispanic-owned media (mainly TV and radio) into its media buys. However, efforts must be made to ensure that Spanish-speaking residents are getting in-depth information on printed collateral regarding traffic laws and safe driving. Additionally, the OHSJP must increase efforts to reach young men, ages 18-34, in areas where they live, work, and play. The OHSJP is also doing more to incorporate the Target Zero

campaign by way of social media by using SCDPS’s Facebook and Twitter pages and YouTube channel, as well as exploring social media advertising opportunities for the first time.

NHTSA promotes the importance of combining high-visibility enforcement with heightened public awareness as the best way to approach key problem areas and produce behavioral change. Therefore, the OHSJP will continue to offer a media mix for enforcement-based and non-enforcement-based campaigns to meet stated goals. The OHSJP will employ key strategies to promote its mission and core message of public safety.

### **STRATEGIES**

Several strategies identified in NHTSA’s *Countermeasures That Work* are utilized in PIOT campaigns and activities with much success.

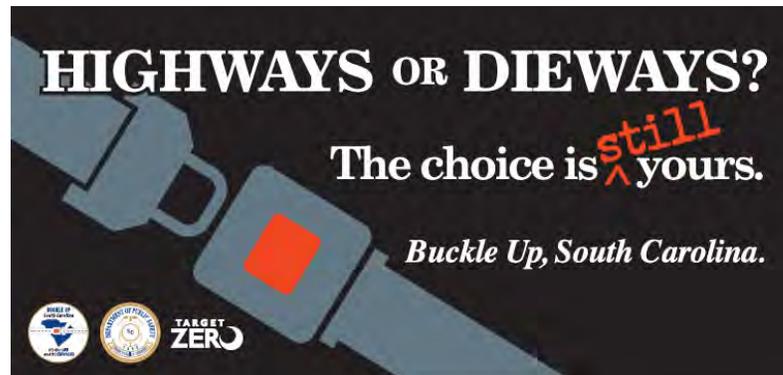
1. The OHSJP will provide funding to highway safety staff and advocates to attend significant conferences and training events related to highway safety issues. As appropriate, when information on national or state-initiated training programs becomes available, the OHSJP will forward the information to highway safety project directors, Law Enforcement Network Coordinators and Assistant Coordinators, and/or other highway safety stakeholders with direct interest in the training. If it is determined that funds are available to support requests to attend these programs, information will be included in the package outlining procedures for requesting assistance.
2. Highway Safety staff will coordinate statewide public information and education efforts to promote compliance with occupant protection laws and impaired driving laws. An overarching theme of all campaign efforts will be utilized by the OHSJP and the SCDPS. The theme will be *Target Zero*, with the tagline, “The road to Target Zero starts with you.” The Target Zero message will be promoted on social media and through all of the other major media campaigns throughout the year



Artwork for Motorcycle Safety campaign

In addition, the OHSJP will expand upon an existing created billboard campaign, “Look,” geared toward vulnerable roadway users. The previous umbrella theme, “Highways or Dieways? The Choice Is Yours.” will continue to be utilized as a supporting message when deemed necessary—including social media and billboards. This year marks the 30<sup>th</sup> anniversary of “Highways or Dieways? The Choice is Yours.” The state has reintroduced and updated the message to reflect “Highways or Dieways? The choice is Still Yours.”

- OHSJP will work with local project personnel and law enforcement officials to implement the *Buckle Up, SC. It's the law and it's enforced.* program throughout South Carolina during the Memorial Day holiday period in an effort to improve safety belt usage rates within the state. As referenced in the Occupant Protection Program Area section of the HSP, the NHTSA-produced Countermeasures That Work: A Highway Safety Countermeasure Guide for State Highway Safety Offices, Eighth Edition, 2015 (CTW) document stresses the importance of the Occupant Protection emphasis area and outlines significant strategies and appropriate countermeasures.



**BUSC Memorial Day 2017 Billboard**

- Highway Safety staff, other SCDPS staff, and partner agencies/groups will continue to educate and inform the citizenry of the state and its visitors about the state's primary enforcement safety belt law. Educational strategies will be incorporated to reach out to all citizens and visitors of the state, in particular those minority populations (African-American and Hispanic) and others (rural white males) which have traditionally shown a lower rate of safety belt and child passenger safety restraint usage than white, urban and female counterparts.
- The OHSJP will conduct a high-visibility enforcement and education campaign in an effort to reduce DUI traffic crashes, injuries, and fatalities in FFY 2018. The campaign is known as *Sober or Slammer!* and represents the state's version of the national *Drive Sober or Get Pulled Over* initiative. As referenced in the Impaired Driving Program Area section of the HSP, the NHTSA-produced CTW document stresses the importance of the Impaired Driving emphasis area and outlines significant strategies and appropriate countermeasures utilizing high-visibility enforcement. In order to comply with NHTSA requirements regarding equipment distributed to Law Enforcement agencies, the Law Enforcement DUI Challenge was altered in FY 2017. The FFY 2018 strategy for the DUI enforcement campaign was altered as well to focus predominantly on the SC Highway Patrol (SCHP) for the enforcement component of the campaign, while still making every effort to recruit and partner with local law enforcement agencies statewide. The SCHP is the premier traffic enforcement agency in the state and covers the entire geographic and population areas of South Carolina. The SCHP, during FFY 2018, will conduct special DUI enforcement emphases once a month on weekends from December 2017 to September 2018. The weekend enforcement efforts will be supported by radio and some

television advertising beginning on Wednesday of each week preceding the scheduled enforcement weekends. In addition, during the two DUI mobilization crackdowns, the SCHP will conduct an additional four nights of specialized DUI enforcement, including saturation patrols and public safety checkpoints. The SCHP will recruit and utilize the assistance of local law enforcement agencies during the weekend and crackdown efforts. Agencies with the highest DUI arrests during the challenge will be awarded a recognition plaque for their efforts. This recognition is consistent with the NHTSA Guidance and recommendations received by the OHSJP from the NHTSA Region 4 Office. Law Enforcement Liaisons will encourage agencies within the Law Enforcement Network system in the state to participate in these enforcement events. Participating agencies will receive a certificate from the OHSJP in recognition of their participation. Educational efforts will again utilize media (television, radio, and alternative advertising) to support campaign efforts. Media messaging will need to be adjusted to reflect a likely significant decrease in law enforcement participation as a result of the OHSJP's need to conform to the NHTSA Guidance. Educational efforts will focus on the twenty priority counties designated within the state's Highway Safety Plan and the Impaired Driving Countermeasures Plan.

6. All major mobilization emphases of the OHSJP will include messages to reach the diverse population of the state. The OHSJP will incorporate into its diversity outreach strategy a variety of media aimed at reaching teens, African Americans, Hispanics, and rural residents across South Carolina. The goal of the outreach is to encourage safety on the roadways in these populations by urging the use of appropriate occupant restraints and attempting to reduce specific risk-taking behaviors such as drinking and driving.
7. The OHSJP will conduct a School Zone Safety Week emphasis during the late summer of 2018. The emphasis will involve highway safety stakeholders statewide in an effort to call the attention of the motoring public to the importance of safety in school zones. Law enforcement agencies and schools are provided information to conduct activities for School Zone Safety Week, which is to be observed during the first full week of the school calendar. The goal is to educate young children about safe walking techniques, to inform parents and caregivers about their role in ensuring that children get to school safely, and to encourage local law enforcement agencies to patrol in and around schools.
8. Highway Safety staff will continue a statewide Motorcycle Safety Campaign (part of Vulnerable Roadway Users campaign) in 2018 that will focus on increasing the awareness of motorists in passenger vehicles regarding the presence of motorcyclists on the highways. The *Look* campaign, with its focus on vulnerable roadway users, will be used to alert motorists of the presence of motorcyclists and urge everyone to "share the road" (see graphic at bottom of page 110). The campaign, though statewide, will focus on counties having the majority of motorcyclist fatalities and motorcyclist traffic injuries during the preceding year. This campaign will target the months of the year and locations that are most likely to see a significant number of motorcyclists on the roads.
9. The OHSJP will continue to provide state funding for the SC Highway Patrol (SCHP) to establish a Highway Safety booths/displays at various statewide events.

10. The OHSJP will utilize paid advertising of highway safety messages at high school sports venues in the state. This will include advertising on printed tickets for sporting and other special events, public address announcements during these sporting events, and program advertising at these sporting events. About 5 million tickets are expected to be printed and used by most high schools across South Carolina. The tickets to be distributed during the 2017-2018 school year complement the ongoing social media campaigns of the department, featuring emojis. During the Christmas/New Year's 2017-2018 *Sober or Slammer!* campaign, a new DUI enforcement spot will be produced.
11. Speed-related collisions continue to be a problem in South Carolina. Furthermore, public perception on the issue of speeding is information that is already captured in OHSJP's attitudinal surveys. The Target Zero Enforcement Teams, which were implemented during FFY 2016 with Section 164 funding from the SC Department of Transportation, will continue in FFY 2018 and feature six, four-person teams of SC Highway Patrol Troopers, who focus their enforcement activity in four major areas of the state (Upstate, Midlands, Lowcountry, and the Pee Dee). Troopers work roadways that are high-risk for traffic fatalities and severe injuries. The major enforcement focuses are speeding, DUI, and occupant protection violations. The OHSJP also expects to continue the Region 4 summer speed campaign established by NHTSA in FY2017.
12. The OHSJP will continue to seek opportunities to form partnerships with other highway safety stakeholder groups, including Operation Lifesaver, National Safety Council, MADD and others.
13. The OHSJP will add questions to its Attitudinal Survey to gauge public awareness of the Target Zero Enforcement Teams and Target Zero media messaging.

## ATTITUDINAL SURVEYS

SCDPS uses several mechanisms to determine the effectiveness of its major PIOT campaigns, including telephone surveys of South Carolina drivers conducted before and after the campaigns. While recognizing that a reduction in collisions or an increase in safety belt usage can be attributed to a variety of factors, including enforcement and societal trends, attitudinal surveys show that campaigns are necessary components of overall traffic safety efforts. Surveys help identify shifts in awareness, positions, and behaviors that can be attributed to the campaigns. As an example, the post-survey for the 2016-2017 Christmas/New Year's *Sober or Slammer!* campaign showed that three out of four respondents were aware of one or more elements of SCDPS's DUI enforcement campaign. Among those who saw or heard elements of the campaign, most were aware of the main points of the message: stopping DUI and the consequences of drinking and driving. Additionally, the survey showed that television (80%) continues to be the dominant source of campaign exposure among respondents, followed by billboards (53%), and radio (36%). This information influences decisions on how best to spend campaign media funds. The OHSJP will consider incorporating awareness of SCDPS's social media efforts in future surveys.

The 2016-2017 Christmas/New Year's holiday *Sober or Slammer!* DUI enforcement period was supported by a paid media campaign featuring a new TV spot, which was a follow up to the Labor Day 2016 "Emoji spot."

Following are some results from the attitudinal survey conducted in January 2017 for the winter DUI campaign that incorporates NHTSA's recommended set of core survey questions. A total of 400 residents constituted the group of survey respondents. (Please note: SC opted to use 30 days as the time frame for its questions based on NHTSA's allowing of states to choose either a 30-day or 60-day range.) :

**During the last 6 months, how often did you drink alcoholic beverages including beer, light beer, wine, wine coolers, or liquor? In the past 60 days, how many times have you driven a motor vehicle within 2 hours after drinking alcoholic beverages?** When asked about specific behaviors relative to driving after drinking, 35% say they did not consume an alcoholic beverage within the past 6 months, and an additional 83% say they did not drive within two hours of drinking.

**In the past 30 days, have you read, seen or heard anything about alcohol impaired driving (or drunk driving) enforcement by police?** Awareness of and support for the DUI enforcement campaign continues to be strong. Study respondents were asked if they have seen or heard anything about alcohol-impaired driving enforcement by police in general, not linked to specific campaigns by name. Overall, 52% of respondents say they have. This is up significantly compared to the "pre" campaign period when 40% identified awareness.

**What do you think the chances are of someone getting arrested if they drive after drinking?** Findings identify some division regarding the perceived likelihood of someone being caught/arrested if they drive after drinking. According to the respondents, 38% believed a person who drives after drinking is likely to be arrested always or most of the time, while 29% thought

that it is somewhat likely. Still, more than three out of four respondents (78%) agree that law enforcement is making a big effort to crack down on drinking and driving in South Carolina.

The 2017 *Buckle Up, SC* campaign featured two existing TV commercials to support stepped-up enforcement efforts by the SC Highway Patrol and local law enforcement agencies. The first spot features a father, driving with his son, being issued a seat belt citation. It then demonstrates the father making the choice to buckle up, as well as a split screen view of him not buckling up. The consequences of his “split decisions” are displayed as they are involved in a collision shortly thereafter. The second spot focused on night-time enforcement and featured two actual SC Highway Patrol troopers demonstrating a nighttime traffic stop for a safety belt violation. In the public service announcement, two unbelted motorists drive through a well-lighted area. This allows one trooper to have a clear view and call in the violation to another trooper who makes the traffic stop.

## **SURVEY RESULTS**

The following are survey results from an attitudinal survey conducted between May 1 and May 7, 2017 among 400 South Carolina residents prior to the safety belt enforcement mobilization of 2016. (Please note: SC opted to use 30 days as the time frame for its questions based on NHTSA’s allowing of states to choose either a 30-day or 60-day range.)

### **Question 1: How often do you use safety belts when you drive or ride in a car, van, sport utility vehicle, or pick up?**

According to the 2017 pre-campaign survey, a large majority of drivers in South Carolina wear their safety belts all the time (91.2%). This compares to 89.2% in the 2016 pre-campaign survey. There were reported differences in shoulder belt usage by type of primary vehicle. According to the 2016 pre-survey, among those whose primary vehicle was a sport utility vehicle, 80.8 percent reported wearing their shoulder belt all the time, compared to 78.3% of those whose primary vehicle was a pickup truck and 77.6% whose primary vehicle was a van or mini-van. The widespread use of seat belts among South Carolinians is also evident in the responses to the question on the last time respondents did not wear their seat belt when driving. In the pre-campaign survey, the percentage who said that the last time they did not wear a safety belt was a year or more ago was 78.4%. Furthermore, 96.5% of respondents were aware of the state law that requires motorists to wear safety belts in the 2017 pre-campaign survey.

### **Question 2: What do you think the chances are of getting a ticket if you don’t wear your safety belt?**

In the pre-campaign 2017 survey, the percentages of those answering the question about the likelihood of getting a ticket if you don’t wear your safety belt were as follows: very likely, 39.1%; somewhat likely, 29.6%; somewhat unlikely, 13.4%; and very unlikely, 15.8%.

### **Question 3: In the past 30 days, have you read, seen or heard something about seat belt law enforcement by police?**

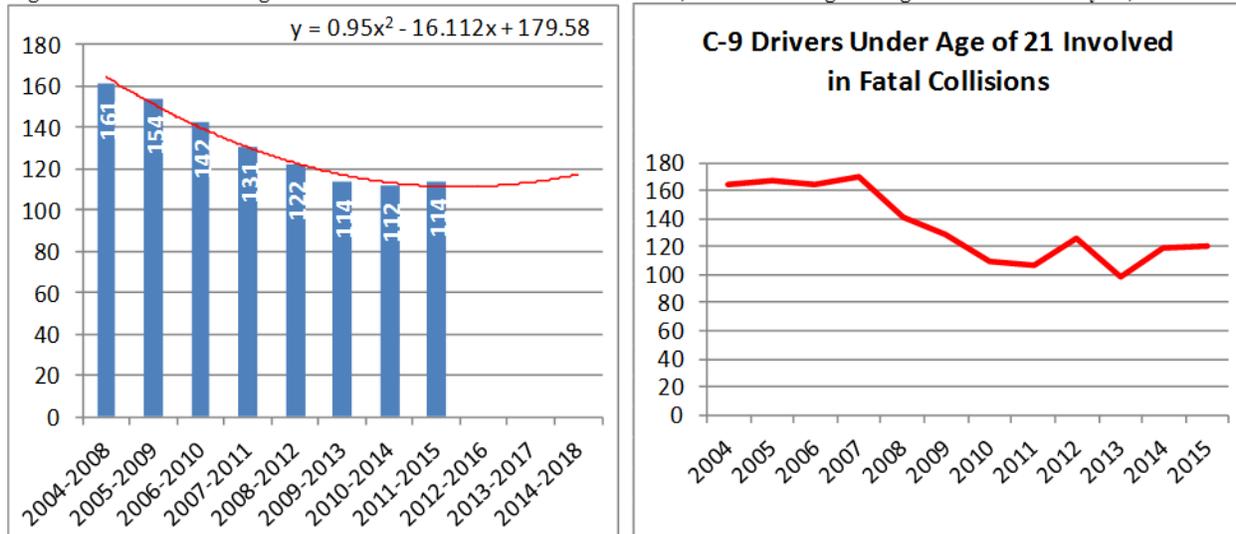
In the pre-campaign survey of 2017, 15.2% of respondents said that they had read, seen or heard about safety belt law enforcement. The response rate should increase significantly in the post-campaign 2017 survey.

## Performance Measure

### Goal:

- To decrease the number of drivers age 20 and under involved in fatal crashes by 0.9% from the 2011-2015 baseline average of 114 to 113 by December 31, 2018.

Figure C-9. SC Drivers Age 20 & under Involved in Fatal Collisions, 5 Year Moving Average with Trend Analysis, 2004-2015.



Polynomial Projection =  $0.95(11^2) - 16.112(11) + 179.58 = 117.3$   
 2011-2015 Average = 114.2  
 2012-2016 Average = 113.6  
 2011 = 107  
 2012 = 126  
 2013 = 98  
 2014 = 119  
 2015 = 121 (1.7% increase from 2014)  
 2016 = 105 (13.2% decrease from 2015, 2016 not FARS finalized)

As shown in Figure C-9 above, the five-year moving average with polynomial trend analysis projects South Carolina will experience a five year average number of 117.3 drivers age 20 and under involved in fatal collisions by December 31, 2018. This equates to an estimated 117 drivers age 20 and under involved in fatal collisions for 2018, which is a 3.3% decrease from 2015. Preliminary state data compiled by the OHSJP Statistical Analysis Center indicates there were 105 drivers age 20 and under involved in fatal collisions in 2016, a decrease of 13.2% from 2015. Based on the model and preliminary state data showing a potential decrease in 2016, OHSJP will set a goal of 113 drivers age 20 and under involved in fatal collisions in 2018, a 7.6% increase from the 2016 preliminary calendar year.

**PROJECT TO BE IMPLEMENTED:**

**Problem Identification:** South Carolina remains one of the top five states in the nation in the severity of its motor vehicle crashes, as evidenced by statistical data. The state must provide funding for projects that will attempt to change the negative traffic statistics that are adversely affecting South Carolina’s citizens and visitors to the state. South Carolina's average mileage death rate (MDR) of 1.71 for 2011-2015 is one of the highest in the nation; about 54% higher than the national MDR of 1.11 (2011-2015 average). The top contributing factors for total traffic crashes in 2015 include (1) driving too fast for conditions, (2) driver under influence, (3) failure to yield right of way, (4) improper lane change/usage, (5) following too closely, and (6) driver distracted/inattention. A reduction in the state’s mileage death rate must be effected, and the economic loss associated with vehicle crashes must also reflect a downward trend. In order to make a difference in these negative traffic statistics in the state, the Office of Highway Safety and Justice Programs must fund creative projects that can have a wide effect on all of the various problem areas contributing to highway injuries and fatalities.

Final traffic statistics for South Carolina indicate that during 2015, 133,961 traffic collisions were reported. This represents a 12.4% increase from 2014, when 119,173 collisions were reported. Collisions in 2015 resulted in 979 fatalities and 58,604 non-fatal injuries. The number of traffic deaths was 19.0% higher in CY 2015 than in 2014, when 823 people were fatally injured in South Carolina traffic collisions. The estimated economic loss to the state from traffic crashes was nearly \$4.00 billion. This total cannot possibly reflect the human toll exacted in pain and suffering.

**Project Description:** The project will retain the services of a grant-funded Public Affairs Manager, to work in conjunction with Program Coordinators and assist a paid Contractor in the development of statewide enforcement and educational campaigns. The project will use grant funds for specialized training and conferences for a variety of highway safety professionals (law enforcement, sub-grantees, OHSJP staff, etc.) throughout the state. The project also will partially fund a Planning and Evaluation Coordinator, an Administrative Manager, a Business Manager, and an Administrative Assistant to provide some administrative functions of the public information, outreach, and training highway safety grant

Agency	Location	Project Title	Project Number	Budget	Personnel Funded
SC Department of Public Safety: Office of Highway Safety and Justice Programs	Statewide	Public Information, Outreach and Training	SA-2018-HS-04-18	\$657,869	1.42
			M9MA-2018-HS-04-18 (FAST Act)		
			M9MA-2018-HS-04-18 (MAP-21)		
			PS-2018-HS-04-18		
			MC-2018-HS-04-18		

### Community Traffic Safety: Budget Summary

<b>Project Number(s)</b>	<b>Subgrantee</b>	<b>Project Title</b>	<b>Budget</b>	<b>Budget Source</b>
SA-2018-HS-04-18	South Carolina Department of Public Safety: Office of Highway Safety and Justice Programs	Public Information, Outreach and Training	\$487,869	FAST Act 402
MC-2018-HS-4-18	South Carolina Department of Public Safety: Office of Highway Safety and Justice Programs	Public Information, Outreach and Training	\$50,000	FAST Act 402
PS-2018-HS-04-18	South Carolina Department of Public Safety: Office of Highway Safety and Justice Programs	Public Information, Outreach and Training Vulnerable Roadway Users (Look) Campaign	\$40,000	NHTSA 402
M9MA-2018-HS-04-18	South Carolina Department of Public Safety: Office of Highway Safety and Justice Programs	Motorcyclist Awareness Campaign	\$71,573.15	Section 405f Motorcyclist Awareness FAST Act
M9MA-2018-HS-04-18	South Carolina Department of Public Safety: Office of Highway Safety and Justice Programs	Motorcyclist Awareness Campaign	\$8,426.85	Section 405f Motorcyclist Awareness MAP-21
<b>Total All Funds</b>			<b>\$657,869</b>	
<b>FAST Act 402</b>			<b>\$577,869</b>	
<b>Section 405f Motorcyclist Awareness MAP-21 Section 405f Motorcyclist Awareness FAST Act</b>			<b>\$80,000</b>	

# MOTORCYCLE SAFETY PROGRAM AREA

## Overview

Motorcycle safety is an issue that remains of great concern in the state of South Carolina. The National Highway Traffic Safety Administration's (NHTSA) most recent available FARS data (see **Table 9** on page 22) indicates that 184 people died on South Carolina roadways in 2015 in motorcycle crashes (includes persons on mopeds). In South Carolina, the motorcyclist *percentage of total* traffic-related deaths increased each successive year from 2011-2013 from a low of 15.6% in 2011 to a high of 19.4% in 2013. The 2015 percent of total represents a 12.9% increase when compared to the 2011-2014 average (16.7%) and an increase (20.6%) compared to 2011.

Motorcycle safety was an area identified in the Vulnerable Roadway Users Emphasis Area in the recently updated SHSP, *Target Zero*, citing the significance of the problem for the state and recommending engineering, education, enforcement, EMS, and public policy strategies for appropriate countermeasures to attack the problem (pp. 47-51). Appropriate strategies were identified in the SHSP and were based on data-driven and evidence-based practices.

Motorcycle safety was also an area identified in the NHTSA-produced *Countermeasures That Work: A Highway Safety Countermeasure Guide for State Highway Safety Offices, Eighth Edition, 2015*. The document stresses the importance of this emphasis area and outlines significant strategies and appropriate countermeasures for motorcycle safety (pp. 5-1 to 5-25). Efforts relative to motorcycle safety in SC have utilized countermeasures deemed by this document as having limited evidence in terms of improving motorcycle safety, such as strengthening motorcycle licensing requirements (Chapter 5, Section 3.1, pp. 5-18 to 5-20); motorcycle rider training (Chapter 5, Section 3.2, pp. 5-21 to 5-22); helmet use promotion (Chapter 5, Section 1.2, p. 5-11); Communications and Outreach: Conspicuity and Protective Clothing (Chapter 5, Section 4.1, pp. 5-23 to 5-24); and Communications and Outreach: Other Driver Awareness of Motorcyclists (Chapter 5, Section 4.2, p. 5-25). Though the document indicates limited evidence in terms of effectiveness, SC lacks a universal helmet law and has a strong legislative lobby against such a law; therefore, these types of efforts are essential to the state if it is to address the problem of motorcycle safety.

The state continued a very successful statewide motorcycle safety effort in 2017 which will continue in 2018. The FFY 2018 campaign, though statewide, will focus on the seventeen counties in South Carolina with the highest number of motorcyclist fatalities in CY 2015 (see **Table S-6** on the following page). These seventeen counties accounted for 82.9% of the state's motorcyclist fatalities and 1,767 or 78.4% of the total motorcycle collisions in the state in during CY 2015. The campaign will utilize paid and earned media including a variety of educational elements to alert motorists to the presence of motorcyclists, to encourage bikers and drivers to share the road appropriately, and to encourage motorcycle riders to use proper protective equipment. A more detailed explanation of the FFY 2018 campaign is included in the "**Strategies**" portion of this section on pages 132-134.

**Table S-6 – Motorcyclist Fatalities and Collisions by Top Counties –State Data CY 2015**

<b>County</b>	<b>Killed</b>	<b>Collisions</b>	<b>County</b>	<b>Killed</b>	<b>Collisions</b>
<i>Horry</i>	25	312	Orangeburg	2	22
<i>Greenville</i>	17	229	Chester	2	16
<i>Charleston</i>	8	209	<i>Chesterfield</i>	3	16
<i>Richland</i>	7	173	Newberry	1	15
<i>Spartanburg</i>	5	147	Dillon	0	13
<i>Anderson</i>	3	106	Colleton	0	12
<i>Lexington</i>	6	105	Jasper	2	12
<i>Berkeley</i>	6	87	Edgefield	0	10
<i>York</i>	5	81	Marion	0	10
<i>Beaufort</i>	4	70	Marlboro	1	10
<i>Dorchester</i>	5	67	Clarendon	2	9
<i>Pickens</i>	3	67	<i>Fairfield</i>	3	8
Aiken	2	61	Lee	0	8
Sumter	1	49	Abbeville	0	7
Florence	2	47	Union	0	7
Oconee	0	40	Williamsburg	1	6
Darlington	2	35	Hampton	1	5
<i>Laurens</i>	6	35	Calhoun	0	4
<i>Cherokee</i>	6	30	McCormick	1	4
Lancaster	1	30	Allendale	1	2
Georgetown	0	28	Bamberg	0	2
<i>Kershaw</i>	4	25	Barnwell	1	1
Greenwood	1	23	Saluda	0	0
			<b>All</b>	<b>140</b>	<b>2,255</b>

Source: SCDPS/OHSJP May 23, 2016

*Italics Represents the Top Seventeen Counties with the Highest number of Motorcyclist Fatalities*

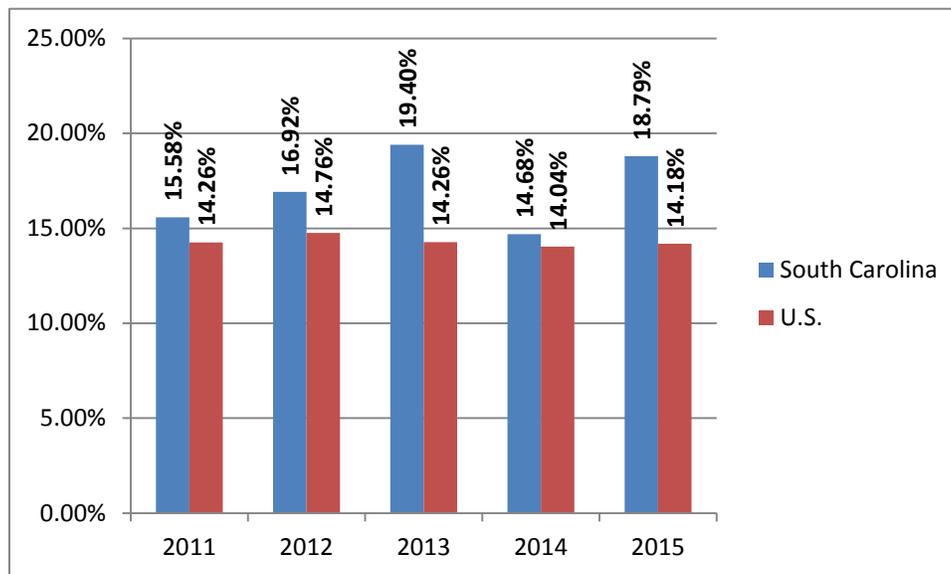
The following data sections outline specifically the problems being faced by the state of South Carolina in terms of motorcycle safety and demonstrate the foundation upon which the state has built its response to the problem for its FFY 2018 Highway Safety Plan.

## **Traffic Fatalities**

According to FARS data (please note that FARS data includes moped riders in its motorcyclist fatality statistical information, while SC state data for motorcyclist crashes, injuries, and fatalities does not), in the period 2011-2015:

- In South Carolina, the percentage of motorcyclist fatalities was above that of the nation during each year of the five-year period. In 2015, 18.8% of South Carolina's traffic fatalities were motorcyclists; compared to 14.2% nationwide (**Figure 19** on page 119).
- The majority of motorcyclist fatal crashes in South Carolina (59.4%) occurred on Fridays, Saturdays, and Sundays, compared to just below half (47.7%) of motorcyclist fatal crashes in the nation. The highest proportion of motorcyclist fatal crashes occurred on Saturdays in both the state and the nation. Across the state, the majority of motorcyclist fatal crashes occurred between the hours of 3 p.m. and midnight (63.8%) (**Table 21** on page 120).
- South Carolina law requires helmet use of riders under the age of 21. From 2011 through 2015, 73.1% of South Carolina's motorcyclist fatalities were *not* using a helmet. This percentage is substantially higher than the percentage of nonuse seen for the US as a whole (39.4%) during the same years (**Table 23** on page 122).
- During the 2011-2015 period in South Carolina, 37.5% of all fatally injured motorcycle operators who were tested for BAC had a BAC of at least 0.01. This percentage is higher than that seen for the US as a whole (29.1%) (**Table 24** on page 122).
- In fatal crashes involving motorcycles in South Carolina, 62.0% of motorcycle operators had at least one driver factor reported. Throughout the five years, 2011-2015, *driving too fast for conditions/speed related* was the most commonly reported driver factor for motorcyclists in South Carolina (52.1%). (**Table 25** on page 123).

As seen in **Figure 19** below, the percentage of motorcyclist fatalities in South Carolina was above that of the nation during each year of the five-year period. In 2015, 18.8% of South Carolina’s traffic fatalities were motorcyclists; compared to 14.2% nationwide.



**Figure 19. Motorcyclist Fatalities as Percent of Total Fatalities**

As **Table 21** on p. 120 shows, the months with the most motorcyclist fatal crashes in South Carolina from 2011 to 2015 were May (87 crashes, 15.08% of total), July and August (67 crashes, 11.61% of total).

On a day-by-day basis, South Carolina had the highest frequency of motorcyclist fatal crashes on Saturdays (148 crashes, 25.65% of total), Sundays (109 crashes, 18.89%), and Fridays (86 crashes, 14.90%). Likewise, the highest percentage of motorcyclist fatal crashes nationally occurred on the weekends (47.7%).

In South Carolina, the three-hour windows in which the most motorcyclist fatal crashes occurred were 6 p.m. to 9 p.m. (151 crashes, 23.41% of total), 3 p.m. to 6 p.m. (117 crashes, 18.14% of total), and 9 p.m. to midnight (100 crashes, 15.50% of total). Across the state, the majority of motorcyclist fatal crashes occurred between the hours of 3 p.m. and midnight (63.8%).

**Table 21. Motorcyclist Fatal Crashes by Month, Day of Week, and Time of Day: Totals 2011-2015 (SC)**

	<b>South Carolina</b>	
	<b>(N=577)</b>	
	<b>N</b>	<b>%</b>
<b>MONTH</b>		
January	17	2.95%
February	22	3.81%
March	54	9.36%
April	41	7.11%
May	87	15.08%
June	54	9.36%
July	67	11.61%
August	67	11.61%
September	57	9.88%
October	64	11.09%
November	23	3.99%
December	24	4.16%
<b>DAY OF WEEK</b>		
Sunday	109	18.89%
Monday	59	10.23%
Tuesday	37	6.41%
Wednesday	57	9.88%
Thursday	81	14.04%
Friday	86	14.90%
Saturday	148	25.65%
<b>TIME OF DAY</b>		
Midnight-3am	52	8.06%
3am-6am	19	2.95%
6am-9am	28	4.34%
9am-Noon	29	4.50%
Noon-3pm	81	12.56%
3pm-6pm	117	18.14%
6pm-9pm	151	23.41%
9pm-Midnight	100	15.50%
Unknown	0	0.00%

As shown in **Table 22** below, males constituted a much larger percentage of South Carolina's 2011-2015 motorcyclist fatalities than did females (90.12% versus 9.88%), a proportion comparable to that for the nation (90.9% male) during the same timeframe.

Table 22. Motorcyclist Fatalities by Age Group and Gender: Totals 2011-2015								
Fatalities by Age				Fatalities by Age and Sex				
	South Carolina		U.S.	South Carolina				U.S.
	(N=729)	%	(N=23,878)	Females		Males		% Males
Age Group				N	%	N	%	
< 16	6	0.82%	90	1	16.67%	5	83.33%	80.0%
16-20	37	5.08%	1,190	5	13.51%	32	86.49%	91.4%
21-24	52	7.13%	2,464	6	11.54%	46	88.46%	93.8%
25-34	147	20.16%	5,032	16	10.88%	131	89.12%	92.7%
35-44	151	20.71%	4,173	16	10.60%	135	89.40%	89.9%
45-54	155	21.26%	5,113	16	10.32%	139	89.68%	87.9%
55-64	135	18.52%	3,993	10	7.41%	125	92.59%	90.1%
65-74	35	4.80%	1,490	2	5.71%	33	94.29%	94.3%
75+	11	1.51%	328	0	0.00%	11	100.00%	95.7%
Unknown	0	0.00%	5	0	0.00%	0	0.00%	100.0%
<b>Total</b>	<b>729</b>	<b>100.00%</b>	<b>23,878</b>	<b>72</b>	<b>9.88%</b>	<b>657</b>	<b>90.12%</b>	<b>90.90%</b>

\*Highlighting is to help the reader identify cells with higher numbers/percentages.

As shown in **Table 23** on the following page, throughout the five years 2011-2015, 26.3% of South Carolina's motorcyclist fatalities used a helmet, a number substantially lower than the percentage of helmet use seen for the US as a whole (57.9%). In South Carolina, each age group, with the exception of the 16-20 age group, demonstrated helmet use under 40%. However, state law requires helmet use by riders under the age of 21 only.

<b>Table 23. Motorcyclist Fatalities by Age Group and Helmet Use: Totals 2011-2015</b>					
<b>Age Group</b>	<b>Motorcyclist Fatalities</b>	<b>Helmet Used</b>		<b>Helmet Not Used</b>	
		<b>N</b>	<b>%</b>	<b>N</b>	<b>%</b>
<16	6	1	16.7%	5	83.3%
16-20	37	16	43.2%	21	56.8%
21-24	52	20	38.5%	32	61.5%
25-34	147	32	21.8%	114	77.6%
35-44	151	41	27.2%	110	72.8%
45-54	155	30	19.4%	123	79.4%
55-64	135	34	25.2%	101	74.8%
65+	46	18	39.1%	27	58.7%
Unknown	0	0	0.0%	0	0.0%
SC	729	192	26.3%	533	73.1%
U.S.	23,878	13,824	57.9%	9,407	39.4%

**Table 24** below shows that 45.9% of South Carolina motorcycle operator fatalities ages 45 to 54 who were tested for BAC had a positive BAC, the highest percentage of any age group during the 2011-2015 period. Overall, 37.5% of motorcycle operator fatalities in South Carolina who were tested for BAC had a positive BAC, a percentage higher than that seen for the nation (29.1%). In South Carolina, speed was cited as a factor in 58.6% of motorcycle operator fatalities aged 16-20, the highest percentage of any group. Overall, 34.0% of South Carolina's motorcycle operator fatalities involved a crash in which speed was a factor, a percentage slightly lower than that of the nation (35.3%) during the same years.

<b>Table 24. Motorcycle Operator Fatalities, Alcohol Involvement and Speed: Totals 2011-2015</b>						
<b>Age Group</b>	<b>MC Operator Fatalities</b>	<b>BAC ≥ 0.01*</b>			<b>Speeding Involved**</b>	
		<b># Tested</b>	<b># ≥ 0.01</b>	<b>%</b>	<b>#</b>	<b>%</b>
<16	4	3	1	25.00%	2	50.00%
16-20	29	19	6	20.69%	17	58.62%
21-24	48	31	15	31.25%	19	39.58%
25-34	137	89	54	39.42%	60	43.80%
35-44	142	95	59	41.55%	56	39.44%
45-54	148	104	68	45.95%	40	27.03%
55-64	128	87	44	34.38%	26	20.31%
65+	44	26	8	18.18%	11	25.00%
Unknown	0	0	0	0.00%	0	0.00%
SC	680	454	255	37.50%	231	33.97%
U.S.	22,418	15,028	6,517	29.07%	7,914	35.30%

\* Based on actual state BAC data

\*\* Refers to entire crash event.

**Table 25\*** below shows prevalent operator factors for fatal crashes involving motorcycles in South Carolina. During the 2011-2015 period, 62.0% of motorcycle operators had at least one factor reported. In 2015, the most commonly reported factor for South Carolina’s motorcycle operators was *driving too fast* (26.0%) and *aggressive driving* (5.0%).

<b>Table 25. Fatal Crashes Involving Motorcycles: Operator Factors</b>						
	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>Total</b>
						<b>2011 - 2015</b>
	<b>MC</b> <b>(N=129)</b>	<b>MC</b> <b>(N=149)</b>	<b>MC</b> <b>(N=149)</b>	<b>MC</b> <b>(N=120)</b>	<b>MC</b> <b>(N=190)</b>	<b>MC</b> <b>(N=737)</b>
<b>Factors</b>						
<b>None reported/Unknown</b>	31.00%	40.30%	32.90%	33.30%	47.90%	38.00%
<b>Driving too fast for conditions and/or in excess of posted speed limit</b>	34.90%	32.20%	36.20%	34.20%	26.30%	32.30%
<b>Failure to remain in proper lane</b>	13.20%	2.70%	10.70%	4.20%	6.80%	7.50%
<b>Distraction/Inattention</b>	1.60%	3.40%	6.00%	5.00%	3.20%	3.80%
<b>Aggressive Driving</b>	8.50%	8.10%	10.10%	6.70%	5.30%	7.60%
<b>Failure to yield right-of-way</b>	3.90%	2.70%	4.00%	3.30%	1.60%	3.00%
Driver Related Factors are not causes of the crash, but factors that are reported by the police that may have played a role in the crash.						
Percentages do not add up to 100%as more than one factor may be present for the same operator,						
Operator factors reported here are the most prevalent operator factors, not all possible operator factors.						
Operator Factors are not causes of the crash, but factors that are reported by the police that may have played a role in the crash.						

**Table 9** on page 22 shows that in South Carolina, during the five year period, 2011-2015, the *number of motorcyclist deaths* was at its lowest level in 2014 (121), and increased to its highest level in 2015 (184). The count in 2015 (121 fatalities) represents a 35.05% increase from the average of the prior four years (136.25 fatalities) and a 42.64% increase from the 2011 total (129).

South Carolina's *population-based motorcyclist death rate* followed a similar pattern as the number of fatalities. The 2015 rate (3.76 deaths per 100,000 population) represented an 35.05% increase when compared to the 2011-2014 average (2.78), and a 42.64% increase when compared to 2011 (2.98). The population-based motorcyclist death rate in South Carolina for all five years (deaths per 100,000 residents) is higher than the national rate (1.51) during the same timeframe.

*Unhelmeted* motorcyclists accounted for 77.5% of South Carolina's motorcyclist fatalities in 2011. During the five year period, 2011-2015, *unhelmeted* motorcyclist fatalities was at its least in 2014 (96); and at its highest number in 2015 with 129 fatalities. The count in 2015 (129) represents a 27.7% increase from the 2011-2014 average (101 fatalities) and a 29.0% increase from the number in 2011 (100). As a percentage of all motorcyclist deaths in the state, *unhelmeted* motorcyclists accounted for approximately 73% during the 2011-2015 period, with the 2015 proportion (70.1%) representing a 5.85% *decrease* compared to the prior four years (74.5%) and a 9.6% decrease from the 2011 proportion (77.52%).

As seen in **Table 26** below, nationally, the *number of motorcyclist fatalities* and the *population-based fatality rate* increased in 2015 when compared to the 2011-2014 average by 5.48% and 2.03%, respectively. Additionally, the nation's motorcyclist percent of total deaths decreased slightly (2.31%). During the same timeframe (2011-2015), the number of *unhelmeted* deaths in the U.S. in 2015 increased compared to the figure in 2011 (4.64%). Also, the nation's 2015 proportion of *unhelmeted* motorcyclist deaths decreased slightly compared to the average of the prior four years (1.28%).

**Table 26. Nationwide Motorcycle Rider Fatalities**

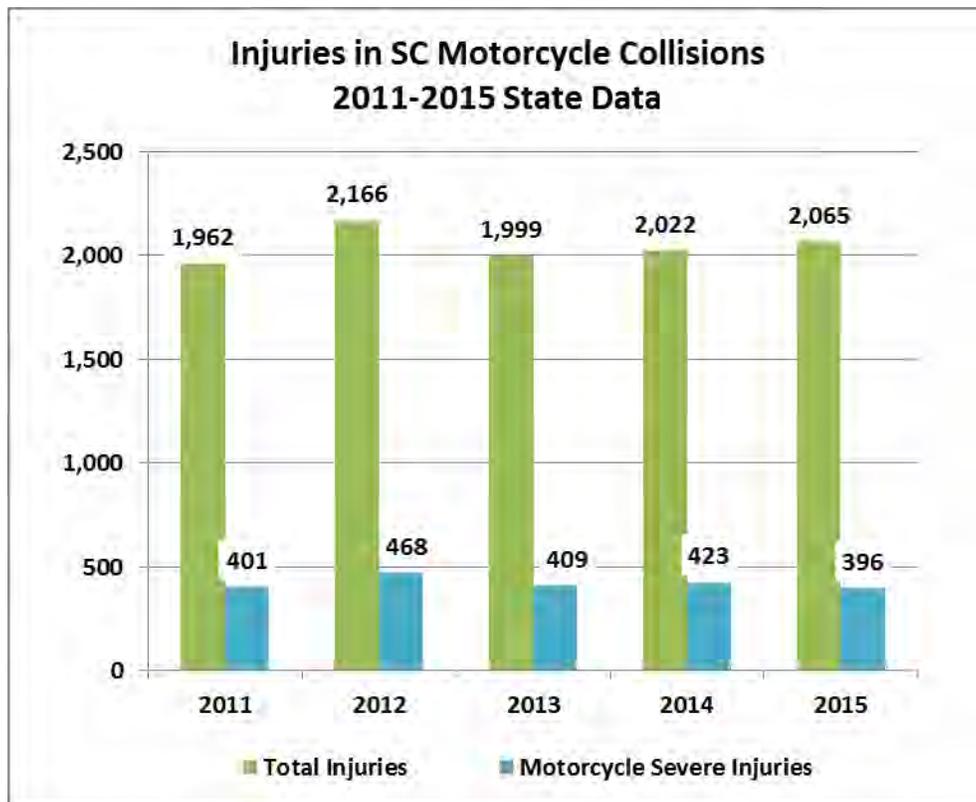
	2011	2012	2013	2014	2015	% Change: 2015 vs. 2011	% Change: 2015 vs. prior 4-yr Avg.
<b>Fatalities</b>	4,630	4,986	4,668	4,586	4,976	7.47%	5.48%
<b>Pop. Rate*</b>	1.49	1.59	1.48	1.44	1.53	2.68%	2.03%
<b>Pct. of Total</b>	14.26%	14.76%	14.27%	14.04%	14.00%	-1.82%	-2.31%
<b>Unhelmeted Fatalities</b>	1,852	2,039	1,854	1,716	1,938	4.64%	3.90%
<b>Pct. Unhelmeted Fatalities</b>	40.00%	40.89%	39.72%	37.42%	39.00%	-2.50%	-1.28%

\* Fatality rate per 100,000 population

## **Traffic Injuries**

Unlike FARS data for motorcyclist fatalities, South Carolina does not include moped riders in its calculation of motorcyclist injuries. As seen in Figure S-8 below, figures for 2015 show that there were 2,065 persons injured in motorcycle crashes in South Carolina, as compared to 1,962 in 2011, a 5.2% increase. Additionally, the total for 2015 is higher (1.4%) than the average number of motorcyclist crash injuries in the four years prior (2011-2014; [2,037]). From 2011-2015, motorcycle crashes have represented 3.9%, or 10,214, of all traffic crash injuries (258,692) in South Carolina (see **Figure S-1** on page 58 and **Figure S-8** below).

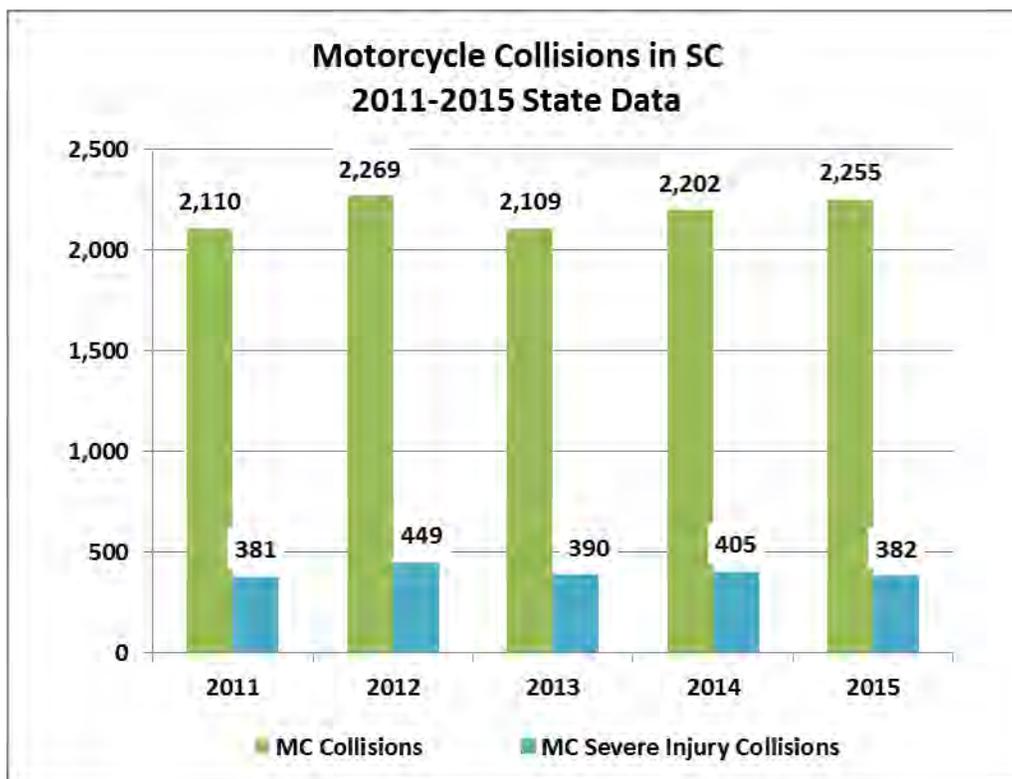
In terms of severe motorcycle collision injuries, in 2015, South Carolina had a total of 396 such traffic injuries, a 1.2% decrease from the 401 in 2011 (see **Figure S-8** below). The 2015 figure represented a decrease (6.4%) over the figure in 2014 (423), and a decrease (6.9%) when comparing the 2015 figure with the average number of severe motorcycle collision injuries for the time period 2011-2014 (425.25). These severe injuries constituted almost 13% of all serious traffic injuries in the state for 2011-2015 (16,207), while in 2015 they constituted 12.8% of all severe traffic injuries (3,092).



**Figure S-8. Injuries in SC Motorcycle Collisions 2011-2015 State Data**

## Traffic Collisions

Unlike FARS data, South Carolina does not include mopeds in its calculation of motorcycle fatal collisions, or in its state calculations of all collisions. As seen in **Figure S-9** below, motorcycle collisions have increased in South Carolina from 2,110 in 2011 to 2,255 in 2015, an increase of nearly 7%. The 2015 figure represents a 2.4% increase over the 2014 figure (2,202) and an increase of 3.8% over the average number of motorcycle collisions for the four-year period 2011-2014 (2,173). From 2011 to 2015, motorcycle crashes (10,945) have represented a small percentage (1.9%) of all traffic crashes (576,497) in South Carolina. Also, during the same time period, serious-injury motorcycle collisions represented 2,097 or 18.9%, of total motorcycle crashes (10,945). The number of serious-injury motorcycle collisions decreased in 2015 (396) when compared to the 2011 figure (401) by 1.2%. The 2015 figure represents a decrease over the 2014 figure (423) of 6.4%. The 2015 figure of 396 severe-injury motorcycle collisions also represents a decrease (6.9%) over the 2011-2014 average number of severe-injury motorcycle collisions (425.25).



**Figure S-9. Motorcycle Collisions in SC, 2011-2015**

**Table S-7** below contains information on the top contributing factors for motorcycle collisions in South Carolina from 2011 to 2015. These factors are driving too fast for conditions, failed to yield right-of-way, driver under the influence, improper lane usage/change, animal in the road, distracted/inattention, following too closely, other improper action (driver), aggressive operation of vehicle, and ran off the road.

**Table S-7: South Carolina Collisions Involving a Motorcycle, State Data 2011-2015**

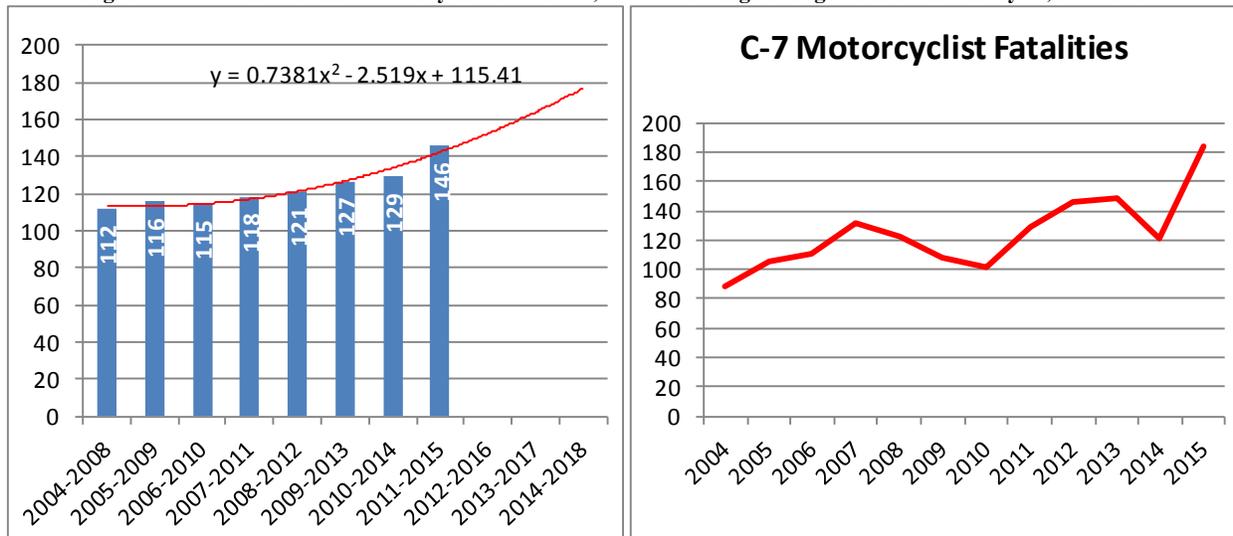
<b>Primary Contributing Factor</b>	<b>Fatal Collision</b>	<b>Injury Collision</b>	<b>Property Damage Only Collision</b>	<b>Total Collisions</b>	<b>All Persons Killed</b>	<b>All Persons Injured</b>
Driving Too Fast for Conditions	118	2412	637	3167	119	2747
Failed To Yield Right of Way	116	1833	475	2424	120	2276
Driver Under Influence	111	713	63	887	115	873
Improper Lane Usage/Change	8	333	162	503	8	387
Animal In Road	24	409	47	480	25	443
Distracted/Inattention	7	328	128	463	7	387
Followed Too Closely	1	273	170	444	1	332
Other Improper Action	10	215	133	358	10	251
Aggressive Operation of Vehicle	34	250	55	339	37	279
Ran Off Road	32	172	36	240	32	188

## Performance Measures

### Goals:

- To decrease the motorcyclist\* fatalities by 0.7% from the 2011-2015 baseline average of 146 to 145 by December 31, 2018.

Figure C-7. South Carolina Motorcyclist Fatalities, 5 Year Moving Average with Trend Analysis, 2004-2015.



Polynomial Projection =  $0.7381(11^2) - 2.519(11) + 115.41 = 177$   
 2011-2015 Average = 145.8  
 2012-2016 Average = 156.4  
 2011 = 129  
 2012 = 146  
 2013 = 149  
 2014 = 121  
 2015 = 184 (52.1% increase from 2014)  
 2016 = 184 (No change from 2015, 2016 not FARS finalized)

*\*Moped operators and motorcyclists are included in the FARS count of motorcyclist fatalities.*

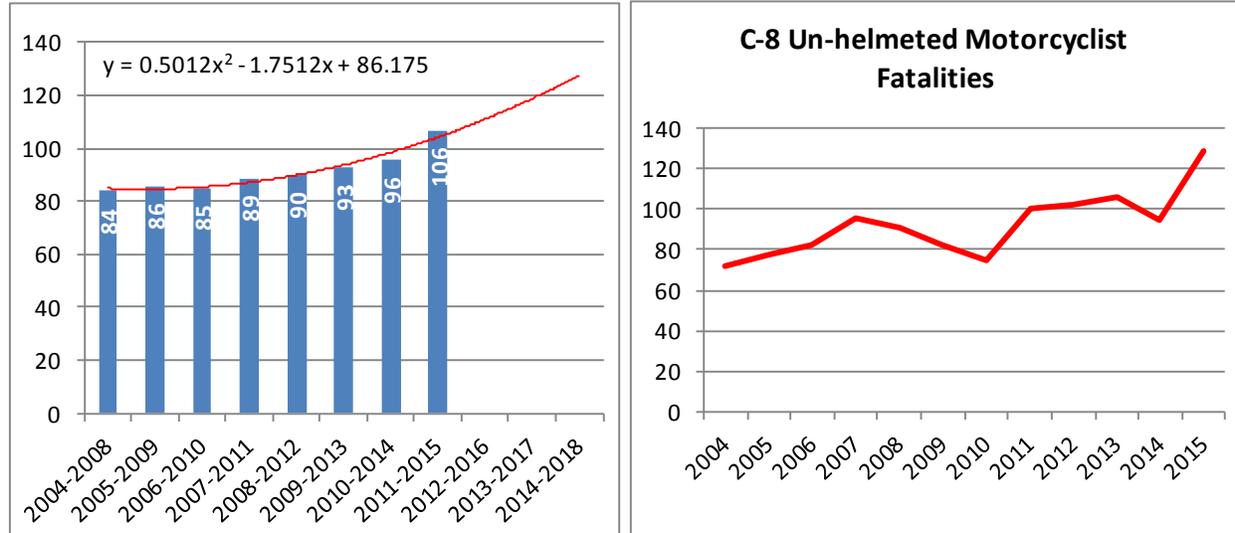
As shown in Figure C-7 above, the five-year moving average with polynomial trend analysis projects South Carolina will experience a five year average number of 177 motorcyclist fatalities by December 31, 2018. This equates to an estimated 214 annual motorcyclist fatalities for 2018, which is a 16.3% increase from 2015. Preliminary state data compiled by the OHSJP Statistical Analysis Center indicates there were 184 motorcyclist fatalities (includes moped operators) in 2016, no change from 2015. The state preliminary projection for 2016, using the first four months of data, indicates a decrease in motorcyclist fatalities when compared to the same time period in 2016. After much discussion among OHSJP staff, OHSJP will set a goal of 145 motorcyclist fatalities in 2018, a 21.2% reduction in motorcyclist fatalities by December 31, 2018 from the 2016 calendar year. Even though the five-year average model shows an increase in the five-year average and preliminary state data for 2016 and 2017 also demonstrate an increase, OHSJP is working hard to reverse the upward trend of motorcycle fatalities.

It should be noted that there are factors in South Carolina that may impact, both negatively and positively, the selected target. From a negative perspective, the state's helmet law is only applicable to individuals under the age of 21. In addition, the state endures tremendous legislative lobby efforts from advocacy groups, such as ABATE, which have been successful in derailing attempts to prevent a universal helmet law from being enacted. From the positive side, a recent move by the SC Department of Motor Vehicles (SCDMV) has potentially improved motorcycle safety in the state. Supported by the South Carolina Motorcycle Safety Task Force, the SCDMV began on June 3, 2013, the implementation of an existing policy which had previously not been enforced. The SCDMV is no longer issuing automatic renewals of motorcycle beginner's permits, but is requiring that individuals seeking permit renewals must make an effort to pass the motorcycle operator skills test in order to receive a motorcycle endorsement on their driver's license. SC decided to emphasize their existing policy to prevent motorcyclists from continuously renewing their beginner permits rather than applying for a motorcycle license. The SC Motorcycle Safety Task Force believes that this policy implementation exerts some pressure among the riding community to seek motorcycle safety training in order to acquire skills necessary for passing the SCDMV motorcycle rider skills test.

There are several factors involved in the increased number of moped-involved crashes and fatalities. From a legislative perspective, the state has few legal repercussions related to mopeds and moped operators. Currently, mopeds require no registration and operators are not required to have a license or possess insurance. The state has seen a steady increase in moped operator fatalities over the past five years. A recently passed bill would require moped registration beginning on February 1, 2018.

- To decrease the un-helmeted motorcyclist fatalities\* by 0.9% from the 2011-2015 baseline average of 106 to 105 by December 31, 2018.

Figure C-8. South Carolina Un-helmeted Motorcyclist Fatalities\*, 5 Year Moving Average with Trend Analysis, 2004-2015.



Polynomial Projection =  $0.5012(11^2) - 1.7512(11) + 86.175 = 127.6$   
 2011-2015 Average = 106.4  
 2012-2016 Average = 114.2  
 2011 = 100  
 2012 = 102  
 2013 = 106  
 2014 = 95  
 2015 = 129 (35.8% increase from 2014)  
 2016 = 140 (8.5% increase from 2015, 2016 not FARS finalized)

*\*Moped operators and motorcyclists are included in the FARS count of motorcyclist fatalities.*

\*Motorcyclists and moped operators are included in the FARS count of motorcyclist fatalities.

As shown in Figure C-8 above, the five-year moving average with polynomial trend analysis projects South Carolina will experience a five-year average number of 127.6 un-helmeted motorcyclist fatalities by December 31, 2018. This equates to an estimated 150 annual un-helmeted motorcyclist fatalities for 2018, which is a 16.3% increase from 2015. Preliminary state data compiled by the OHSJP Statistical Analysis Center indicates there were 140 un-helmeted motorcyclist fatalities (includes moped operators) in 2016, an increase of 8.5% from 2015. The state preliminary projection for 2016, based on the first four months of data, indicates a slight decrease in un-helmeted motorcyclist fatalities in comparison with 2016. After much discussion among OHSJP staff, OHSJP will set a goal of 105 un-helmeted motorcyclist fatalities in 2018, a 25% reduction in un-helmeted motorcyclist fatalities by December 31, 2018 from the 2016 calendar year.

The state of South Carolina does not have a universal helmet law and has strong legislative grass-roots lobbying efforts in place to fight against helmet law changes. This presents

challenges in improving motorcycle safety in general and in saving motorcyclists' lives on the highways in particular. Other states that have a universal helmet law are experiencing a decrease in un-helmeted motorcyclist fatalities. With no legislation in place to require the use of helmets for individuals 21 and over, it is expected that this problem will continue to present a challenge for the state to drive down the number of un-helmeted motorcycle fatalities.

There are several factors involved in the increased number of moped-involved crashes and un-helmeted moped fatalities. From a legislative perspective, the state has few legal repercussions related to mopeds and moped operators. Currently, mopeds require no registration and operators are not required to have a license or possess insurance. The state has seen a steady increase in moped operator fatalities over the past five years. A recently passed bill would require moped registration and helmets for riders under the age of 21 beginning on February 1, 2018.

**Objectives:**

1. To conduct a statewide public information and education paid media campaign to educate and increase the awareness of motorists and motorcyclists about motorcycle safety issues during the months of April through September 2018 focusing on the 17 counties in SC that had the highest number of motorcyclist fatalities during CY 2015.
2. To continue the work of the Motorcycle Safety Task Force during FFY 2018 to review and analyze motorcycle safety statistical information, make recommendations for improvement of motorcycle safety in the state, and develop action plans to implement projects that will reduce motorcyclist crashes, injuries, and fatalities in the state.

**Performance Indicators:**

**Goals:**

1. A comparison of the 2011-2015 calendar base year average for motorcyclist fatalities will be made to the most current available FARS data.
2. A comparison of the 2011-2015 calendar base year average for unhelmeted motorcyclist fatalities will be made to the most current available FARS data.

**Objectives:**

1. Documentation of the implementation of a paid media campaign delivering the "Look!" message will be maintained in the form of a final report in the grant file.
2. Documentation of the meetings, minutes, and activities of the Motorcycle Safety Task Force will be maintained by the OHSJP.

## Strategies:

The following strategies will be implemented to achieve established goals and objectives:

1. A successful motorcycle safety public information and education campaign, which began in FFY 2007, has been maintained and will continue during FFY 2018 in Horry County during the month of May 2018 as part of two major motorcycle rallies (Myrtle Beach Bike Rally and Atlantic Beach Bikefest), if the rallies are held. Some of the safety educational materials distributed at these rallies will include the encouragement of wearing protective gear while riding a motorcycle.

2. The state of South Carolina in FFY 2018 will again launch a statewide motorcycle safety awareness program utilizing federal funding modeled after campaign efforts in 2017. The primary feature of the “Ride Smart” campaign will involve “Share the Road” messaging to



increase motorist awareness of the presence of motorcyclists on the roadways and sharing the road appropriately with these vehicles (utilizing Section 405f Motorcycle Safety funds). As a secondary messaging component, the campaign also encourages motorcycle operators to utilize appropriate safety gear when riding (utilizing

Section 402 funds).

The goals of the campaign are to (1) reduce the numbers of crashes, injuries, and fatalities involving motorcyclists; and to (2) educate and increase the safety awareness of motorists and motorcyclists. The campaign will utilize radio public service announcements, outdoor advertising, printed educational materials, SC Department of Transportation variable message signs, and displays placed at motorcycle rallies and events.

The campaign will use a six-month-long comprehensive paid media campaign that will complement enforcement efforts throughout the year and continue the outreach efforts conducted during the Myrtle Beach Bike Week and Atlantic Beach Bike Fest motorcycle rallies in May 2018. The campaign, though statewide, will focus on counties that sustained the highest number of motorcyclist fatalities during CY 2017.

The campaign theme will build upon the “Look!” messaging used successfully by South Carolina in past bike rally campaigns. In addition, all outreach efforts will incorporate a “Share the Road” message targeting both motorists and motorcyclists. The message will be aimed at increasing motorist awareness of motorcyclists traveling on the state’s roadways. In May 2016, a new Target Zero motorcycle billboard was created that highlighted the correlation between motorcyclist fatalities and not wearing a helmet. The campaign will also continue the



billboard campaign launched in 2013 based simply on the word “LOOK.” The campaign as a whole focuses on all vulnerable roadway users (pedestrians, motorcyclists, bicyclists, and moped riders). The “LOOK” billboards, samples of which may be seen in the Community Traffic Safety Project section of the state’s Highway Safety Plan, encourage observers to “LOOK: Share the Road. Save a Life.” The billboards use vivid colors against a black background and are visually compelling. Individual billboards focusing exclusively on motorcyclists will also be used, predominantly in priority counties during the statewide campaign event, which encourage motorists to “LOOK for Motorcyclists. Share the Road. Save a Life.”

The contractor will also produce a radio spot with a “Share the Road” message to air during the six-month safety campaign. All billboard and radio advertising will incorporate the SCDPS “Target Zero Traffic Fatalities” umbrella theme.

3. The Motorcycle Safety Task Force will continue to meet and form partnerships with various state, federal, and local agencies, as well as community groups to develop and implement strategies to reduce the number of motorcycle crashes, fatalities, and injuries.
4. In partnership with the SCDOT, the OHSJP will again secure the use of variable message signs around the state in designated time periods during the motorcycle safety campaign effort. These message signs will be utilized in May, July, and September 2018. The message to be shown on the message boards is, “Stay Alert. Look for Motorcycles.” This messaging has been made available to this campaign at no cost. This has proven extremely valuable to the campaign effort, as hundreds of thousands of motorists will be exposed to campaign messaging while they are in the act of driving and/or riding.
5. The OHSJP will explore, through the Motorcycle Safety Task Force and its law enforcement contacts, methods for implementing specialized traffic enforcement activity relative to motorcyclists to coincide with current educational efforts, with a view toward implementation in South Carolina. If implemented, the effort will focus on high-risk locations for motorcyclist fatalities.
6. The OHSJP will fund a statewide Motorcycle Safety outreach/education project with a specific emphasis in the following counties: Anderson, Charleston, Greenville, Horry, Lexington and Spartanburg. These counties all rank within the top ten for fatal motorcyclists collisions in South Carolina (see **Table S-6** on page 117). The project will be provided by the South Carolina Technical College System and will provide comprehensive motorcycle safety education and instruction at 11 of the 16 technical colleges in the state. Rider training classes will be available for individuals of all skill levels as well as those wishing to sharpen their skills in preparation for taking the state motorcycle driver’s license exam. The project will fund one-part time State Coordinator, who will facilitate all SC Rider Education Program

initiatives, including the expansion of rider coach instructor courses, and ongoing evaluation and assessment.

(CTW, Chapter 5: Sections 3.1, 3.2, 4.1 and 4.2) (SHSP, pp. 47-51)

### **Motorcycle Safety: Budget Summary**

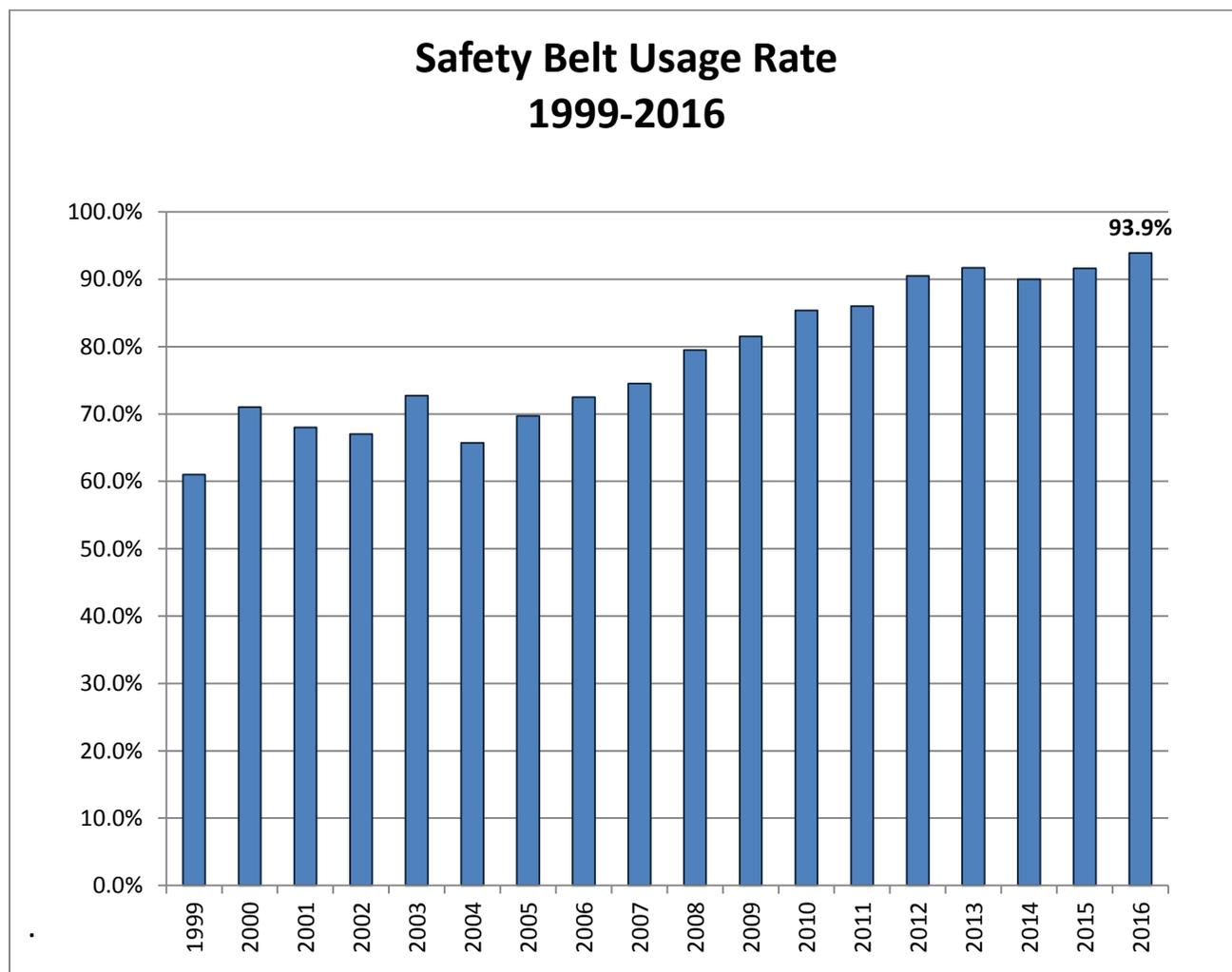
<b>Project Number(s)</b>	<b>Subgrantee</b>	<b>Project Title</b>	<b>Budget</b>	<b>Budget Source</b>
<b>M9MA-2018- HS-04-18</b>	<b>South Carolina Department of Public Safety: Office of Highway Safety and Justice Programs</b>	<b>Motorcyclist Awareness Campaign</b>	<b>\$8,126.85</b>	<b>MAP-21 405f Motorcyclist Awareness Programs</b>
<b>M9MA-2018- HS-04-18</b>	<b>South Carolina Department of Public Safety: Office of Highway Safety and Justice Programs</b>	<b>Motorcyclist Awareness Campaign</b>	<b>\$71,873.15</b>	<b>FAST Act 405f Motorcyclist Awareness Programs</b>
<b>MC-2018-HS- 04-18</b>	<b>South Carolina Department of Public Safety: Office of Highway Safety and Justice Programs</b>	<b>Motorcyclist Awareness Campaign</b>	<b>\$50,000*</b>	<b>Fast Act NHTSA 402</b>
<b>MC-2018-HS- 10-18</b>	<b>State Board for Technical and Comprehensive Education</b>	<b>South Carolina Motorcycle Rider Education Program</b>	<b>\$103,000</b>	<b>Fast Act NHTSA 402</b>
<b>Total All Funds</b>			<b>\$233,000</b>	

**NOTE:** Funds have been placed in the Public Information, Outreach, and Training internal grant administered by the Office of Highway Safety and Justice Programs to conduct a statewide motorcycle safety campaign using Section 405f Motorcycle Safety and Section 402 funds.

## OCCUPANT PROTECTION PROGRAM AREA

### Overview

The state of South Carolina has made significant strides in improving safety belt usage rates since the passage and enactment of a primary enforcement safety belt law in 2005 (see **Figure S-10** below).



**Figure S-10. South Carolina Safety Belt Usage Rate 1998-2015**

At the time of the enactment of the law, the state's observed safety belt usage rate stood at 69.7% statewide. According to a June 2016 statewide safety belt survey conducted by the University of South Carolina, the state's usage rate currently stands at 93.9%, an all-time high for South Carolina! The usage rate also represents a 2.5 percentage point increase from 2015. The state of South Carolina has made significant improvements since the enactment of its primary enforcement seat belt law in 2005. The state remains committed to increasing restraint usage in

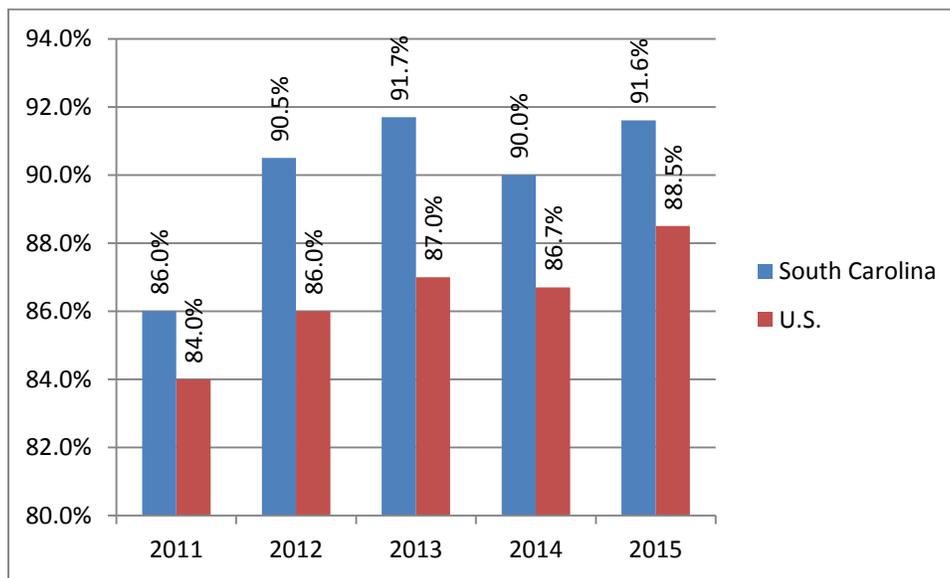
an effort to reduce motor vehicle crash injuries and fatalities, particularly in the light of the state's relatively high unbelted fatality rate (see **Table 7** on page 19).

In last year's HSP, South Carolina's focus for occupant protection was to increase the safety belt usage rate from 91.6% in 2015 to 92% in 2017. We exceeded that goal in 2016. The state will seek to maintain the increase through a continued educational program alerting the state's citizens, particularly minority groups who lag behind their non-minority counterparts in belt usage rates, to the primary enforcement safety belt law and through the continuing of a Memorial Day safety belt and child passenger safety seat enforcement mobilization which conforms to the national *Click it or Ticket* model. See **Attachment 3** for a listing of expected participation in the FFY 2018 enforcement mobilization. The state also desires to see an increase in the correct usage of child passenger safety seats. Based on informal surveys conducted annually at seat check events around the state, historically only about 15% of child safety seats in use are installed correctly. Occupant Protection Programs that are funded by the highway safety program will train NHTSA Child Passenger Safety technicians and instructors, conduct child passenger safety seat check events, certify child passenger safety fitting stations, conduct educational presentations, and emphasize child passenger safety seat use and enforcement during the statewide Memorial Day occupant protection enforcement mobilization.

Occupant Protection was an area of concern identified as a component in the SC Strategic Highway Safety Plan (SHSP), *Target Zero*, developed in 2015, within its *Emphasis Area: Unrestrained Motor Vehicle Occupants* (pp. 28-33), citing the significance of the problem for the state and recommending engineering, education, enforcement, and EMS strategies for appropriate countermeasures to attack the problem in this section. Over time the state has implemented a variety of the recommendations offered by the SHSP, including the conducting of special education efforts for population groups with lower than average restraint use rates, educating motorists regarding the primary enforcement safety belt law, conducting child restraint inspection events throughout the state, training law enforcement personnel and firefighters as Child Passenger Safety Technicians, aggressively enforcing the primary safety belt law, and conducting a statewide occupant protection enforcement mobilization during and around the Memorial Day holiday each year to coincide with national enforcement mobilizations.

Occupant Protection was also an area identified in the NHTSA-produced *Countermeasures That Work: A Highway Safety Countermeasure Guide for State Highway Safety Offices, Eighth Edition, 2015* stressing the importance of this emphasis area and outlining significant strategies and appropriate countermeasures for occupant protection issues (pp. 2-1 to 2-32). The state currently complies with countermeasures deemed highly effective by the document, such as statewide primary safety belt enforcement (pp. 2-9 to 2-10), short-term high-visibility belt law enforcement following the national *Click it or Ticket* model (pp. 2-13 to 2-14), combined nighttime seat belt and alcohol enforcement (pp. 2-15 to 2-16), and communications and outreach strategies for lower belt use groups (pp. 2-19 to 2-21). South Carolina also implements countermeasures that have been deemed effective in specific situations, such as sustained enforcement (p. 2-17). In addition, the state has implemented countermeasures that have not clearly been demonstrated as effective overall, but may have an impact in specific areas, such as the development of inspection stations for child safety seats (pp. 2-31 to 2-32).

As indicated previously, the state of South Carolina has seen a steady increase in statewide safety belt use rates since the passage and enactment of a primary safety belt law, from 69.7% in 2005 to 93.9% in 2016. **Figure 20** below demonstrates this increase as compared to the national rate for the time period 2011-2015, but does not include the data from 2016, which was captured by an observational survey conducted by the University of South Carolina in a statewide survey conducted after the annual Memorial Day occupant protection enforcement mobilization in June 2016. As seen below, South Carolina’s observed seat belt usage rate was above the national rate for the 2011-2015 time period. In 2015, South Carolina’s rate was 3.5% higher than the national rate (91.6% and 88.5% respectively). Observed seat belt use rates in South Carolina ranged from a low of 86% in 2011 to a high of 91.7% in 2013. The national rate during the 2011-2015 time period ranged from a low of 84% in 2011 to a high of 88.5% in 2015.



**Figure 20. Observed Seat Belt Usage Rates, 2011-2015**

As seen in **Table S-8** on the following page, surveys conducted by the University of South Carolina show that South Carolina has made tremendous progress towards improving the statewide belt usage rate to 93.9% in 2016. The progress has been significant, with nonwhite belt use moving from 63.8% in CY 2006 (compared to whites at 76.4%) to 93.6% for nonwhites in 2016(compared to 93.9% for whites). This represents noteworthy forward momentum. Over a 10-year period, nonwhite belt use has moved from 12.6% below that of the majority population belt use to only 0.5% below the majority population. Additionally, from 2015 to 2016, belt usage among non-white drivers (93.6%) increased by 6.9%. This progress can be attributed to the State of South Carolina's efforts to maintain a diverse approach to messaging along with maintaining safety belt law enforcement efforts. Obviously, there remains a need to continuously educate the public as to the benefits of safety belt usage, but existing efforts to address this issue have been beneficial.

**Table S-8. Percentage Safety Belt Use by Demographic Category**

	6/6	6/7	6/8	6/9	6/10	6/11	6/12	6/13	6/14	6/15	6/16
Male	67.6	68.4	74.2	77.1	82.3	81.8	87.6	89.8	88.3	88.6	92.5
Female	79.3	84.5	85.8	87.8	90.6	89.4	93.3	93.9	91.6	95	95.5
Driver	73	74.6	79.1	81.3	86	86.4	90	91	89.9	91.5	93.4
Passenger	70.8	74	78.2	82.1	85.4	85.6	90	94.6	89.3	91.3	95.8
Urban	73.5	75.2	80.3	82.3	87.4	85.6	91.4	91	89	91.7	93.7
Rural	70.1	73	76	79.5	80.5	87	88.5	94.2	93.1	91.3	94.2
White	76.4	77.8	82.4	84.7	88.5	86.5	91.3	93.1	91.6	92.6	93.9
Non-white	63.8	67.2	70.9	74.1	80.6	82.2	87.8	87.5	85.1	87.5	93.6
Cars	75.7	77.7	81.1	84.3	86.6	88.2	92	92.3	90.7	93.1	94.5
Trucks	63.8	67.8	73.3	75	81.7	78.7	86	90	86.9	85	90.4
Overall	72.5	74.5	79	81.5	85.4	86	90.5	91.7	90	91.6	93.9

The following data sections outline specifically the problems being faced by the state of South Carolina in terms of occupant protection and demonstrate the foundation upon which the state has built its response to the problems for its FFY 2018 Highway Safety Plan.

### **Traffic Fatalities**

Traffic fatalities are the most severe consequence of motor vehicle collisions. According to NHTSA FARS data that was released in July 2016, in 2012, motor vehicle crashes were the leading cause of death for Americans for age 16-24. For children 4-15 years of age, motor vehicle traffic crashes was the second leading cause of death. For adults 25-34 years of age, motor vehicle traffic crashes was the third leading cause of death. For toddlers 1-3 years of age and adults 35-44 years of age, motor vehicle traffic crashes were the fifth leading cause of death.

In 2015, traffic crashes claimed 35,092 lives throughout the nation, an increase of 7.2% when compared to the 32,675 lives lost nationally in 2014. Children accounted for 1,132 (3%) of the motor vehicle fatalities in 2015.

The increase in traffic fatalities experienced in 2015 ended a decline in traffic fatalities that occurred over the last fifty years. As noted in the August 29, 2016, press release, NHTSA has attributed the increase in jobs and low fuel costs as the two leading causes of the increased driving, including additional leisure driving and more driving by young people. More driving can contribute to higher fatality rates.

In 2015, the largest increase in nearly 25 years occurred when vehicle miles traveled (VMT) increased 3.5% over 2014 (see **Table 3** on page 13). Traffic fatalities increased by 7 percent

from 2014 to 2015 in the United States, with 35 States showing an increase in traffic fatalities between 2014 and 2015.

A comparison of South Carolina data with national data (**Table 3** on page 13) indicates that South Carolina’s 2011-2015 average population-based traffic fatality rate (17.8 per 100,000 persons) was higher than the national rate (10.55) during the same time period.

Though the demonstrated increase in safety belt use in South Carolina has likely contributed significantly to the state’s downward trend in traffic fatalities since 2007, the state continues to have a problem with unbelted traffic fatalities, as evidenced by the 11.3% increase in unbelted traffic fatalities during 2015 when compared to 2014.

**Table 7** on page 19 shows the numbers and rates of unbelted passenger vehicle occupants (i.e. occupants of passenger cars, light trucks, and vans) killed in South Carolina from 2011 through 2015. The number of unbelted passenger-vehicle-occupant fatalities was at its highest level in 2012 (313 fatalities) and at its lowest level in 2013 (242). The 2015 (306) count represents a 12.5% increase compared to the 2011-2014 average (272 deaths) and an 18.60% increase from the 2011 total.

South Carolina’s 2011-2015 population-based unbelted fatality rate (5.83 deaths per 100,000 population) is much higher than the rate for the US (3.20) as a whole during the same years. In South Carolina, observed safety belt use increased 1.6% in 2015 when compared to the 2011-2014 average. In 2011, observed seat belt usage was at its lowest level (86.0%) during the five-year period and increased to its highest level in 2013 (91.7%).

In South Carolina, unbelted fatalities represented 31.16% of all traffic-related deaths in 2011, with this proportion fluctuating throughout the period. The value in 2015 (31.26%) represents a 5.27% decrease when compared to the prior four-year average (33.0%) and a 6.44% decrease when compared to the proportion in 2014.

According to FARS data, in South Carolina, restraint use among fatally-injured passenger-vehicle occupants was below that of the nation during three of the five years, higher than the national percentage in 2011, and equal to the national percentage in 2014 (**Table 27** below). The 2015 restraint use percentage for fatally-injured passenger vehicle occupants in South Carolina represents a 9.8% increase compared to the average of the previous four years (43.7%). The US as a whole also saw an increase (13.8%) in this index.

**Table 27. Restraint Use of Fatally-Injured Passenger Vehicle Occupants**

	2011	2012	2013	2014	2015
<b>Restraint Use</b>					
South Carolina	45.3%	38.3%	43.9%	47.4%	48.0%
U.S.	44.4%	44.7%	46.3%	47.4%	52.0%

Restraint use percentage based on all fatalities

In 2015 in South Carolina, as indicated in **Table S-9** below, 528 automobile and truck occupants were totally ejected from the vehicles in which they were riding during traffic crashes, and of those, 130, or 24.6%, were killed. In addition, 201 occupants were partially ejected and 34 of those, or 16.9%, were killed. Of the 327,046 occupants not ejected, 477, or 0.15%, were killed.

Table S-9. Ejection Status of Motor Vehicle Occupants by Injury, 2015 - SC							
Ejection Status	Injury Type						
	Fatal	Incap*	Non-Incap**	Possible Injury	Not Injured	Total	Percent
Not Ejected	477	2,111	9,966	41,350	273,142	327,046	97.87%
Partially Ejected	34	50	16	29	72	201	0.06%
Totally Ejected	130	161	121	55	61	528	0.16%
N/A or Unknown	2	15	50	285	6,029	6,381	1.91%
Total	643	2,337	10,153	41,719	279,304	334,156	100.00%

As indicated in **Table S-10** below, in South Carolina during the period 2011-2015, there were 2,692 individuals totally ejected from the vehicles in which they were riding during traffic crashes, and of those, 564, or 21.0%, were killed. In addition, 923 were partially ejected, and 169 of those, or 18.3%, were killed. Of the 1,395,685 occupants not ejected, 2,122, or 0.15%, were killed.

Table S-10. Ejection Status of Motor Vehicle Occupants by Injury, 2011-2015 - SC							
Ejection Status	Injury Type						
	Fatal	Incap*	Non-Incap**	Possible Injury	Not Injured	Total	Percent
Not Ejected	2,122	10,783	47,523	175,159	1,160,098	1,395,685	97.82%
Partially Ejected	169	196	114	145	299	923	0.06%
Totally Ejected	564	941	593	297	297	2,692	0.19%
N/A or Unknown	10	95	248	1,240	25,902	27,495	1.93%
Total	2,865	12,015	48,478	176,841	1,186,596	1,426,795	100.00%

As shown in **Table S-11** on the following page, estimates indicate that, of the 605 occupant fatalities with known restraint usage in 2015, 319 (52.7%) were not restrained, and 286 (47.3%) were restrained. According to NHTSA, from 2011 to 2015 there were 2,689 fatalities in which the restraint use was known in South Carolina. Of this number, 1,445, or 53.7%, were unrestrained.

<b>Table S-11. Restraint Usage of Vehicle Occupant Fatalities, 2011-2015 - SC</b>			
<b>Year</b>	<b>Known Restraint Use</b>	<b>Unrestrained</b>	<b>Percent Unrestrained</b>
2011	525	272	51.8%
2012	540	328	60.7%
2013	469	250	53.3%
2014	550	276	50.2%
2015	605	319	52.7%
<b>Total</b>	<b>2,689</b>	<b>1,445</b>	<b>53.7%</b>

County data shows interesting trends in terms of unbelted traffic fatalities, particularly at night. As shown in **Table 28** on the following page, for the years 2011-2015, 61.17% of South Carolina’s passenger vehicle occupant fatalities that occurred at night were unrestrained. The following six counties accounted for the highest percentages of unrestrained nighttime passenger vehicle occupant fatalities: Greenwood (10 fatalities, 10 [100%] unrestrained); Colleton (19 fatalities, 18 [94.74%] unrestrained); Williamsburg (12 fatalities, 11 [91.67%] unrestrained); Hampton (8 fatalities, 7 [87.50%] unrestrained); Calhoun (8 fatalities, 7 [87.50%] unrestrained); and Lee (10 fatalities, 8 [80%] unrestrained). Of the 46 counties in the state, McCormick, Cherokee, and Lancaster had the smallest percentages of unrestrained night-time fatalities (6 fatalities, 1 [16.6%] unrestrained; 16 fatalities, 4 [25%] unrestrained; and 14 fatalities, 4 [28.57%] unrestrained, respectively).

Table 28. Unrestrained Passenger Vehicle Occupant Fatalities at Night* By County									
County	2011	2012	2013	2014	2015	2015 Total Passenger Vehicle Occupant Fatalities at Night*	2011-2015 Unrestrained Vehicle Occupant Fatalities at Night*	2011-2015 Total Passenger Vehicle Occupant Fatalities at Night*	% Unrestrained
Abbeville	0	1	0	1	0	0	2	2	100.00%
Aiken	7	1	9	1	4	8	22	33	66.67%
Allendale	0	1	0	0	0	0	1	3	33.33%
Anderson	6	10	3	7	2	5	28	55	50.91%
Bamberg	0	1	1	1	1	1	4	6	66.67%
Barnwell	0	0	0	2	3	4	5	5	100.00%
Beaufort	4	2	3	4	3	6	16	28	57.14%
Berkeley	3	4	10	9	3	14	29	51	57%
Calhoun	0	0	1	2	4	5	7	8	87.50%
Charleston	6	6	5	11	8	29	36	60	0.6
Cherokee	2	0	1	1	0	2	4	16	25.00%
Chester	1	0	0	1	2	5	4	10	40.00%
Chesterfield	1	3	0	1	1	3	6	12	50.00%
Clarendon	1	0	2	1	0	3	4	13	30.77%
Colleton	2	4	1	2	9	7	18	19	94.74%
Darlington	3	4	8	2	2	6	19	25	76.00%
Dillon	2	2	0	1	0	2	5	12	41.67%
Dorchester	3	2	3	0	6	15	14	19	73.68%
Edgefield	3	0	0	2	0	1	5	12	41.67%
Fairfield	0	0	2	3	0	2	5	13	38.46%
Florence	0	1	5	3	2	9	11	22	50.00%
Georgetown	1	1	5	2	2	6	11	15	73.33%
Greenville	8	10	15	8	14	36	55	75	73%
Greenwood	1	2	2	1	4	5	10	10	100.00%
Hampton	2	1	3	1	0	1	7	8	87.50%
Horry	5	6	8	6	5	32	30	52	58%
Jasper	7	2	1	0	0	2	10	17	58.82%
Kershaw	3	2	1	0	3	7	9	20	45.00%
Lancaster	1	2	0	0	1	2	4	14	28.57%
Laurens	1	3	1	4	1	6	10	21	47.62%
Lee	0	1	2	0	5	5	8	10	80.00%
Lexington	4	11	11	5	13	27	44	61	72.13%
Marion	0	1	0	1	4	7	6	11	54.55%
Marlboro	1	0	0	2	1	2	4	5	80.00%
McCormick	0	0	0	1	0	0	1	6	16.67%
Newberry	1	4	2	0	1	1	8	11	72.73%
Oconee	3	4	1	0	1	2	9	20	45.00%
Orangeburg	4	8	5	4	7	14	28	50	56.00%
Pickens	3	3	6	1	2	6	15	21	71.43%
Richland	6	7	14	3	7	18	37	69	53.62%
Saluda	0	3	0	0	0	0	3	7	42.86%
Spartanburg	5	5	2	8	16	34	36	45	80.00%
Sumter	3	1	3	4	3	8	14	20	70.00%
Union	0	0	0	0	1	3	1	3	33.33%
Williamsburg	1	3	3	2	2	5	11	12	91.67%
York	3	6	2	1	2	5	14	28	50.00%
<b>Totals</b>	<b>107</b>	<b>128</b>	<b>141</b>	<b>109</b>	<b>145</b>	<b>361</b>	<b>630</b>	<b>1,035</b>	<b>60.87%</b>

For children 0-19 years of age, motor vehicle crashes are the leading cause of injury-related deaths in South Carolina. Analyzing teen driver data shows challenging statistics for this age group relative to safety belt use, particularly in terms of traffic fatalities in the state from 2011 to 2015. As shown in **Table S-12** and **Figure 22** below, state data from 2011 to 2015 indicates that drivers between the ages of 15 and 19 were involved in 97,835 traffic collisions, or 17.0% of the total number of collisions during that time period. The number of collisions involving a teen driver has increased 23.5% from the timeframe of 2011 to 2015. When comparing the 2015 number of collisions that involved a teen driver to the 2011 to 2014 average (18,860.5), the state experienced an 18.7% increase in the number of collisions involving a teen driver. Also shown in **Table S-13** and **Figure S-11** on the following page are the number of fatalities that occurred when a teen driver was involved in the crash by restraint usage. There were a total of 483 such fatalities from 2011 to 2015.

Table S-12. South Carolina Collisions (Involving Teen Drivers Age 15-19), 2011-2015 - SC				
Year	Total Collisions	Involving a Teen Driver (age 15-19)	Percent	Number of Fatalities involving a Teen Driver
2011	101,842	18,134	17.8%	81
2012	108,261	18,810	17.4%	119
2013	113,260	18,941	16.7%	63
2014	119,173	19,557	16.4%	113
2015	133,961	22,393	16.7%	107
<b>Total</b>	<b>576,497</b>	<b>97,835</b>	<b>17.0%</b>	<b>483</b>

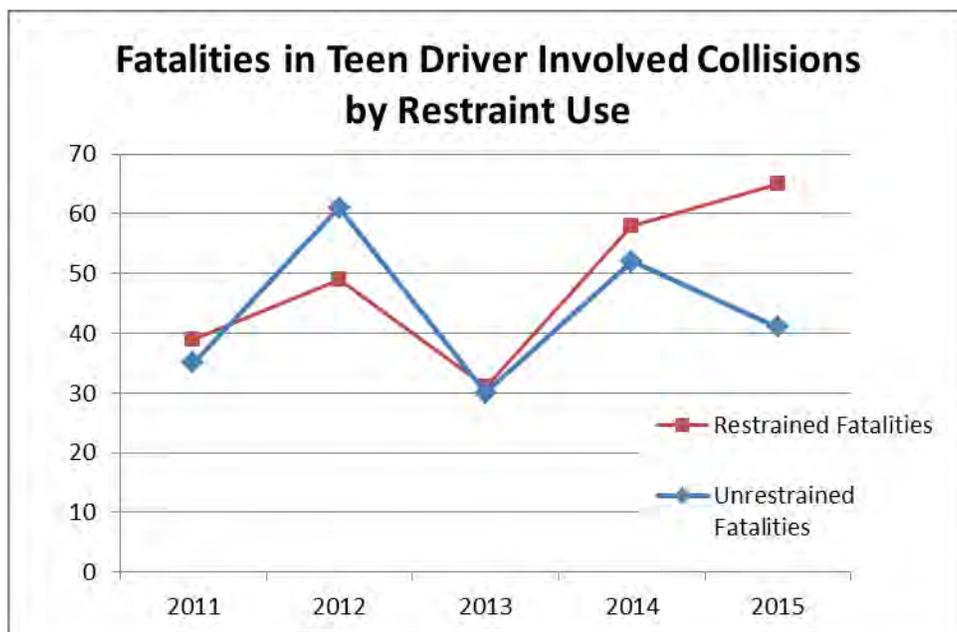


**Figure 22. Total Collisions and Fatalities Involving a Teen Driver (Age 15-19), 2011-2015**

Restraint usage among fatally-injured persons in traffic crashes in which a teen was driving is shown in **Table S-13** and **Figure S-11** below. There were 91,325 crashes that involved a teen driver in which restraint devices were used from 2011 to 2015. These collisions resulted in the deaths of 242 persons. The number of fatalities in which the person was restrained increased 46.9% in 2015 (65), compared to the average number of fatalities from 2011 to 2014 (44.25).

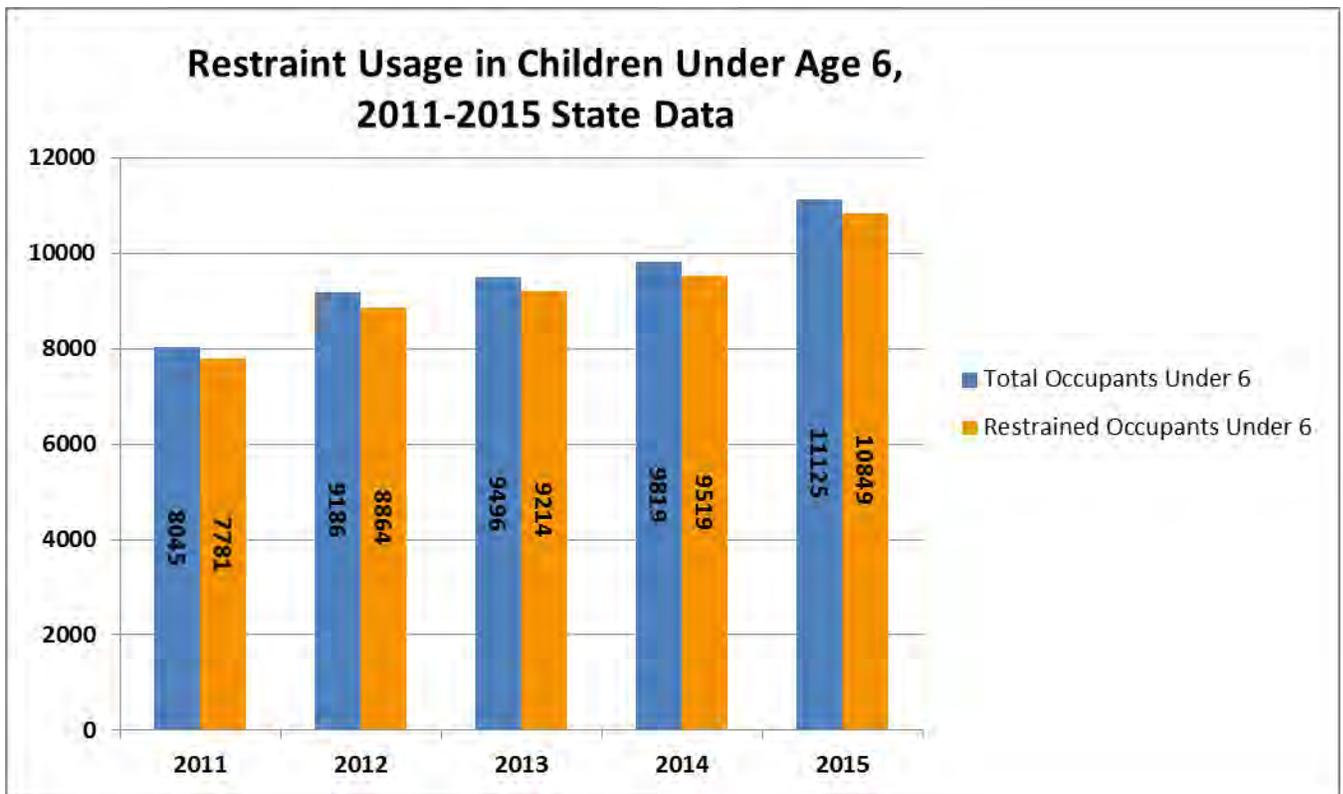
Conversely, there were 3,459 collisions that involved a teen driver in which restraint devices were not used, resulting in the deaths of 219 persons. The number of traffic fatalities in which a restraint device was not used has decreased 7.9% in 2014 compared to the average number of this type of fatalities from 2011 to 2014 (44.5).

Table S-13. Collisions Involving a Teen Driver (Age 15-19) and Restraint Usage, 2011-2015 - SC						
Year	All Occupants Restrained Collision	Restraint Collision Fatalities	At Least One Occupant Unrestrained Collision	Unrestrained Collision Fatalities	Unknown Restraint Collision	Unknown Restraint Collision Fatalities
2011	16,682	39	772	35	680	7
2012	17,375	49	775	61	660	9
2013	17,679	31	671	30	591	2
2014	18,398	58	600	52	559	3
2015	21,191	65	641	41	561	1
<b>Total</b>	<b>91,325</b>	<b>242</b>	<b>3,459</b>	<b>219</b>	<b>3,051</b>	<b>22</b>



**Figure S-11. Fatalities in Teen Driver Involved Collisions by Restraint Use, 2011-2015**

After analyzing the traffic data relative to the use of appropriate restraints by children, there is a slightly more promising outlook for the state than the teen driver information pictured on the previous page. During the calendar years 2011-2015, 47,671 children under six years of age were motor vehicle occupants involved in traffic crashes in South Carolina. During this five-year period, 46,227 of those children were restrained by a safety restraint device (see **Figure S-12** below). These figures indicate that approximately 97.0% of children involved in 2011-2015 traffic crashes in South Carolina were utilizing some sort of safety restraint device. During the five-year period, 43 occupants under the age of six were killed in traffic crashes (see **Table S-15** p. 147). However, informal surveys conducted annually at seat check events by the SC Department of Health and Environmental Control (SCDHEC) indicate that proper usage of child safety seats is historically less than 15% in South Carolina. These statistics indicate a continued need for the development and implementation of occupant restraint programs statewide, since misuse of safety seats may result in death or serious injury to a child.



**Figure S-12. Restraint Usage in Children under Age 6, 2011-2015**

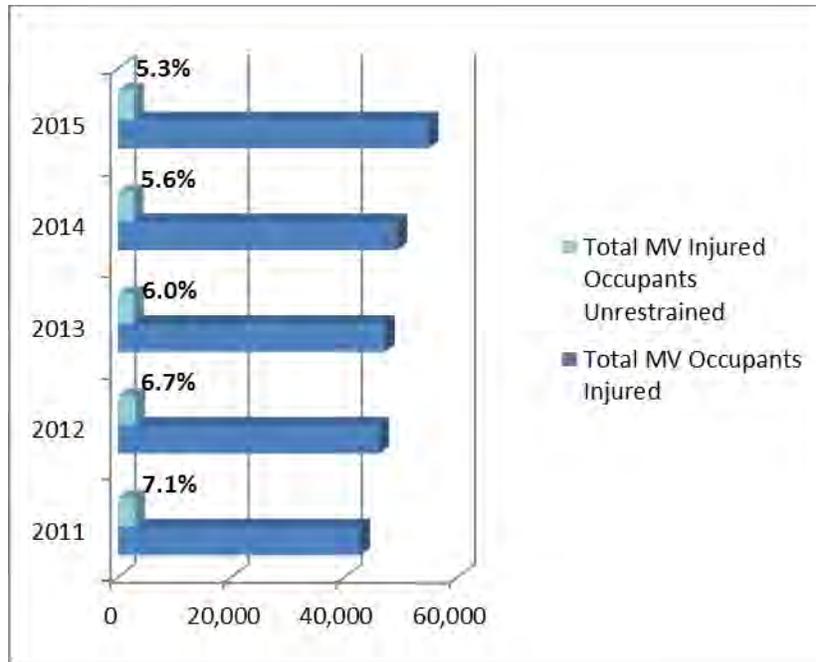
## **Traffic Injuries**

The statistical data listed in **Figure S-3** on page 60 shows that in 2015 there were 132,045 motor vehicle crashes in South Carolina. State data in **Figure S-1** (page 58) for 2015 also indicates that there were 58,604 reported traffic injuries during the year, compared to 46,057 reported in 2011. State data in **Figure S-1** on page 58 show an increase of 27.2% in total traffic-related injuries in 2015, from 46,057 total injuries in 2011 to 58,604 in 2015. The 2015 figure was also more (17.2%) than the average of the four prior years 2011-2014 (50,022). The number of total injuries in 2015 increased by 10.5% compared to the number of total injuries in 2014.

Statistical data listed in **Table S-14** below show that during the five-year period from 2011 to 2015 in South Carolina, there were 1,426,795, motor vehicle occupants (i.e. occupants of passenger cars, trucks, vans, and SUVs) involved in collisions; of these, 240,199 were injured. 14,680 of those injured, or 6.1%, were unrestrained.

<b>Table S-14. Passenger Vehicle Occupant Injuries* and Restraint Usage, 2011-2015 - SC</b>				
<b>Year</b>	<b>Total MV Occupants</b>	<b>Total Occupants Injured</b>	<b>Injured Occupants Unrestrained</b>	<b>Percent Injured Unrestrained</b>
2011	247,762	42,792	3,048	7.1%
2012	267,309	46,119	3,098	6.7%
2013	280,489	47,133	2,848	6.0%
2014	297,079	49,303	2,769	5.6%
2015	334,156	54,852	2,917	5.3%
<b>Total</b>	<b>1,426,795</b>	<b>240,199</b>	<b>14,680</b>	<b>6.1%</b>

**Figure S-13** on the following page gives a graphic representation of the information contained in **Table S-14** above for the total number of passenger vehicle occupants injured and the percentage unrestrained during collisions from 2011 to 2015.



**Figure S-13. Injured Passenger Vehicle Occupants in SC Traffic Collisions and Restraint Status, 2011-2015**

**Table S-15** below displays information related to passenger vehicle occupants under the age of six involved in passenger vehicle collisions who sustained injuries. During the calendar years 2010-2014, 51,600 children under six years of age were passenger vehicle occupants involved in traffic collisions in South Carolina. Of those children, 8,050, or 15.6%, suffered some type of injury. Of the 8,050 injured, only 452, or 5.6%, were unrestrained.

Year	Under 6 MV Occupants	Under 6 Fatalities	Under 6 Injured	Under 6 Injured Unrestrained	% Unrestrained
2011	9,568	9	1,440	77	5.3%
2012	11,005	7	1,752	106	6.1%
2013	11,396	4	1,716	106	6.2%
2014	11,768	9	1,714	90	5.3%
2015	13,454	14	1,949	86	4.4%
<b>Total</b>	<b>57,191</b>	<b>43</b>	<b>8,571</b>	<b>465</b>	<b>5.4%</b>

## **Traffic Collisions**

There were 576,497 total traffic collisions in South Carolina from 2011 to 2015. This total includes fatal collisions, injury collisions, and property-damage-only collisions. State data in **Figure S-3** on page 60 show an increase of 12.4% in total collisions from 2014 (119,173) compared to 2015 (133,961). The 2015 figure represents an increase of 31.5% as compared to 2011 and an increase of 10.6% as compared to the average of the previous four years of 2011-2014 (110,634). From 2011 to 2015, the 576,497 total collisions occurring in SC involved 1,426,795 passenger vehicle occupants (see **Table S-16** below). Of those total occupants, 25,285, or only 1.8%, were unrestrained. These figures indicate that approximately 98% of all occupants involved in traffic crashes during this time period were utilizing some sort of safety restraint device.

<b>Table S-16. Total Passenger Vehicle Occupants in SC Crashes and Restraint Status, 2011-2015 - SC</b>		
<b>Year</b>	<b>Total MV Occupants</b>	<b>Total Unrestrained</b>
2011	247,762	5,352
2012	267,309	5,188
2013	280,489	4,778
2014	297,079	4,925
2015	334,156	5,042
<b>Total</b>	<b>1,426,795</b>	<b>25,285</b>

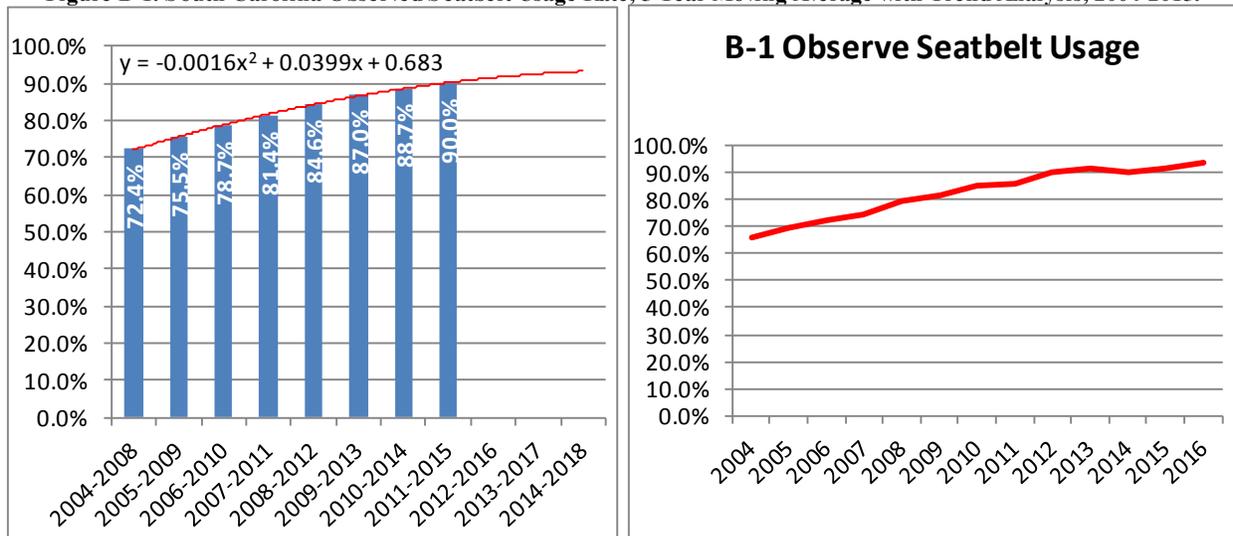
During the calendar years 2011-2015 (see **Table S-17** below), 57,191 children under six years of age were passenger vehicle occupants involved in traffic crashes in South Carolina. During this five-year period, 55,580 of those children were restrained by a safety restraint device. These figures indicate that approximately 97.2% of children involved in 2011-2015 traffic crashes were utilizing some sort of safety restraint device.

<b>Table S-17. Passenger Vehicle Occupants Under Age Six in SC Crashes and Restraint Usage, 2011-2015 - SC</b>			
<b>Year</b>	<b>Under 6 MV Occupants</b>	<b>Under 6 Number Restrained</b>	<b>Under 6 Injured Unrestrained</b>
2011	9,568	9,276	77
2012	11,005	10,643	106
2013	11,396	11,087	106
2014	11,768	11,429	90
2015	13,454	13,145	86
<b>Total</b>	<b>57,191</b>	<b>55,580</b>	<b>465</b>

## PERFORMANCE MEASURES

- To increase observed seatbelt usage rate by 2.4 percentage points from the 2015 calendar base year 91.6% to 94.0% by December 31, 2018.

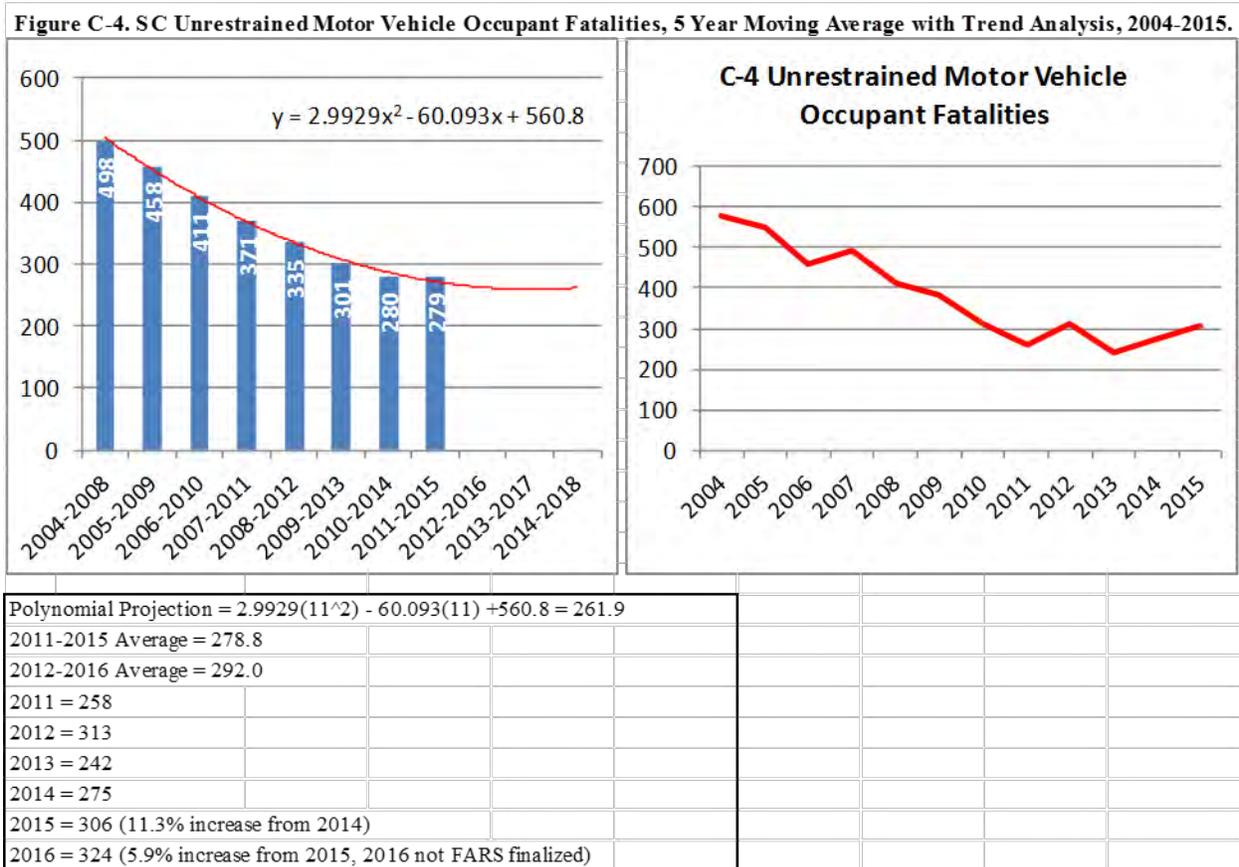
**Figure B-1. South Carolina Observed Seatbelt Usage Rate, 5 Year Moving Average with Trend Analysis, 2004-2015.**



Polynomial Projection =  $-0.0016(11^2) + 0.0399(11) + 0.683 = 92.8\%$   
 2011-2015 Average = 90.0%  
 2012-2016 Average = 91.5%  
 2011 = 86.0%  
 2012 = 90.5%  
 2013 = 91.7%  
 2014 = 90.0%  
 2015 = 91.6%  
 2016 = 93.9%

As shown in Figure B-1 above, the five-year moving average with power trend analysis projects South Carolina will experience a five-year average of 92.8% observed seatbelt usage rate by December 31, 2018. This equates to an estimated 94.8% observed seatbelt usage rate in 2018. The annual seatbelt observational study indicated a 93.9% observed seatbelt usage rate in 2016, an increase of 2.3 percentage points from 2015. Based on fluctuation of the percentage in the past few years in the low 90s and the difficulty in obtaining the remaining percentage points, OHSJP will set a goal of 94% observed seatbelt usage rate in 2018, a 0.1 percentage point decrease in observed seatbelt usage rate by December 31, 2018 from the 2016 calendar year. The state has chosen a less ambitious goal than projected, citing the difficulties with any survey to obtain the final 10% increase. This affect has already been demonstrated in recent years by minor percentage point increases compared to the larger changes previously seen.

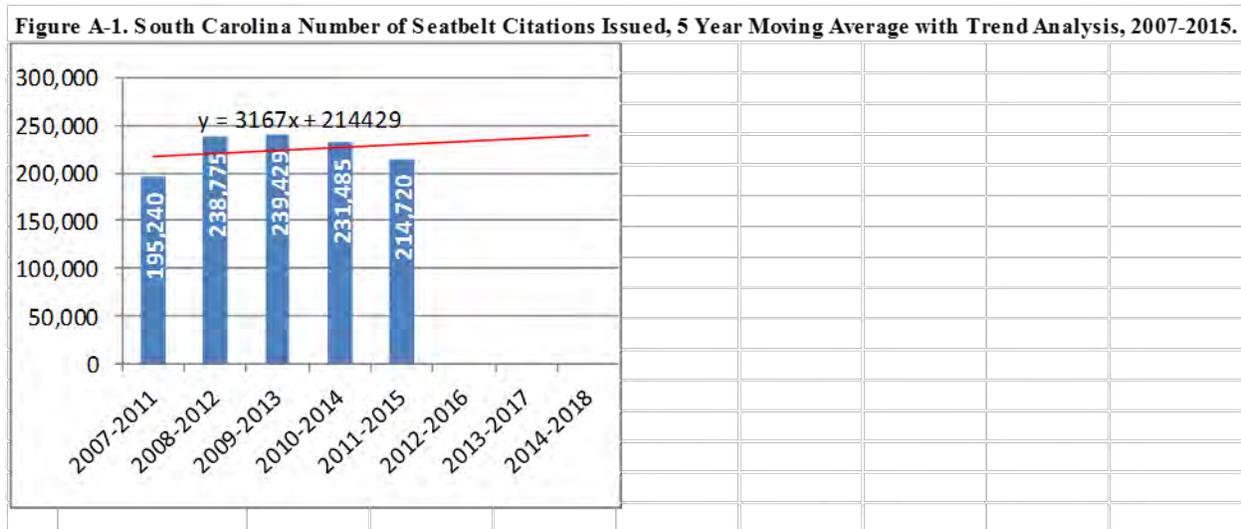
2. To decrease unrestrained motor vehicle occupant fatalities by 0.4% from the 2011-2015 baseline average of 279 to 278 by December 31, 2018.



As shown in Figure C-4 above, the five-year moving average with polynomial trend analysis projects South Carolina will experience a five-year average number of 261.9 unrestrained motor vehicle occupant fatalities by December 31, 2018. This equates to an estimated 256 annual unrestrained motor vehicle occupant fatalities for 2018, which is a 16.3% decrease from 2015. Preliminary state data compiled by the OHSJP Statistical Analysis Research Section indicates there were 324 unrestrained motor vehicle occupant fatalities in 2016, an increase of 5.9% from 306 in 2015. The state preliminary projection for 2017, using the first four months of data, indicates a slight increase in unrestrained motor vehicle occupant fatalities when compared to the same time period in 2016. A polynomial trend analysis performed on the annual data, predicts 321 unrestrained motor vehicle occupant fatalities in 2018. This type of analysis better predicts the increase in 2016 and 2017 versus the five-year analysis. However, preliminary 2015 and 2016 data are still higher than the predicted line. Based on preliminary state data which shows an increase in 2016 and a slight increase in 2017, along with the annual trend analysis, OHSJP has set a goal of 278 unrestrained motor vehicle occupant fatalities in 2018, a 16.5% decrease in unrestrained motor vehicle occupant fatalities by December 31, 2018 from the 2016 calendar year.

## Activity Measure A-1

Activity Measure A-1 deals with the number of seatbelt citations issued by states over time. The chart below demonstrates that the state of South Carolina has been trending upward in terms of law enforcement activity relative to safety belt citations, but the seatbelt citations have started to drop in the past few years. According to NHTSA, there is no target required for this activity measure for the FFY 2018 Highway Safety Plan. Thus, the Figure below is presented as demonstration of enforcement activity over the last three data points relative to this type of citation



### Objectives:

1. To conduct special public information events during *Buckle Up, America!* Week in May 2018.
2. To increase the number of inspection stations from 72 to 78 by December 31, 2018.
3. To decrease the number of child deaths for children under six by 25%, from 14 in 2015 to 11 by December 31, 2018.
4. To conduct an outreach effort in conjunction with National Child Passenger Safety Week in September 2018.
5. To continue to expand nighttime safety belt and child passenger safety seat enforcement efforts statewide.
6. To conduct the annual Memorial Day occupant protection enforcement mobilization blitz modeled after the national *Click it or Ticket* Campaign.

## **Performance Indicators:**

### **Goals:**

1. Statewide observational survey data will be compiled and analyzed to determine if the belt usage goal has been achieved.
2. A comparison of the 2011-2015 calendar base year average for unrestrained traffic fatalities will be made to the most current available FARS data.

### **Activity Measure:**

The number of seat belt citations written by grant-funded officers in FFY 2018 will be examined and compared to the previous year.

### **Objectives:**

1. A final report on the paid media campaign conducted during May 2018 will be maintained.
2. Documentation of the number of inspection stations in South Carolina will be maintained in the grant files.
3. A comparison of the number of child deaths from the previous year will be made to the most current available FARS data.
4. Documentation of all activities in support of Child Passenger Safety Week will be maintained in the grant files.
5. Documentation of nighttime occupant protection enforcement efforts will be maintained by the OHSJP.
6. After-action enforcement reports of campaign enforcement activity will be maintained by the OHSJP.

### **Strategies:**

The following strategies will be implemented to achieve established goals and objectives:

1. The Office of Highway Safety and Justice Programs (OHSJP) staff will issue an interagency agreement to secure a contractor to conduct pre-campaign and post-campaign observational safety belt surveys and pre-campaign and post-campaign telephone surveys associated with the state's *Buckle up, South Carolina. It's the law and it's enforced.* statewide Memorial Day occupant protection mobilization in 2018 to be modeled after the national *Click it or Ticket* campaign. The surveys will be conducted in accordance with NHTSA guidelines.
2. OHSJP staff, other SCDPS staff, and partner agencies/groups will continue a statewide education initiative to inform the citizenry of the state and its visitors about the state's primary enforcement safety belt law. The legislation became effective December 9, 2005. The educational strategies employed in this effort will inform citizens and visitors of the law and emphasize the life-saving potential of the legislation.

3. The Occupant Protection/Police Traffic Services Program Coordinator, working with funded projects, will plan and coordinate special public information events during the national safety belt enforcement mobilization, National Child Passenger Safety Week, and any other national or regional traffic safety campaigns.
4. Trainings will be offered by SCDHEC staff, such as the 8-hour hands-on CPS training, to those agencies and organizations wanting basic information on child passenger safety. Education on child passenger safety will be provided to foster care parents, SC Department of Social Services staff, schools, church organizations, and state and local enforcement agencies.
5. Information encouraging compliance with the state's occupant protection laws will be disseminated through media advisories, alerts, press releases, and other related publicity.
6. Special child safety seat inspection clinics will be conducted to educate the public on the importance of the consistent and correct use of child safety seats and the dangers of air bags to children.
7. A high-visibility statewide enforcement and education campaign (*Buckle up, SC. It's the law and it's enforced.*) will be conducted around the Memorial Day holiday of 2018, modeled after the national *Click it or Ticket* mobilization to emphasize the importance of and to increase the use of occupant restraints. The campaign will include paid and earned media, increased enforcement activity by state and local law enforcement agencies, and diversity outreach elements in order to increase safety belt and child restraint use among the state's minority populations, and it will focus on nighttime safety belt enforcement to attempt to reduce unrestrained traffic fatalities and injuries especially during nighttime hours.
8. A project to increase child safety and booster seat use among the state's minority populations will be continued. Training materials will be translated into Spanish so that seat recipients may understand the importance of correct installation of occupant restraint hardware. A corresponding effort will be made to increase safety belt use among the state's Hispanic population.
9. In an effort to reach teenage drivers in SC, the OHSJP will continue a program campaign focusing on messaging printed on tickets for high school events across the state. The campaign places a highway safety message on front and back of approximately 5,000,000 tickets printed and used by high schools statewide for sporting and other special events, including proms, dances, and plays. During the 2016-2017 academic year, the OHSJP printed four different messages throughout the year focusing on speeding, DUI, safety belt use, and distracted driving. The message on the tickets reached students at events after which they were most likely to engage in risky driving behavior, such as football and

basketball games, proms, concerts, etc. In addition, the message on the tickets was also put in front of parents of teenagers and other adults who attended many of these events, thus reminding them of teen traffic safety problems in the state. Given the success of the High School Ticket program, the OHSJP will continue this program for the 2017-2018 academic year incorporating traffic safety messaging once again focusing on occupant protection, DUI, speeding, and distracted driving.

10. The state will continue to support the efforts of the SC Chapter of the National Safety Council in implementing its “Alive at 25” program in school districts throughout the state aimed at improving the driving behaviors of teenagers. The program has an emphasis on occupant protection issues for teens.
11. The state will continue to provide funding to certify and re-certify SC Highway Patrol Troopers as Child Passenger Safety Technicians and Instructors.
12. The state will work with the SC Department of Health and Environmental Control to facilitate the development of inspection stations statewide and the distribution of safety belt use information through local county health departments, particularly in counties (Calhoun, Colleton, Greenwood, Hampton, and Lee) identified by FARS data for 2011-2015 as problematic for nighttime unrestrained traffic fatalities.
13. The state will disseminate information to local law enforcement agencies through the SC Law Enforcement Network system about the problems with nighttime unbelted traffic fatalities in the counties listed in Strategy #12 above to encourage increased enforcement activity in these locations in an attempt to assuage these types of traffic fatalities.
14. The OHSJP will continue to participate in the Child Passenger Safety Advisory Council during FFY 2018. The South Carolina Child Passenger Safety Advisory Board was created in August 2011 as a result of the Occupant Protection Assessment conducted in 2009. Members of the Board were chosen to represent the state as well as special interests regarding child passenger safety. The current board members include representatives from:

S.C. Department of Health and Environmental Control  
S.C. Department of Public Safety  
Midland Safe Kids  
Children’s Trust of South Carolina  
AnMed Medical Center/Anderson Safe Kids  
Piedmont EMS  
Irmo Fire Marshall  
Newberry County Sheriff’s Office  
Columbia Police Department  
Lexington County Sheriff’s Department

Britax  
Palmetto Richland Hospital  
S.C. Department of Transportation  
Lexington Police Department  
Batesburg-Leesville Police Department

The Board, along with other members from various Safe Kids coalitions, law enforcement agencies, and fire departments from across the state, formally meets twice a year to address the recommendations from the 2009 assessment along with other items of interest for CPS. Since the formation of this group, two major projects have been successfully executed. The first was to make the check-off forms used during seat checks universal in order to be able to capture more concrete state data on the misuse of child safety seats. After several meetings with various law enforcement agencies and Safe Kids coalitions, the format of the forms has been agreed upon, and they are in the process of being distributed throughout the state. The Board agreed that another problem within our state was the drop-off and pick-up procedures for children at elementary schools. To address this issue, DHEC is working in conjunction with officials from schools across the state. DHEC staff members conduct informal surveys, at the request of a school, to see if children are in proper occupant restraints when being dropped-off/picked-up from school, and if they are properly positioned within the vehicle. Additionally, surveys will examine whether or not adult occupants are properly utilizing safety belts when dropping off and picking up children at school. After a survey is conducted, DHEC staff members will offer to meet with school officials to discuss their findings. Furthermore, DHEC volunteers to make presentations to school PTO and PTA associations to share the findings after a survey is completed. For the week following an informal survey, safety information is distributed to parents and children. DHEC staff offer to return to schools to conduct post-surveys as well. Post-survey results are discussed with school officials to offer suggestions for improvements and verify if corrective measures have been taken. Also, DHEC partners with the SC Department of Transportation and Safe Routes to School to provide school safety assessments when requested. These assessments focus on identifying and removing any potential hazards school children could encounter while travelling to and from school. Typical recommendations for improvements include cleaning sidewalks by removing any accumulated debris, repairing broken sidewalks, and increasing signage around school zones encouraging parents to buckle up their children and refrain from cellphone use. Lastly, the creation of a “Buckle up Zone” at schools is a beneficial recommendation that serves to provide an area outside of the pick-up line for parents to have time to stop and make sure their children are properly restrained before leaving school property.

15. OHSJP will take part in and assist with a one-day child passenger safety summit in October 2018. This one-day conference, held in Columbia, will feature special speakers and trainers on the most up-to-date information regarding safety regulations, manufacturer updates, and equipment training. This training will offer continuing education units so that child passenger safety technicians can maintain their certification and continue to serve thousands of families through car seat safety. This is an annual event and draws over 100 CPS professionals from across the state.

16. OHSJP will continue to promote its “Target Zero” campaign to eliminate traffic fatalities as an umbrella campaign under which occupant protection improvement efforts will coalesce.

17. The OHSJP will continue to educate the public about the recent change to the child passenger law, Section 56-5-6410 and 56-5-6420, which was approved May 19, 2017.

\*(CTW, Chapter 2: Sections 1.1, 2.1, 2.2, 3.1, and 3.2) (SHSP, pp. 28-33)

## **PROJECTS TO BE IMPLEMENTED:**

### **Administration**

**Problem Identification:** South Carolina’s safety belt usage rate was 93.9% in 2016. Additionally, based on observational surveys conducted by the University of South Carolina, males and minority citizens continue to lag behind their female and non-minority counterparts in terms of belt usage (**Table S-8** on page 138). Despite the gains in seat belt usage rates, the state continues to have a problem with unbelted traffic fatalities, particularly at night (see **Table 28** on page 142).

**Project Type:** Efforts to improve occupant protection issues in the State of South Carolina with the resulting improvement in traffic collisions, injuries, and fatalities must have a coordination or administrative component. The project will attempt to increase safety belt and child safety seat usage during the project period through the continued coordination of occupant protection programs statewide. The project will fund an Occupant Protection/Police Traffic Services Program Coordinator (OP/PTSPC) who will be involved in planning and coordinating special public information events during *Buckle Up, America!* Week in May 2018, and the National Child Passenger Safety Awareness Week in September 2018. The OP/PTSPC will also assist in planning, coordinating, and implementing, with the assistance of the SCDPS Contractor, the *Buckle up, South Carolina. It’s the law and it’s enforced.* public information, education and enforcement campaign during the Memorial Day holiday of 2018. The OP/PTSPC will continue to administer all Section 402 and Section 405b-funded occupant protection programs. The OP/PTSPC will also be responsible for reviewing and monitoring grant projects and providing technical assistance to project personnel. The OP/PTSPC will also prepare the Occupant Protection sections of the annual Summaries and Recommendations for Highway Safety Projects, the Funding Guidelines document, the Highway Safety Plan, and the Annual Evaluation Report by the required deadlines. The OP/PTSPC will work with the South Carolina Department of Health and Environmental Control to coordinate Child Safety Seat (CSS) Presentations and Child Passenger Safety (CPS) Technician training classes. The OP/PTSPC will implement a comprehensive approach to increase the overall safety belt usage rate statewide from 91.6% to 94%. The OP/PTSPC will be available to provide education to the public on occupant protection through presentations at health fairs, special interest groups, and businesses. The OP/PTSPC will oversee the increasing of permanent inspection stations within South Carolina by the end of the grant year. (CTW, Chapter 2: Sections 1.1, 2.1, 2.2, 3.1, and 3.2) (SHSP, page 33)

Agency	County	Project Number(s)	Budget	Number of Personnel
SC Department of Public Safety: Office of Highway Safety and Justice Programs	Statewide	OP-2018-HS-02-18 M1HVE-2018-HS-02-18 M10P-2018-HS-02-18	\$604,328	1.42

### Education and Safety Seat Distribution

**Problem Identification:** Statewide across the five-year period 2011-2015, 61.17% of nighttime passenger vehicle occupant fatalities were unrestrained. In Greenwood County, 100% of passenger vehicle occupant fatalities at night were unrestrained, although there were comparatively fewer night fatalities in this county across the five-year period (10 fatalities). Other than the mentioned county above, other counties within South Carolina with the highest percentages of unrestrained nighttime fatalities were Colleton (19 nighttime fatalities, 18 [94.74%] unrestrained); Williamsburg (12 nighttime fatalities, 11 [91.67%] unrestrained); Hampton (8 nighttime fatalities, 7 [87.50%] unrestrained); Calhoun (8 nighttime fatalities, 7 [87.50%] unrestrained); and Lee (10 nighttime fatalities, 8 [80%] unrestrained) (see **Table 28** on page 142).

During the calendar years 2011-2015, 47,671 children under six years of age were motor vehicle occupants involved in traffic crashes in South Carolina. During this five-year period, 46,227 of those children were restrained by a safety restraint device (see **Table S-15** on page 147). These figures indicate that approximately 96.97% of children involved in 2011-2015 traffic crashes in South Carolina were utilizing some sort of safety restraint device. However, informal surveys conducted at seat check events by the SC Department of Health and Environmental Control (SCDHEC) indicate that proper usage of child safety seats is less than 15% in South Carolina. During the five-year period, 43 occupants under the age of six were killed in traffic crashes. These statistics indicate a continued need for the development and implementation of occupant restraint programs statewide, since misuse of safety seats may result in death or serious injury to a child.

**Project Type:** The project will maintain a program which will support efforts to prevent injuries and deaths to children and adults in South Carolina caused by motor vehicle crashes through a partnership among the SC Department of Public Safety (SCDPS), SC Department of Health and Environmental Control (SCDHEC) and various safety stakeholders. The main focus of the project will be to educate and train local law enforcement and other first responders, public health agency staff, and parents/caregivers concerning the proper usage of Child Passenger Safety (CPS) and occupant restraint devices. Community education will be conducted through the following channels: media, localized training, and safety seat check-up events throughout the state. Research confirms that safety belt use remains low among African Americans, and the non-use or misuse of seat belts is emerging as a significant public health issue among Hispanics. A Diversity Outreach project will target Hispanic and African American populations. In order to

assure proper installation and use of occupant protection restraints, SCDHEC staff will work in conjunction with various safety partners to promote South Carolina's Primary Seat Belt Law and Child Passenger Safety Seat Law. The SCDPS and SCDHEC staff will rely heavily on the eight SCDHEC health regions that support health departments in all forty-six counties and South Carolina Safe Kids to support the state's efforts to increase the proper usage of occupant protection devices. The project will focus on counties identified by NHTSA FARS data as having a problem with unbelted traffic fatalities, particularly at night (Greenwood, Colleton, Williamsburg, Hampton, Calhoun, and Lee). In conjunction with SCDPS, SCDHEC staff will train community partners in a variety of agencies to become certified child passenger safety technicians. In addition, the project hopes to train at least six (6) Certified Technician Instructors. SCDHEC will employ two full-time Certified Technician Instructors to adequately train local law enforcement and other first responders, child care providers, state public health agency staff, and interested community members. The project will seek to increase all forms of vehicle occupant protection by educating the public about the importance of safety belt use and supporting national and statewide emphases. These campaigns include *Buckle up, America!* Week in May 2018, *Buckle Up, South Carolina. It's the Law and It's Enforced.* during Memorial Day 2018, and National Child Passenger Safety Week in September 2018. The project will also provide staff to serve as the state contacts for National Safe Kids in terms of CPS certification issues and will continue to coordinate diversity outreach efforts with the Office of Highway Safety and Justice Programs, as well as providing continued oversight of the statewide CPS Advisory Council.

\*(CTW, Chapter 2: Sections 1.1, and 7.2)

<b>Agency</b>	<b>County</b>	<b>Project Number</b>	<b>Budget</b>	<b>Number of Personnel</b>	<b>Safety Presentations</b>	<b>Seat Checks</b>	<b>CPS Technician Classes</b>
SC Department of Health and Environmental Control	Statewide	OP-2018-HS-17-18	\$152,714	2	50	50	18

### Occupant Protection: Budget Summary

<b>Project Number(s)</b>	<b>Subgrantee</b>	<b>Project Title</b>	<b>Budget</b>	<b>Budget Source</b>
<b>OP-2018- HS-02-18</b>	<b>South Carolina Department of Public Safety: Office of Highway Safety and Justice Programs</b>	<b>Occupant Protection Program Management</b>	<b>\$104,328</b>	<b>FAST Act 402</b>
<b>M1HVE- 2018-HS- 02-18</b>	<b>South Carolina Department of Public Safety: Office of Highway Safety and Justice Programs</b>	<b>Occupant Protection Program Management</b>	<b>\$434,485</b>	<b>Section 405b OP High MAP-21</b>
<b>M1OP- 2018-HS- 02-18</b>	<b>South Carolina Department of Public Safety: Office of Highway Safety and Justice Programs</b>	<b>Occupant Protection Seatbelt Survey</b>	<b>\$65,515</b>	<b>Section 405b OP High MAP-21</b>
<b>OP-2018- HS-17-18</b>	<b>SC Department of Health and Environmental Control</b>	<b>Operation Safe Ride SC</b>	<b>\$152,714</b>	<b>FAST Act 402</b>
<b>FAST Act 402 Total</b>			<b>\$257,042</b>	
<b>Section 405b OP High MAP-21 Total</b>			<b>\$500,000</b>	
<b>Total All Funds</b>			<b>\$757,042</b>	

## **POLICE TRAFFIC SERVICES PROGRAM AREA**

### **Overview**

Traffic law enforcement plays a crucial role in deterring impaired driving, increasing safety belt and child restraint usage, encouraging compliance with speed laws, and reducing other unsafe driving actions. A combination of highly-visible enforcement, public information, education, and training is needed to achieve a significant impact in reducing crash-related injuries and fatalities in South Carolina.

Such efforts have contributed to statistical improvement over the 2011-2015 timeframe in South Carolina. According to FARS data (see **Table 6** on page 17), in South Carolina for 2011-2015, each of the speeding-related indices (i.e., fatalities and average population-based death rate) was at its highest level in 2015. Speeding-related fatalities and the population-based death rate decreased to their lowest level in 2011. When comparing these indices to (see **Table 6** on page 17) the nation (see **Table 29** on page 162), it is obvious that South Carolina has a great deal of work to do to improve speeding-related statistics.

The Office of Highway Safety and Justice Programs (OHSJP) has assisted numerous law enforcement agencies by providing grant funds for the establishment of full-time traffic enforcement units. When PTS traffic units are developed, they include comprehensive enforcement efforts relative to speeding, DUI, occupant protection, and other traffic laws. It should be noted that on many occasions a speed-related violation results in a more severe violation, such as driving under suspension, DUI, or other serious criminal violations. Comprehensive traffic enforcement efforts involving components such as selective traffic enforcement, public education activities, and accountability standards, creates a noticeable improvement in highway safety. State and local law enforcement traffic officers are trained in radar operations, Standardized Field Sobriety Testing, Drug Recognition Expert, advanced DUI detection, A-RIDE, and occupant protection enforcement.

Traffic safety enforcement grant projects throughout the state that will be funded in FFY 2018 will participate in their respective Law Enforcement Network established according to the 16 Judicial Circuits in South Carolina. They will also participate in statewide and national highway safety campaigns and enforcement crackdown programs. During these campaigns and programs, enforcement strategies such as DUI checkpoints, saturation patrols, occupant restraint enforcement, and corridor projects that emphasize speed enforcement will be utilized. Law Enforcement Networks will continue to meet to share information among agencies, to disseminate information from the Office of Highway Safety and Justice Programs, and to conduct multi-jurisdictional traffic enforcement activity.

The SC Strategic Highway Safety Plan (SHSP), *Target Zero*, updated in 2015, identified work zone safety as an Emphasis Area under the broader category of Intersection and Other High-Risk Roadway Locations (pp.71-75) and Speeding-Related Collisions (pp. 42-46) as its own Emphasis

Area, citing the significance of the problem for the state and recommending engineering, education, enforcement, EMS, and public policy strategies for appropriate countermeasures to attack the problem.

The South Carolina Police Traffic Services (PTS) projects have implemented a variety of recommendations offered by the SHSP. These recommendations include the continuation of a Safety Improvement Team (SIT) program funded by the South Carolina Department of Transportation (SCDOT), utilizing South Carolina Highway Patrol (SCHP) Troopers to conduct specialized work zone enforcement to reduce work zone speeding-related fatalities, and the coordination of enforcement blitzes and activities through Law Enforcement Networks by the OHSJP Law Enforcement Liaisons (LEL). Additionally, billboard advertising and media announcements featuring the popular “Let ’em Work, Let ’em Live” Campaign continue to be utilized across South Carolina. In addition, the state has addressed speed- and alcohol-impaired crashes, injuries, and fatalities through strategies suggested in the SHSP (pp. AA 9-10). Some of these strategies include conducting regular and well-publicized traffic safety checkpoints; coordinating multi-agency checkpoints; conducting enhanced speed enforcement in work zones; targeting speed enforcement within individual police jurisdictions; encouraging cooperation among regional highway safety partners to identify target locations and times for stepped-up enforcement; and supporting national, regional, and state DUI enforcement efforts through educational campaigns aimed at the driving public.

The SC Department of Public Safety (SCDPS), utilizing Section 164 transfer funds from the SC Department of Transportation (SCDOT), will continue to implement a three-year enforcement program. The program, called Target Zero Teams, began June 1, 2015 and will run through May 31, 2018. The project name is derived from the state’s “Target Zero Traffic Deaths” umbrella slogan for all highway safety initiatives implemented by SCDPS.

South Carolina PTS projects will also utilize sections of the National Highway Traffic Safety Administration (NHTSA)-produced *Countermeasures That Work: A Highway Safety Countermeasure Guide for State Highway Safety Offices, Eighth Edition, 2015* (CTW) to reduce speeding-related collisions, injuries, and fatalities.

The projects funded under the PTS grants will use appropriate countermeasures outlined in this document and demonstrated to be highly effective (CTW in Chapter 3: Section 1.1, [pp. 3-14 to 3-17]). Some of these countermeasures include the enforcement of speed limits through the use of measuring equipment such as Radars and/or Lidars, (CTW, Chapter 3: Section 2.3, [pp. 3-29 to 3-31]) and Communications and Outreach Supporting Enforcement (CTW, Chapter 3: Section 4.1, [p. 3-38 to 3-39]). PTS grant projects will also use countermeasures outlined in the document that have proven successful in DUI enforcement (pp. 1-21 to 1-28) and occupant restraint enforcement. An example of this type of combined enforcement would be to emphasize nighttime safety belt enforcement (pp. 2-15 to 2-16), while conducting a sustained DUI enforcement effort (p. 2-17) simultaneously.

The following data sections outline specifically the problems being faced by the state of South Carolina in terms of speed-related collisions and fatalities and demonstrate the foundation upon which the state has built its response to the problem for its FFY 2018 Highway Safety Plan.

## **Traffic Fatalities**

According to FARS data, a speeding-related fatality is defined as one that occurred in a crash in which a driver was charged with a speeding-related offense, or in which an officer indicated that racing, driving too fast for conditions, or exceeding the posted speed limit was a contributing factor.

**Table 6** on page 17 indicates that speeding-related fatalities from 2011 to 2015 were at their lowest level in 2011(278 fatalities) and at their highest level during 2015 (361 fatalities). The 361 speeding-related fatalities in South Carolina in 2015 represent a 30% increase when compared to the 2011 total (278). South Carolina’s population-based fatality rate followed a somewhat similar pattern as the number of speeding-related fatalities, with the highest rate in 2015 (7.37) and the lowest rate in 2011 (5.95). South Carolina’s 2015 speeding-related population-based fatality rate (7.37 deaths per 100,000 population) is 15.5% higher than the 2011-2014 average (6.38) and 19.3% higher than the 2011 rate.

In 2011, 33.6% of all traffic fatalities in South Carolina were speeding-related, the lowest of proportion of the five-year period. This proportion increased to a high of 39.7% in 2013. The 2015 percentage (36.9%) is equal to the average of the previous four years. Additionally, the 2015 proportion of speeding-related fatalities to total traffic fatalities increased 9.8% when compared to this same proportion for 2011.

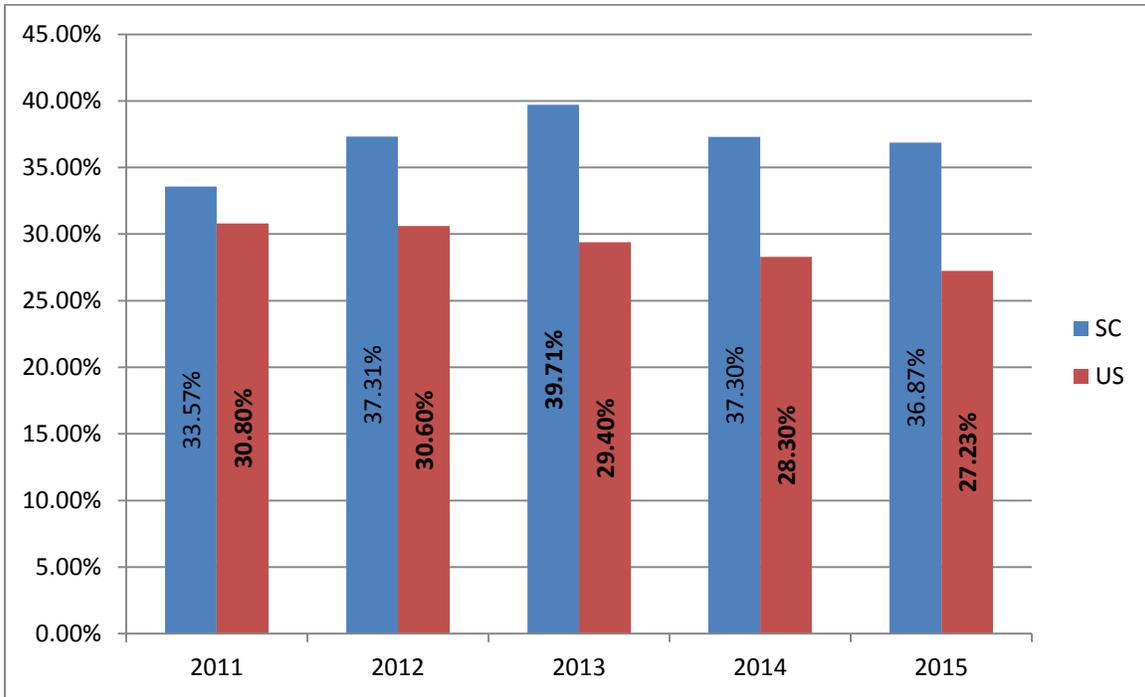
As shown in **Table 29** below, speeding-related fatalities decreased throughout the US as a whole (2.49%) in 2015 when compared to the prior four-year average. The population-based fatality rate decreased nationally as well, falling by 6.75% during the same timeframe. The nation’s speeding-related percentage of total deaths averaged 29.78% from 2011 through 2015, with this proportion decreasing by 8.55% in 2015 when compared to the 2011-2014 average.

**Table 29. Nationwide Speeding-Related Fatalities**

	2011	2012	2013	2014	2015	% Change: 2011 vs. 2015	% Change: 2015 vs. prior 4-yr Avg.
<b>Fatalities</b>	10,001	10,329	9,613	9,262	9,557		
<b>Pop. Rate**</b>	3.21	3.29	3.04	2.9	2.9	-9.66%	-6.75%
<b>Pct. of Total</b>	30.79%	30.58%	29.38%	28.35%	27.23%	-11.56%	-8.55%

**Figures 4 and 5** (page 18) demonstrate that South Carolina experienced an overall upward trend in two key traffic indices, total speeding-related fatalities and total speeding-related fatality population-based rate, during the period of 2011-2015.

As shown in **Figure 21** below, South Carolina’s percentage of fatalities that were speeding-related remained greater than that of the nation during the entire 2011-2015 period. In 2015, 36.9% of South Carolina’s total traffic fatalities were speeding-related, compared to 27.2% for the nation.



**Figure 21. Speeding-Related Fatalities as a Percentage of Total Traffic Fatalities, 2011-2015**

According to FARS, from 2011 to 2015, the counties accounting for the highest percentages of the speeding-related fatalities in South Carolina for the years 2011 through 2015 were: Greenville (6.2%); Spartanburg (6.0%); Richland (5.6%); Charleston (5.5%); Horry (5.4%); Lexington (4.5%); and Anderson (4.4%) (see **Table 30** on the following page).

As shown in **Table 30** on the following page, the counties with the most speeding-related fatalities from 2011 to 2015 were: Greenville (98); Spartanburg (95); Richland (88); Charleston (87); Horry (85); Lexington (71); and Anderson (70). Four of these seven counties experienced a decrease in the number of speeding-related fatalities in 2015 when compared to the prior four-year averages: Greenville (-38.8%), Richland (-24.3%), Lexington (-10.3%), and Anderson (-8.8%). The other three counties saw an increase in speeding-related fatalities during 2015 when compared to the prior four-year average: Spartanburg (123%), Charleston (35.4%), and Horry (31.3%).

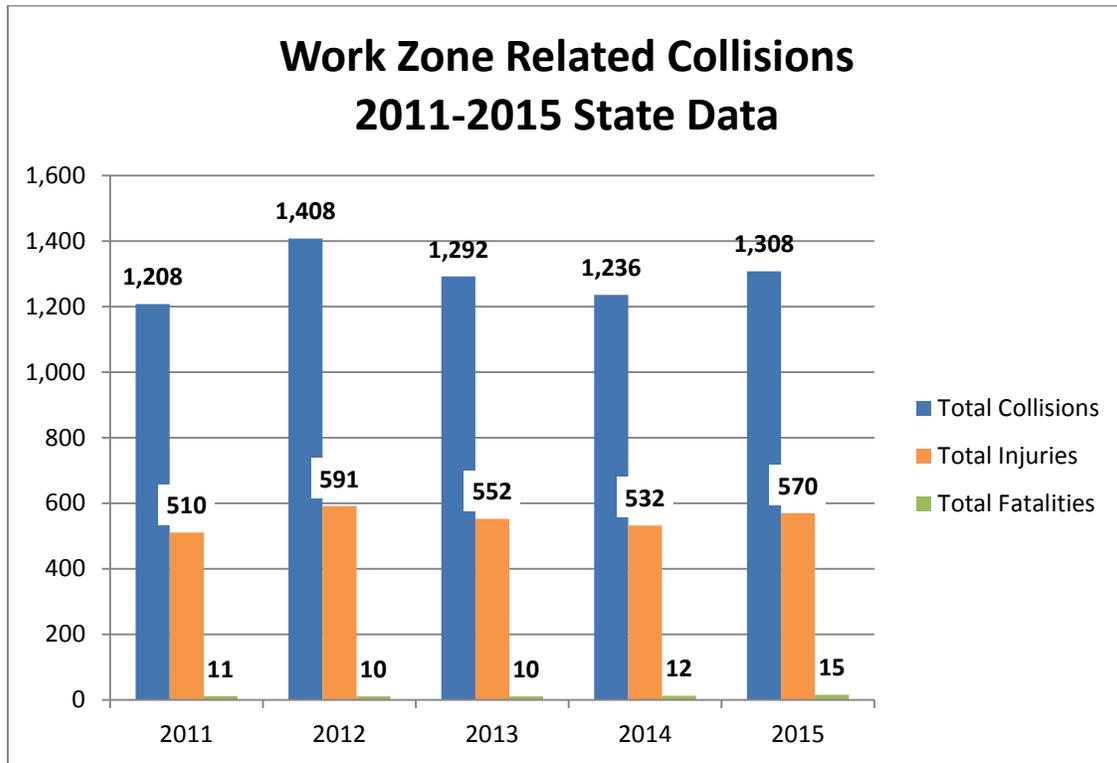
Table 30. Speed-Related Fatalities by County						Total 2011 - 2015		% Change: 2015
County	2011	2012	2013	2014	2015	N	%	vs. prior 4-yr Avg.
Abbeville	2	4	4	1	2	13	1%	-27.27%
Aiken	11	3	9	7	7	37	2.35%	-6.67%
Allendale	0	0	2	1	1	4	0.25%	33.33%
Anderson	12	20	10	15	13	70	4.45%	-8.77%
Bamberg	4	1	1	1	3	10	0.64%	71.43%
Barnwell	5	3	1	4	3	16	1.02%	-7.69%
Beaufort	5	5	3	8	8	29	1.84%	52.38%
Berkeley	5	9	11	16	12	53	3.37%	17.07%
Calhoun	0	1	1	4	5	11	0.70%	233.33%
Charleston	18	17	12	18	22	87	5.53%	35.38%
Cherokee	7	6	4	9	7	33	2.10%	7.69%
Chester	0	0	6	3	9	18	1.14%	300.00%
Chesterfield	2	5	3	1	5	16	1.02%	81.82%
Clarendon	8	3	4	6	6	27	1.72%	14.29%
Colleton	4	10	5	7	6	32	2.03%	-7.69%
Darlington	9	9	11	9	10	48	3.05%	5.26%
Dillon	2	3	2	10	4	21	1.34%	-5.88%
Dorchester	5	8	5	8	9	35	2.23%	38.46%
Edgefield	4	4	0	1	0	9	0.57%	-100.00%
Fairfield	7	6	6	1	3	23	1.46%	-40.00%
Florence	4	9	11	6	21	51	3.24%	180.00%
Georgetown	2	7	5	4	5	23	1.46%	11.11%
Greenville	19	27	24	15	13	98	6.23%	-38.82%
Greenwood	7	6	5	4	5	27	1.72%	-9.09%
Hampton	0	3	3	1	2	9	0.57%	14.29%
Horry	16	12	20	16	21	85	5.40%	31.25%
Jasper	7	3	3	4	7	24	1.53%	64.71%
Kershaw	6	6	9	4	9	34	2.16%	44.00%
Lancaster	10	3	2	8	3	26	1.65%	-47.83%
Laurens	7	9	5	12	15	48	3.05%	81.82%
Lee	1	1	1	0	3	6	0.38%	300.00%
Lexington	11	19	18	10	13	71	4.51%	-10.34%
Marion	2	6	3	2	7	20	1%	115.38%
Marlboro	4	1	1	7	6	19	1%	84.62%
McCormick	0	3	0	1	1	5	0.32%	0.00%
Newberry	5	6	3	2	7	23	1.46%	75.00%
Oconee	5	8	3	4	5	25	1.59%	0.00%
Orangeburg	4	8	12	6	13	43	2.73%	73.33%
Pickens	7	8	8	8	4	35	2.23%	-48.39%
Richland	11	19	26	18	14	88	5.59%	-24.32%
Saluda	3	4	0	2	0	9	0.57%	-100.00%
Spartanburg	22	13	10	16	34	95	6.04%	122.95%
Sumter	5	5	9	10	5	34	2%	-31.03%
Union	0	1	1	5	4	11	0.70%	128.57%
Williamsburg	3	7	10	4	3	27	1.72%	-50.00%
York	7	11	13	8	6	45	2.86%	-38.46%
<b>Totals</b>	<b>278</b>	<b>322</b>	<b>305</b>	<b>307</b>	<b>361</b>	<b>1,573</b>	<b>100%</b>	<b>19.14%</b>

South Carolina's speeding-related population-based fatality rate increased 15.56% in 2015 (7.37 fatalities per 100,000 population) compared to the average of the previous four years (6.38). The counties with the highest average of speeding-related population-based fatality rates during the 2011-2015 period (see **Table 31** p. 166) were Fairfield (19.23); Williamsburg (15.64); Colleton (13.38%); Jasper (13.36); Dillon (12.51); and Clarendon (12.45). It should be noted that the population-based fatality rates can vary drastically from year to year and thus should be considered with caution.

<b>Table 31. Speeding-Related Fatalities by County: Rate per 100,000 Population</b>							
<b>County</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2011-2015 Average</b>	<b>% Change: 4 vs. prior 4-yr Avg.</b>
Abbeville	7.95	15.94	16	4.01	4.09	9.598	-62.73%
Aiken	6.85	1.84	5.48	4.25	1.43	3.97	-68.95%
Allendale	0	0	20.33	10.31	2.04	6.536	-73.37%
Anderson	6.37	10.56	5.25	7.78	2.66	6.524	-64.49%
Bamberg	25.04	6.34	6.48	6.59	6.13	10.116	-44.84%
Barnwell	22.36	13.51	4.52	18.22	6.13	12.948	-58.16%
Beaufort	3.04	2.98	1.75	4.55	1.63	2.79	-47.08%
Berkeley	2.72	4.74	5.67	8.07	2.45	4.73	-53.77%
Calhoun	0	6.71	6.64	26.89	1.02	8.252	-89.86%
Charleston	5.03	4.66	3.22	4.72	4.49	4.424	1.87%
Cherokee	12.6	10.78	7.16	16.06	1.43	9.606	-87.73%
Chester	0	0	18.42	9.28	1.84	5.908	-73.43%
Chesterfield	4.3	10.85	6.49	2.17	1.02	4.966	-82.86%
Clarendon	23.04	8.73	11.64	17.59	1.23	12.446	-91.93%
Colleton	10.36	26.21	13.23	15.89	1.23	13.384	-92.51%
Darlington	13.18	13.21	16.19	13.27	2.04	11.578	-85.39%
Dillon	6.3	9.54	6.4	32.13	8.17	12.508	-39.89%
Dorchester	3.55	5.61	3.44	5.39	1.84	3.966	-59.09%
Edgefield	15	15.18	0	3.77	0	6.79	-100.00%
Fairfield	29.7	25.68	25.96	8.7	6.13	19.234	-72.77%
Florence	2.9	6.52	7.95	4.31	4.29	5.194	-20.85%
Georgetown	3.33	11.63	8.27	6.58	1.02	6.166	-86.31%
Greenville	4.12	5.77	5.06	3.11	2.66	4.144	-41.09%
Greenwood	10.02	8.6	7.17	5.75	1.02	6.512	-87.06%
Hampton	0	14.47	14.7	0	4.09	6.652	-43.91%
Horry	5.79	4.25	6.9	5.35	4.29	5.316	-23.01%
Jasper	27.78	11.61	11.27	14.72	1.43	13.362	-91.25%
Kershaw	9.63	9.62	14.4	6.33	1.84	8.364	-81.59%
Lancaster	12.84	3.79	2.49	9.62	6.13	6.974	-14.68%
Laurens	10.52	13.59	7.55	18.04	3.06	10.552	-75.37%
Lee	5.27	5.36	5.45	0	6.13	4.442	52.49%
Lexington	4.12	7.03	6.58	3.24	2.66	4.726	-49.26%
Marion	6.09	18.49	9.35	6.26	1.43	8.324	-85.77%
Marlboro	14.03	3.55	3.57	25.07	1.23	9.49	-89.36%
McCormick	0	30.17	0	10.16	2.04	8.474	-79.77%
Newberry	13.26	15.97	8	5.29	1.43	8.79	-86.55%
Oconee	6.72	10.72	4	5.32	1.02	5.556	-84.75%
Orangeburg	4.35	8.75	13.2	6.66	2.66	7.124	-67.72%
Pickens	5.85	6.69	6.68	6.65	8.17	6.808	26.32%
Richland	2.83	4.82	6.76	4.48	2.86	4.35	-39.44%
Saluda	15.09	20.11	0	9.99	0	9.038	-100.00%
Spartanburg	7.67	4.5	3.44	5.45	6.95	5.602	32.00%
Sumter	4.65	4.63	8.32	9.27	1.02	5.578	-84.82%
Union	0	3.54	3.57	17.94	8.17	6.644	30.46%
Williamsburg	8.8	20.82	30.24	12.23	6.13	15.644	-65.99%
York	3.04	4.69	5.43	3.26	1.23	3.53	-70.04%
<b>Average County Rate</b>	<b>8.39</b>	<b>9.84</b>	<b>8.36</b>	<b>9.23</b>	<b>7.38</b>	<b>8.64</b>	<b>-17.59%</b>

### Work Zone Fatalities

**Figure S-14** below indicates that from 2011 to 2015 work zone fatalities increased (36.3%) in 2015 as compared to 2011. The fatality number for 2015 is higher (39.5%) than the average number of fatalities for the previous four years, 2011-2014 (10.75 fatalities). It should be noted that with fatality numbers this small, significant percentage increases can be seen with a relatively small increase in the raw data.



**Figure S-14 - Work Zone Related Collisions, Injuries and Fatalities - 2011-2015 State Data**

State data displays that there were 6,452 work-zone-related collisions in South Carolina from 2011 to 2015. These collisions resulted in 58 fatalities and 2,755 persons injured. Types of work-zone-related collisions include shoulder/median work, lane shift/crossover, intermittent/moving work, lane closures, and other areas that may be in or around the actual work zone.

State data indicates that work-zone-related collisions and injuries increased from 2011 to 2012 before declining in 2013 and 2014, and rising again in 2015 (**Figure S-14**) above. The data also show that work-zone-related collisions have increased by 8.3% from 2011 to 2015, with 1,208 total collisions in 2011 and 1,308 total collisions in 2015. Injuries as a result of work-zone-related collisions have also risen by approximately 11.8%, from 510 persons injured in 2011 to 570 persons injured in 2015. It should be noted, however, that the numbers in these types of collisions are relatively small when compared to total collisions, injuries, and fatalities. Therefore, percentages can be affected significantly with relatively minor raw number increases.

However, the State takes each collision, injury, and fatality seriously and will continue to address this traffic safety issue through a project funded by the South Carolina Department of Transportation (SCDOT).

In June 2006, the South Carolina Highway Patrol (SCHP) was awarded a three-year grant for \$1,750,000 from the SCDOT to reduce work zone speeding-related fatalities. Thus, the Safety Improvement Team (SIT) Campaign was implemented. The project has been successful in holding the line on work zone fatalities and has been maintained annually at the same level of funding beyond the initial three-year project grant. The SCHP strategically places a team of officers in, near, and around high-priority work zones for increased visibility and speed enforcement. Each of four enforcement teams composed of six Troopers supervised by a Corporal, work in four distinct regions of the state (Upstate, Midlands, Lowcountry, and Pee Dee).

### **Traffic Injuries**

State data in **Figure S-1** on page 58 shows an increase of 27.2% in total traffic-related injuries, from 46,057 total injuries in 2011 to 58,604 in 2015. The 2015 figure was also more (17.2%) than the average of the four prior years 2011-2014 (50,022). The percentage of total injuries in 2015 increased by 10.5% compared to the number of total injuries in 2014.

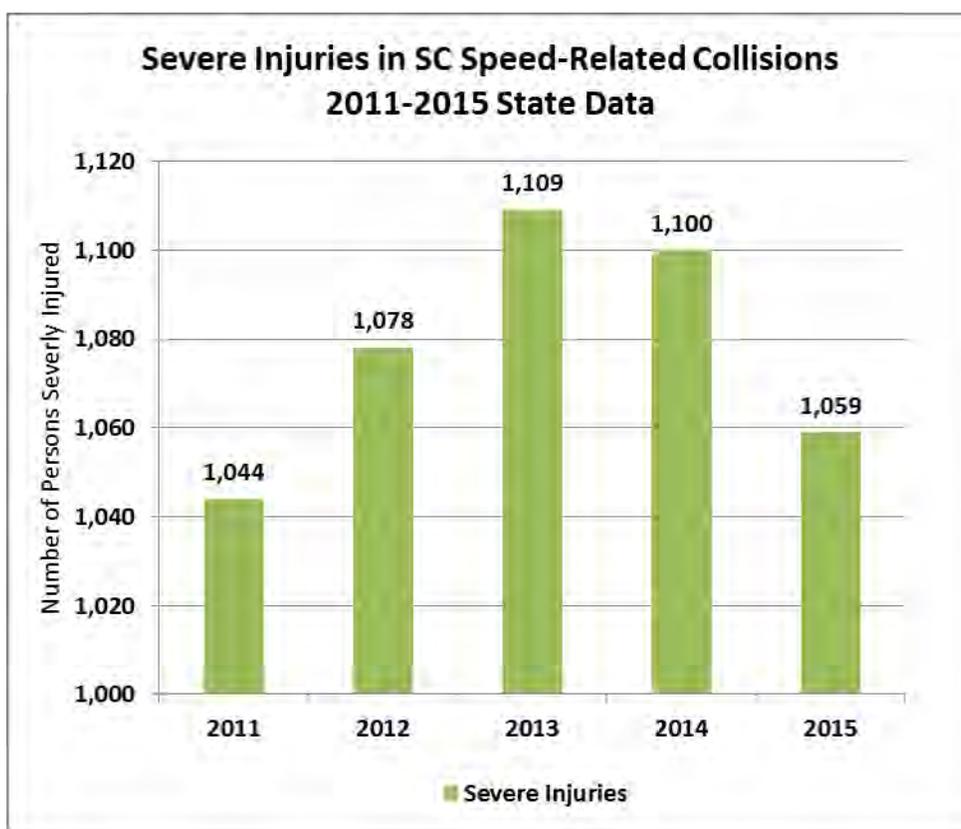
**Table S-18** below shows the number of speed-related crash injuries for the State of South Carolina for the years 2011-2015. Of the 58,604 (**Figure S-1** on page 58) total traffic-related injuries reported in 2015, 20,442, or 34.9%, occurred in speeding-related collisions. Injuries in speeding-related traffic crashes increased from 14,864 in 2011 to 20,442 in 2015, an increase of 37.5%. Additionally, the percentage of traffic-related injuries that occurred in speeding-related crashes increased slightly, from 33.5% in 2014 to 34.9% in 2015. On average, for the years 2010-2014, injuries occurring in speeding-related traffic crashes accounted for 33.5% of all traffic-related injuries. The 2015 figure for speeding-related crash injuries (20,442) is 23.7% higher than the average for speeding-related crash injuries (16,527) from 2011 to 2014.

<b>Table S-18 Speeding-Related Crashes in South Carolina, 2011-2015 - SC</b>						
Year	Fatal Collision	Injury Collision	Property Damage Only Collision	Total Collisions	Persons Killed (FARS)	Persons Injured
2011	247	9,715	21,939	31,901	278	14,864
2012	292	10,674	23,312	34,278	322	16,212
2013	297	11,241	26,211	37,749	306	17,254
2014	297	11,634	27,429	39,360	307	17,779
2015	355	13,410	31,855	45,620	361	20,442

State data in **Figure S-2** on page 59 show a decrease of 5.2% in total serious traffic-related injuries, from 3,261 serious injuries in 2011 to 3,092 in 2015. Serious traffic injuries in 2015

decreased by 3.0% compared to the number of serious injuries in 2014 (3,189). The 2015 figure represents a decrease of 5.7% when compared to the average number of serious traffic injuries for the years 2011-2015 (3,278.75).

In **Figure S-15** below, state data from 2011-2015 show that the number of serious injuries occurring in speeding-related collisions increased 1.4% in South Carolina, from 1,044 serious injuries in speeding-related collisions in 2011 to 1,059 in 2015. The 2015 figure also represents a 2.2% decrease when compared to the average number of serious injuries in speeding-related crashes for the four years 2011-2014 (1082.75). Of the 3,092 total traffic-related serious injuries reported in 2015, 1,059, or 34.2%, occurred in speeding-related collisions. In 2015, total traffic-related serious injuries decreased from 2011; however, the percentage of traffic-related serious injuries that occurred in speeding-related collisions increased, from 32.0% in 2011 to 34.2% in 2015. Serious injuries in speeding-related traffic crashes decreased from 1,100 in 2014 to 1,059 in 2015, a decrease of 3.7%, and the percentage of traffic-related serious injuries that occurred in speeding-related crashes decreased slightly from 34.5% in 2014 to 34.2% in 2015.



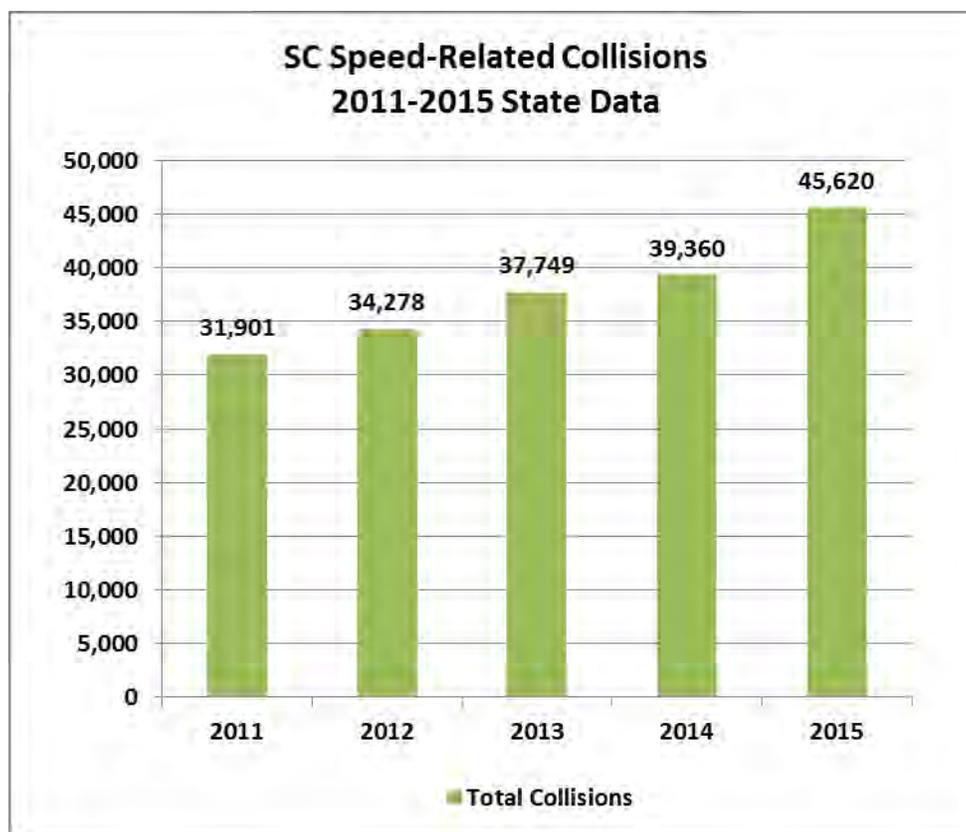
**Figure S-15. Severe Injuries in SC Speed-Related Collisions 2011-2015**

### **Traffic Collisions**

There were 576,497 total traffic collisions in South Carolina from 2011 to 2015 (see **Figure S-3** on page 60). This total includes fatal collisions, injury collisions, and property-damage-only

collisions. There was an increase of 12.4% in total collisions from 2014 (119,163) to 2015 (133,961). The 2015 figure represents an increase of 31.5% as compared to 2011 and an increase of 21.1% as compared to the average of the previous four years of 2011-2014 (110,634).

There were 188,908 total speeding-related traffic collisions in South Carolina from 2011 to 2015 (see **Figure S-16** below). Speeding-related collisions accounted for 32.8% of total traffic crashes in the state. In 2015, speeding-related crashes increased by 15.9% as compared to 2014, from 39,360 in 2014 to 45,620 in 2015. The 2015 figure also represents a 43.0% increase as compared to the 2011 figure (31,901) and an increase of 27.4% when compared to the average number of speeding-related collisions (35,822) for the four-year period 2011-2014.



**Figure S-16. SC Speed-Related Collisions 2011-2015**

Another method for analyzing significant traffic data in South Carolina is compiling information on speeding-related fatal collisions and speeding-related severe-injury collisions. This allows the state to compare this data set with raw numbers of speeding-related fatalities in counties statewide and population-based fatality rates statewide in an effort to determine areas where the most serious speeding-related collisions occur and to identify county locations which may benefit from increased traffic enforcement efforts. **Table S-19** (Speed/Too Fast for Conditions Fatal and Severe Injury Collisions, South Carolina, 2011-2015) on the following page, lists all counties in the state and the raw numbers of speeding-related fatal and serious-injury collisions occurring in the counties for the time period 2011-2015. Counties in red represent the top fifteen counties in the state for these types of collisions.

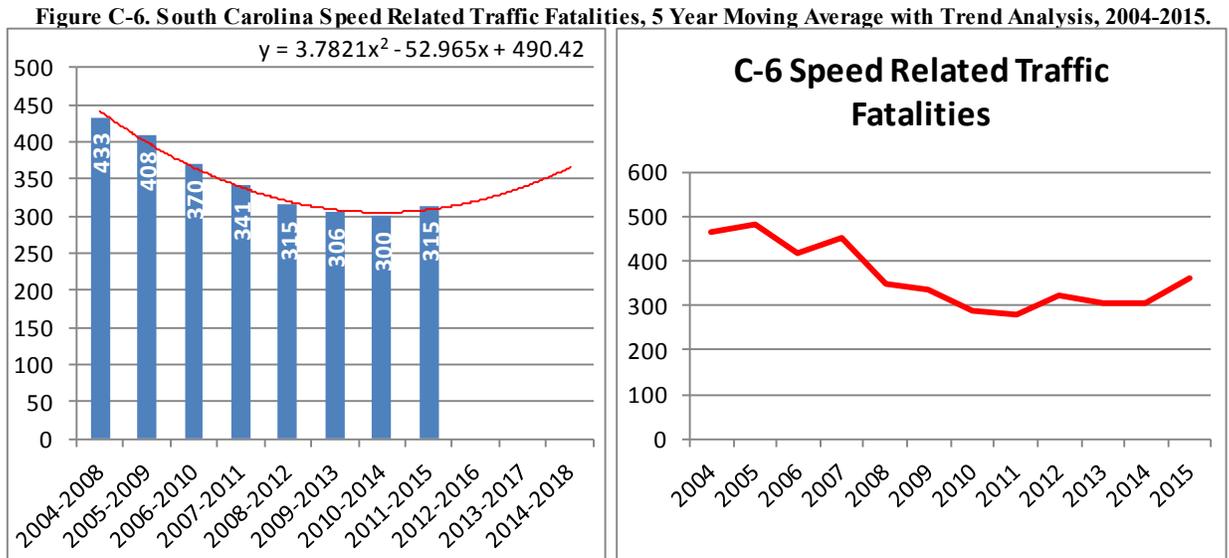
**Table S-19. Speed/Too Fast for Conditions Fatal and Severe Injury Collisions  
South Carolina 2011-2015**

County	2011	2012	2013	2014	2015	2011-2015	% Speed 2011-2015
Horry	87	84	88	90	86	435	27.8%
Charleston	95	84	82	82	80	423	28.3%
Greenville	60	81	88	81	64	374	26.8%
Spartanburg	63	54	55	72	77	321	34.4%
Richland	50	64	69	67	62	312	32.3%
Lexington	48	58	63	56	59	284	37.8%
Berkeley	40	63	68	47	55	273	33.5%
Anderson	51	57	58	49	52	267	35.1%
York	31	49	47	35	42	204	32.4%
Laurens	39	30	37	26	37	169	50.9%
Dorchester	38	45	23	29	30	165	37.2%
Aiken	30	20	29	38	45	162	36.9%
Orangeburg	18	29	32	31	31	141	34.0%
Beaufort	20	30	16	37	33	136	30.0%
Pickens	30	30	28	22	22	132	36.4%
Darlington	20	20	27	30	26	123	47.1%
Greenwood	32	21	28	15	24	120	42.4%
Florence	20	23	28	19	29	119	26.1%
Lancaster	18	14	17	27	28	104	29.7%
Sumter	21	20	24	21	13	99	29.9%
Colleton	20	28	17	16	16	97	33.3%
Cherokee	17	18	18	26	17	96	41.4%
Georgetown	8	25	23	19	19	94	33.3%
Jasper	18	15	22	20	17	92	37.9%
Newberry	11	21	21	14	18	85	51.2%
Oconee	20	15	11	18	21	85	36.0%
Williamsburg	18	16	16	16	13	79	42.5%
Chesterfield	7	14	11	16	20	68	38.6%
Chester	8	8	13	16	19	64	40.0%
Kershaw	15	11	14	8	13	61	31.6%
Fairfield	11	14	14	7	11	57	46.0%
Clarendon	11	10	10	10	14	55	42.6%
Marion	8	12	6	7	16	49	43.4%
Marlboro	8	4	9	15	13	49	48.0%
Abbeville	10	9	16	6	5	46	50.5%
Barnwell	10	4	4	17	10	45	35.2%
Hampton	5	14	12	5	9	45	40.5%
Union	11	6	9	8	11	45	49.5%
Saluda	13	14	5	3	8	43	49.4%
Dillon	4	9	2	13	13	41	36.0%
Edgefield	16	10	7	3	5	41	42.3%
Calhoun	5	6	9	7	5	32	36.0%
Bamberg	6	6	7	4	7	30	43.5%
Lee	7	6	4	1	5	23	30.7%
Allendale	2	2	6	4	3	17	40.5%
McCormick	4	3	2	2	3	14	37.8%
<b>Total</b>	<b>1,084</b>	<b>1,176</b>	<b>1,195</b>	<b>1,155</b>	<b>1,206</b>	<b>5,816</b>	

## Performance Measures

### Goals:

1. To decrease speeding-related fatalities by 0.3% from the 2011-2015 baseline average of 315 to 314 by December 31, 2018.

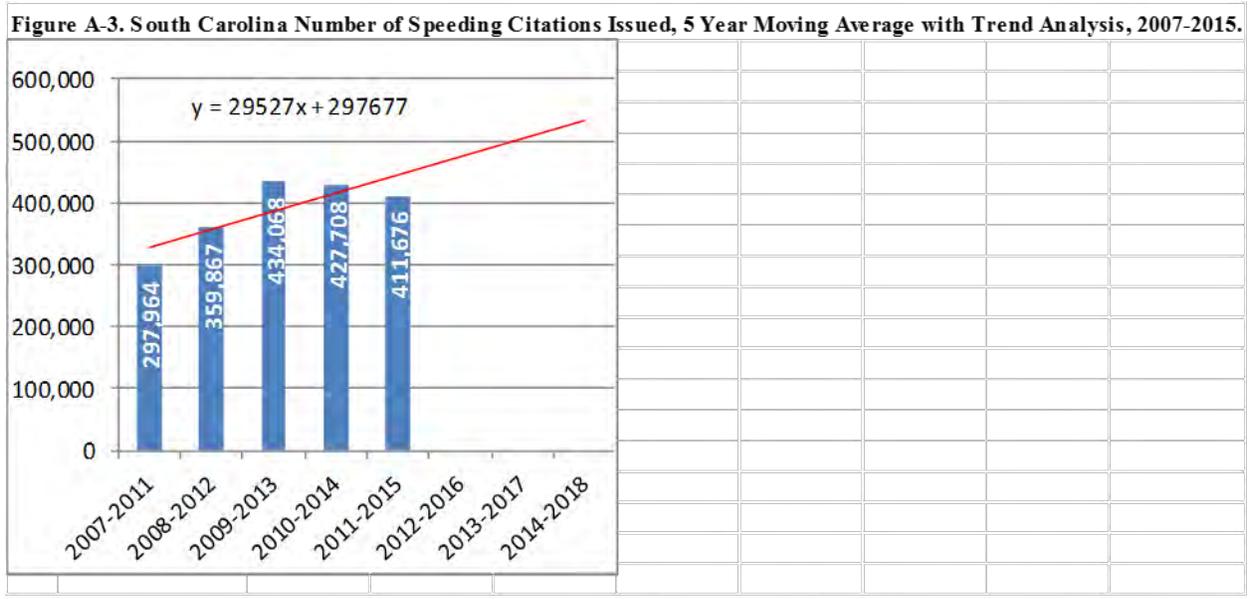


Polynomial Projection =  $3.7821(11^2) - 52.965(11) + 490.42 = 365.4$   
 2011-2015 Average = 314.6  
 2012-2016 Average = 334.8  
 2011 = 278  
 2012 = 322  
 2013 = 305  
 2014 = 307  
 2015 = 361 (17.6% increase from 2014)  
 2016 = 380 (5.3% increase from 2015, 2016 not FARS finalized)

As shown in Figure C-6 above, the five-year moving average with a polynomial trend analysis projects South Carolina will experience a five-year average number of 365.4 speeding-related traffic fatalities by December 31, 2018. This equates to an estimated 437 annual speeding-related traffic fatalities for 2018, which is a 21% increase from 2015. Preliminary state data compiled by the OHSJP Statistical Analysis Research Section indicate there were 380 speeding-related traffic fatalities in 2016, an increase of 5.3% from 2015. After much discussion among OHSJP staff, OHSJP has set a goal of 314 speeding-related traffic fatalities in 2018, a 21% decrease in speeding-related traffic fatalities by December 31, 2018 from the 2016 calendar year.

### Activity Measure A-3

Activity measure A-3 relates to the number of speeding citations issued in South Carolina. The National Highway Traffic Safety Administration (NHTSA) does not require a target to be established for this activity measure, however, the data below demonstrates that the state is experiencing an upward trend of speeding citations issued, but Speeding citations have started to drop in the past few years.



## **Objectives:**

1. Police Traffic Services (PTS) projects will continue to provide funding to Law Enforcement partners statewide to implement effective traffic enforcement strategies and activities.
2. Grant-funded PTS projects will conduct a minimum of 252 public safety checkpoints by September 30, 2018.
3. Grant-funded PTS projects will conduct a minimum of 264 traffic safety presentations by September 30, 2018.
4. Grant-funded PTS projects will have an appropriate, corresponding increase in the number of citations for violations such as failure to yield right-of-way, following too closely, disregarding sign/signal, improper turn, and improper lane change by September 30, 2018, due to enhanced traffic enforcement efforts over the course of the grant period.
5. Grant-funded PTS projects will have an appropriate, corresponding increase in the number of speeding citations by September 30, 2018, due to enhanced traffic enforcement efforts over the course of the grant period.
6. Grant-funded PTS projects will have an appropriate, corresponding increase in the number of citations for safety belt and child restraint violations by September 30, 2018, due to enhanced traffic enforcement efforts.
7. Grant-funded PTS projects will have an appropriate, corresponding increase in DUI arrests by September 30, 2018, due to enhanced traffic enforcement efforts over the course of the grant period.
8. Grant-funded PTS project agencies will participate actively in their respective local Judicial Circuit Law Enforcement Networks.
9. Grant-funded PTS projects will participate in all aspects (enforcement, education, and media) of the *Sober or Slammer!* Sustained DUI enforcement campaign, corresponding to the national *Drive Sober or Get Pulled Over* DUI crackdown. The participation includes at least one (1) specialized DUI enforcement activity (checkpoints and/or saturation patrols) at least quarterly during the Sustained DUI enforcement campaign and an additional four nights of specialized DUI enforcement activity (checkpoints and/or saturation patrols) during each of two DUI enforcement crackdown blitzes during the year (Christmas/ New Year's 2017-2018 and Labor Day 2018).
10. Grant-funded PTS projects will fully participate in the *Buckle up, South Carolina. It's the law and it's enforced.* state-wide occupant protection enforcement mobilization, corresponding to the national *Click it or Ticket* campaign, during and around the Memorial Day holiday of 2018.

11. South Carolina will conduct Operation Southern Shield, a speed enforcement campaign that focuses on the heavy summer travel period when the rate of fatal and injury crashes within the Southeastern U.S. is higher than any other time of the year. Grant-funded agencies, state law enforcement agencies, and local law enforcement agencies will be encouraged to participate in the statewide effort.

**Performance Indicators:**

**Goal:**

The OHSJP will continue to analyze traffic statistical data to monitor progress toward the target set for speeding-related fatality reduction for December 31, 2018.

**Activity Measure:**

Numbers of speeding citations issued statewide will continue to be monitored.

**Objectives:**

1. Appropriate grant files will be maintained by the OHSJP on each PTS project during the FFY 2018 grant year to include financial, programmatic, and monitoring information.
2. The grant-funded PTS projects will maintain a log of public safety checkpoints conducted during the FFY 2018 grant year and will submit this information to the OHSJP.
3. The grant-funded PTS projects will maintain a log of traffic safety presentations conducted during the FFY 2018 grant year to include location, audience, and attendance. This information will be submitted to the OHSJP.
4. The grant-funded PTS projects will maintain a record of traffic citations issued during the FFY 2018 grant year for violations such as failure to yield right-of-way, following too closely, disregarding sign/signal, improper turn, and improper lane change. This information will be submitted to the OHSJP.
5. The grant-funded PTS projects will maintain a record of speeding citations issued during the FFY 2018 grant year and will submit this information to the OHSJP.
6. The grant-funded PTS projects will maintain a record of seat belt and child restraint violation citations issued during the FFY 2018 grant year and will submit this information to the OHSJP.
7. The grant-funded PTS projects will maintain a record of DUI arrests made during the FFY 2018 grant year and will submit this information to the OHSJP.
8. The grant-funded PTS projects will document the participation of their respective agencies in their local Judicial Circuit Law Enforcement Networks during FFY 2018 and will submit this documentation to the OHSJP.

9. The grant-funded PTS projects will provide the OHSJP with documentation of their full participation in the state's sustained DUI enforcement initiative during FFY 2018.
10. The grant-funded PTS projects will provide the OHSJP with documentation of their full participation in the state's occupant protection enforcement mobilization during FFY 2018.

**Strategies:**

1. PTS projects will be developed and implemented in areas where analysis of traffic collision and citation data indicates a major traffic safety problem. The PTS projects funded are located in counties (Aiken, Beaufort, Berkeley, Charleston, Colleton, Dorchester, Florence, Greenville, Kershaw, Lancaster, Laurens, Lexington, Richland, Spartanburg, and York) identified as having a significant problem with speed-related traffic collisions, serious injuries, and fatalities. Kershaw County was not listed in the top twenty Priority Counties for funding; instead they ranked thirtieth out of the forty-six counties in South Carolina.
2. According to NHTSA FARS data, the following counties had high speeding-related population-based fatality rates in 2014: Dillon, Calhoun, Marlboro, Barnwell, Laurens, and Union. These counties are sparsely populated, so even a small number of speed-related traffic fatalities can cause these traffic fatality rates to vary drastically. The state understands the need to address these counties and will provide information about the high population-based fatality rate to the respective LENS in which these counties are located in order to encourage and increase traffic enforcement activities in these jurisdictions.
3. Law Enforcement Networks will continue to meet to share information among agencies, to disseminate information from the Office of Highway Safety and Justice Programs, and to conduct multi-jurisdictional traffic enforcement activity.
4. A minimum of 252 public safety checkpoints will be scheduled and a minimum of 264 traffic safety presentations will be conducted by Police Traffic Services subgrantees in the following counties: Aiken, Beaufort, Berkeley, Charleston, Colleton, Dorchester, Florence, Greenville, Kershaw, Lancaster, Laurens, Lexington, Richland, Spartanburg, and York.
5. Traffic safety enforcement units will be continued and established in police departments and sheriff's offices located in priority counties.
6. Educational programs will be developed to accompany traffic enforcement and DUI enforcement projects to increase community awareness of traffic-safety-related issues.
7. Traffic safety enforcement programs throughout the state will participate in Law Enforcement Networks established in the 16 Judicial Circuits in South Carolina.
8. Traffic safety enforcement projects will participate in statewide and national highway safety campaigns, enforcement mobilizations, and crackdown programs.

9. A continuation grant project will focus on the Traffic Safety Officer curriculum in the state and continue a Traffic Safety Instructor program, which will include providing instruction in the following classes: Detection and Standardized Field Sobriety Testing (SFST), DUI Detection and SFST Instructor; SFST Recertification; Speed Measurement Device Instructor, RADAR/LIDAR; Speed Measurement Device Operator, RADAR/LIDAR; Speed Measurement Device Instructor, LIDAR; Speed Measurement Device Operator, LIDAR; Speed Measurement Device Recertification; RADAR and/or LIDAR; At-Scene Traffic Collision Investigation; Technical Traffic Collision Investigation; Traffic Collision Reconstruction; Motorcycle Collision Investigation; Pedestrian and Bicycle Collision Reconstruction; Safe And Legal Traffic Stops (SALTS); Courtroom Preparation and Testifying in Traffic Cases; Data Master DMT Operator Certification; and Data Master DMT Operator Recertification.
10. The OHSJP may continue the Data-Driven Approaches to Crime and Traffic Safety (DDACTS) initiative in selective jurisdictions around the state during FFY 2018.
11. The state will continue a project that was begun in 2006 to increase traffic enforcement in work zones. In June 2006, South Carolina Highway Patrol (SCHP) was awarded a three-year grant for \$1,750,000 from the South Carolina Department of Transportation (SCDOT) to reduce work zone speeding-related fatalities. Thus, the Safety Improvement Team (SIT) Campaign was implemented. The project was successful and has continued each year with funding at the same level from SCDOT beyond the initial three-year project. SCHP strategically places teams of six Troopers in, near, and around high-priority work zones for increased visibility and speed enforcement. The four teams, led by a Corporal, work in four regions (Upstate, Midlands, Lowcountry, and Pee Dee regions). From January 1, 2016 through December 31, 2016, the SCHP SIT issued 12,886 speeding citations, arrested 2 people for DUI, and issued 806 occupant restraint violations utilizing this enforcement strategy. The SIT Campaign is highly effective and will continue in FFY 2018.
12. The SCDPS will implement, with Section 164 transfer funding from the SC Department of Transportation, six, four-officer Target Zero Enforcement Teams within the SC Highway Patrol that will concentrate on enforcement of traffic laws, including DUI, speed, and occupant protection enforcement in four key areas of the state and focusing on highway corridors that are high-risk for fatal and severe-injury traffic crashes.

## **Projects To Be Implemented**

### **Administration**

**Problem Identification:** Speeding is one of the leading contributors in fatal traffic crashes in South Carolina. According to NHTSA's Fatality Analysis Reporting System (FARS), during the five-year period 2011-2015, the percentage of speeding-related fatalities as compared to total traffic fatalities, in South Carolina ranged from a high of 39.7% in 2013 to a low of 33.5% in

2011 (**Table 6** on page 17). There were 278 speeding-related fatalities in 2011 and 361 in 2015. Also, FARS data shows that the counties accounting for the highest percentages of the speeding-related fatalities in South Carolina for the years 2011 through 2015 were Horry, Charleston, Greenville, Spartanburg, Richland, Lexington, and Berkeley (**Table S-19** on page 171). State data reports that there were 3,261 serious injuries as a result of traffic collisions in 2011. The number decreased by 5.18% to 3,092 serious injuries in 2015. State data shows that South Carolina’s overall speeding-related fatalities increased by 29.9%, from 278 fatalities in 2011 to 361 fatalities in 2015. Serious injuries in speeding-related collisions increased by 1.4%, from 1,044 serious injuries in 2011 to 1,059 in 2015. Speeding-related collisions went from 31,901 in 2011 to 45,620 in 2015, an increase of 43%.

**Project Description:** The Office of Highway Safety and Justice Programs (OHSJP) will fund a Police Traffic Services (PTS) project which will include an Occupant Protection/Police Traffic Services Program Coordinator (OP/PTSPC) who will assist in establishing funding priorities and strategies for implementing assigned Police Traffic Services projects. The OP/PTSPC will develop selected projects for funding with prospective applicants and prepare the PTS section of the annual Highway Safety Plan, the annual Summaries and Recommendations for Highway Safety Projects, the Funding Guidelines document, and the Annual Evaluation Report by the required deadlines. The OP/PTSPC will administer assigned grant-funded projects to include scheduling/conducting on-site monitoring, monthly desk monitoring, and providing technical assistance to project directors. The OP/PTSPC will give law enforcement agencies the ability to start effective selective traffic enforcement programs (STEPS), including training relative to, speed enforcement, DUI enforcement, and enforcing occupant restraint laws. The OP/PTSPC will review the grants’ goals and objectives and focus task activity towards the accomplishment of the goals and objectives. The OP/PTSPC will work with the Law Enforcement Liaisons to alert the LEN circuits of the importance of assisting the OHSJP in its efforts to reduce speeding-related collisions, injuries, and fatalities in the state of South Carolina. The OP/PTSPC will coordinate with the Grants Administration Manager and Assistant Director of OHSJP to develop appropriate strategies for traffic enforcement to be included in the annual Highway Safety Funding Guidelines document and the Highway Safety Plan, and to complete assigned portions of the Summaries and Recommendations document.

Agency	Title	County	Project Number	Budget	Personnel Funded
SC Department of Public Safety : Office of Highway Safety and Justice Programs	Police Traffic Services	Statewide	PT-2018-HS-05-18	\$98,458	1.42

CTW: In the Introduction Section of *Countermeasures That Work: A Highway Safety Countermeasure Guide For State Highway Safety Offices, Eighth Edition, 2015 (CTW)* on (p. 2), in “*What’s not included,*” the document states that “this guide does not include administrative or management topics such as traffic safety data systems and analyses, program planning and assessments, state and community task forces, or comprehensive community traffic safety

programs.” The Police Traffic Services Administration Project falls under this area of what’s not included. However, South Carolina recognizes several sections in the CTW that outline countermeasures proven to be effective which can be used by the funded PTS projects in addressing speeding-related collisions, injuries, and fatalities. These countermeasures are cited in the Police Traffic Services Enforcement Section of this document.

## **Law Enforcement Liaisons**

**Problem Identification:** According to FARS data collected from 2011 to 2015, South Carolina fatalities increased from 828 in 2011 to 979 in 2015. The 2015 count represents an increase of 19.0% compared to the 823 fatalities experienced in 2014. The Law Enforcement Liaisons (LELs) will work with the Law Enforcement Network (LEN) to enforce traffic safety throughout the state in priority areas. Over the entire five-year period, 2011-2015, South Carolina’s alcohol-impaired driving population-based fatality rate was 6.8 fatalities per 100,000 population. FARS data also shows that in 2015, alcohol-impaired driving fatalities accounted for 30.75% of all traffic fatalities in South Carolina.

South Carolina’s average speeding-related population-based fatality rate was 6.58 fatalities per 100,000 population during 2011-2015. FARS data continues to report that in 2015, 36.87% of the state’s traffic fatalities were speed-related. State data reported, from 2011-2015, 576,497 collisions (includes fatal, injury, and property-damage-only), 4,261 fatalities, 258,692 persons injured, and 16,207 serious injuries.

**Project Description:** As proposed in the grant application, the project will continue to fund two Law Enforcement Liaisons, supervised by a SC Highway Patrol Captain assigned to the OHSJP, whose priorities are to develop and maintain the Law Enforcement Network (LEN) system, to work to establish and maintain relationships between OHSJP and law enforcement agencies around the state, and gain law enforcement support for participation in statewide enforcement mobilization campaigns. The Law Enforcement Coordination internal grant project will also provide LEN grants to the sixteen (16) Law Enforcement Networks established around the state. The sixteen networks correspond to the sixteen judicial circuits in the state. The grants will be provided through the Law Enforcement Coordination grant to assist the networks in renting meeting room space, purchasing recognition awards for traffic officers, highway safety related media, and travel costs for traffic officers to attend highway safety training. The LEN system, which includes both state and local law enforcement agencies, will allow statewide coverage and implementation of law enforcement activity, including multi-jurisdictional enforcement activities.

<b>Agency</b>	<b>Title</b>	<b>County</b>	<b>Project Number</b>	<b>Budget</b>	<b>Personnel Funded</b>
SC Department of Public Safety : Office of Highway Safety and Justice Programs	Law Enforcement Coordination	Statewide	PT-2018-HS-06-18	\$478,729	3.07

(CTW, Chapter 1: Sections 2.1, 2.2; Chapter 2: Sections 1.1, 1.2, 2.1, 2.2, 2.3, 3.1; Chapter 3: Sections 2.2, 2.3)

(SHSP, Page 26: 3.2; 82: 1.1)

## **Traffic Safety Officer Training**

**Problem Identification:** The grant-funded Traffic Safety Officer Program provides training to local law enforcement officers throughout the state at the South Carolina Criminal Justice Academy (SCCJA). This gives local agencies an in-state resource for law enforcement training instead of costly out-of-state training opportunities. Educational programs are developed to accompany traffic enforcement and DUI enforcement projects. The SCCJA has provided traffic-safety-specific training to local agencies for several years. In 2014, the SCCJA trained 951 SFST practitioners, 227 more in 2015, and an additional 372 students in 2016. Well-trained traffic enforcement officers remain an essential aspect of helping to reduce the number of traffic-related crashes, injuries, and fatalities through a variety of enforcement strategies.

**Project Description:** SCCJA conducts the Traffic Safety Officer (TSO) Certification program and other extensive law enforcement training programs with the primary purpose of reducing fatalities and injuries on the state's roadways. SCCJA provides comprehensive traffic enforcement/investigative training to the state's traffic law enforcement officers. Officers trained in the collision investigation courses will be able to determine the cause(s) of motor vehicle collisions and cite the individual(s) responsible with the appropriate charge(s). Professionally trained officers will also be able to proficiently prosecute violators which will result in higher conviction rates, which will in turn help to deter traffic infractions. The Traffic Safety Program will provide professional training to the law enforcement officers of South Carolina in the following classes: At-Scene Collision Investigation, Technical Collision Investigation, Traffic Collision Reconstruction, Data Master DMT Operator Certification, Data Master DMT Operator Recertification, Advanced DUI and Standardized Field Sobriety Testing (SFST), Standardized Field Sobriety Testing (SFST) Recertification, Speed and Measurement Device Operator Program, Speed Measurement Device Instructor Program, Safe and Legal Traffic Stops (SALTS), Motorcycle Collision Reconstruction, Pedestrian/Bicycle Collision Reconstruction, and Commercial Vehicle Collision Reconstruction. SCCJA will track and schedule at least 98 training classes during the FFY 2018 grant year.

Agency	Title	County	Project Number	Budget	Number of Funded Officers	Classes
SCCJA	Traffic Safety Officer Program	Statewide	PT-2018-HS-07-18	\$375,583	4	98

(SHSP, page 82.)

## **Police Traffic Services Enforcement**

**Problem Identification:** The counties with the most speeding-related traffic fatalities from 2011-2015 were Horry, Charleston, Greenville, Spartanburg, Richland, Lexington, and Berkeley. Two (Greenville and Richland) of these seven counties experienced a decrease in the number of speeding-related traffic fatalities in 2015 when compared to 2014. Four of the other counties (Horry, Spartanburg, Lexington, and Berkeley) saw an increase in the number of speeding-related traffic fatalities in 2015 when compared to 2014 and Charleston's number remained the same. State data reports that there were 3,261 serious injuries as a result of traffic collisions in 2011. The number decreased by 5.18% to 3,092 serious injuries in 2015. State data shows that South Carolina's overall speeding-related fatalities increased by 29.9%, from 278 fatalities in 2011 to 361 fatalities in 2015. Serious injuries in speeding-related collisions increased by 1.4%, from 1,044 serious injuries in 2011 to 1,059 in 2015. Speeding-related collisions went from 31,901 in 2011 to 45,620 in 2015, an increase of 43%.

**Project Description:** PTS projects will be developed and implemented in those areas where analysis of traffic collision and citation data indicates a major traffic safety problem. The PTS projects funded are located in counties identified as having a significant problem with speed-related traffic collisions, serious injuries, and fatalities. This includes county sheriffs' offices and municipal law enforcement agency projects identified by the supporting data. The projects will fund law enforcement officer personnel, travel, equipment, and other allowable items. Traffic safety enforcement programs throughout the state will participate in Law Enforcement Networks established in the 16 Judicial Circuits in South Carolina. They will participate in statewide and national highway safety campaigns and enforcement crackdown/mobilization programs. These campaigns include DUI crackdowns, occupant protection mobilizations, focused roadway corridor speed enforcement, and combined enforcement activity, to include nighttime safety belt enforcement. The PTS projects will conduct traffic safety presentations to increase community awareness of traffic safety-related issues and issue press releases of the projects' activities. Law Enforcement Networks will continue to meet and share information among agencies, to disseminate information from the Office of Highway Safety and Justice Programs, and to conduct multi-jurisdictional traffic enforcement activities.

The OHSJP has continued the implementation of Data Driven Approaches to Crime and Traffic Safety (DDACTS) since 2012, which is a hot spot locator-type approach to deploying law enforcement. Several law enforcement agencies across the state have been trained in DDACTS, and they are provided information on the data sources available to them in order to best utilize their resources. This data includes traffic corridor information relative to their respective agencies, which will allow them to focus on roadways where collisions, injuries, and traffic fatalities are occurring. It is always available upon request and some agencies even use their own internal data/records when selecting safety checkpoint and saturation patrol locations.

(CTW, Chapter 1: Sections 1.2, 2.1, 2.2, 2.3, 2.4; Chapter 2: Sections 1.1, 1.2, 2.1, 2.2, 2.3, 3.1; Chapter 3: Sections 2.2, 2.3)

(SHSP, Pages 46; 82-83)

## FFY 2018 PTS Funded Projects

Agency	Title	County	Project Number	Budget	Number of Funded Officers	Check-points	Press Releases
Charleston County SO	Charleston County Traffic /Service Speed Enforcement Unit	Charleston	PT-2018-HS-08-18	\$310,611	2	12	12
Columbia PD	City of Columbia Traffic Enforcement	Richland	PT-2018-HS-09-18	\$244,982	2	12	12
Mauldin Police Department	Mauldin Police Department Traffic Safety Team (MPDTST)	Greenville	PT-2018-HS-11-18	\$70,828	1	12	12
City of Cayce	City of Cayce Traffic Enforcement Unit	Lexington	PT-2018-HS-12-18	\$222,429	2	12	12
Dorchester County Sheriff's Office	Traffic Division Enhancement	Dorchester	PT-2018-HS-13-18	\$150,536	1	12	12
Simpsonville Police Department	Simpsonville Police Department Traffic Unit	Greenville	PT-2018-HS-14-18	\$62,665	1	12	12
City of Beaufort	City of Beaufort Traffic Enforcement Team	Beaufort	PT-2018-HS-15-18	\$107,539	1	12	12
City of Charleston	City of Charleston Speed Enforcement Initiative	Charleston	PT-2018-HS-16-18	\$139,465	2	12	12
Town of Summerville	Traffic Enforcement Unit Enhancement	Dorchester	PT-2018-HS-18-18	\$250,853	2	12	12
Bluffton PD	Bluffton Police Department Traffic Enforcement Program	Beaufort	PT-2018-HS-19-18	\$157,564	2	12	12
Florence County Sheriff's Office	Traffic Safety Unit	Florence	PT-2018-HS-21-18	\$192,071	3	12	12
Aiken Department of Public Safety	Aiken Public Safety Police Traffic Safety Unit	Aiken	PT-2018-HS-22-18	\$242,910	2	12	12
Laurens Police Department	Traffic Enforcement Officer/Police Traffic Services	Laurens	PT-2018-HS-31-18	\$48,648	1	12	12
City of York	City of York Traffic Enforcement Unit	York	PT-2018-HS-32-18	\$70,753	1	12	12
Lancaster County Sheriff's Office	Traffic Enforcement Unit	Lancaster	PT-2018-HS-33-18	\$163,626	2	12	12

Colleton County Sheriff's Office	Colleton County Traffic Enforcement Unit	Colleton	PT-2018-HS-34-18	\$178,539	2	12	12
Lexington Police Department	Town of Lexington Police Traffic Services Enhancement	Lexington	PT-2018-HS-35-18	\$195,292	2	12	12
Spartanburg County Sheriff's Office	Spartanburg County Traffic Unit Enhancement	Spartanburg	PT-2018-HS-36-18	\$132,332	2	12	12
Fort Mill PD	Fort Mill Police Department Traffic Safety Unit	York	PT-2018-HS-38-18	\$112,931	1	12	12
Monks Corner Police Department	Traffic Enforcement	Berkeley	PT-2018-HS-40-18	\$112,067	1	12	12
Kershaw County Sheriff's Office	Traffic Services Enforcement Education	Kershaw	PT-2018-HS-41-18	\$122,638	1	12	12
Total		22 Grants		\$3,289,279	35	252	264

**Police Traffic Services (PTS)/Speed Enforcement Program Area:  
Budget Summary**

<b>Project Number</b>	<b>Subgrantee</b>	<b>Project Title</b>	<b>Budget</b>	<b>Budget Source</b>
<b>PT-2018-HS-05-18</b>	<b>SC Department of Public Safety: OHSJP</b>	<b>Police Traffic Services (PTS) Program Management</b>	<b>\$98,458</b>	<b>FAST ACT 402</b>
<b>PT-2018-HS-06-18</b>	<b>SC Department of Public Safety: OHSJP</b>	<b>Law Enforcement Coordination</b>	<b>\$478,729</b>	<b>FAST ACT 402</b>
<b>PT-2018-HS-07-18</b>	<b>SC Criminal Justice Academy</b>	<b>Traffic Safety Officer Program</b>	<b>\$375,583</b>	<b>FAST ACT 402</b>
<b>PT-2018-HS-08-18</b>	<b>Charleston County Sheriff's Office</b>	<b>Charleston County Traffic/Service Speed Enforcement Unit</b>	<b>\$310,611</b>	<b>FAST ACT 402</b>
<b>PT-2018-HS-09-18</b>	<b>City of Columbia Police Department</b>	<b>FY 2018 Enhancement of Traffic Division</b>	<b>\$244,982</b>	<b>FAST ACT 402</b>
<b>PT-2018-HS-11-18</b>	<b>Mauldin Police Department</b>	<b>Mauldin Police Department Traffic Safety Team (MPDTST)</b>	<b>\$70,828</b>	<b>FAST ACT 402</b>
<b>PT-2018-HS-12-18</b>	<b>City of Cayce</b>	<b>City of Cayce Traffic Safety Unit</b>	<b>\$222,429</b>	<b>FAST ACT 402</b>
<b>PT-2018-HS-13-18</b>	<b>Dorchester County Sheriff's Office</b>	<b>Dorchester County Traffic Division Enhancement</b>	<b>\$150,536</b>	<b>FAST ACT 402</b>

PT-2018- HS-14-18	Simpsonville Police Department	Simpsonville Police Department Traffic Unit	\$62,665	FAST ACT 402
PT-2018- HS-15-18	City of Beaufort	City of Beaufort Traffic Enforcement Team	\$107,539	FAST ACT 402
PT-2018- HS-16-18	City of Charleston	City of Charleston Speed Enforcement Initiative	\$139,465	FAST ACT 402
PT-2018- HS-18-18	Town of Summerville	Town of Summerville Traffic Enforcement Unit	\$250,853	FAST ACT 402
PT-2018- HS-19-18	Bluffton Police Department	Bluffton Police Department Traffic Enforcement Program	\$157,564	FAST ACT 402
PT-2018- HS-21-18	Florence County Sheriff's Office	Traffic Safety Unit	\$192,071	FAST ACT 402
PT-2018- HS-22-18	Aiken Department of Public Safety	Aiken Public Safety Police Traffic Safety Unit	\$242,910	FAST ACT 402
PT-2018- HS-24-18	City of North Charleston (Radar)	North Charleston DUI Team	\$9,600	FAST ACT 402
PT-2018- HS-29-18	Darlington County Sheriff's Office (Radar)	County of Darlington-DUI Team	\$2,295	FAST ACT 402
PT-2018- HS-31-18	Laurens Police Department	Traffic Enforcement Officer/Police Traffic Services	\$48,648	FAST ACT 402
PT-2018- HS-32-18	City of York	City of York Traffic Enforcement Unit	\$70,753	FAST ACT 402
PT-2018- HS-33-18	Lancaster County Sheriff's Office	Traffic Enforcement Unit	\$163,626	FAST ACT 402
PT-2018- HS-34-18	Colleton County Sheriff's Office	Colleton County Traffic Enforcement Unit	\$178,539	FAST ACT 402
PT-2018- HS-35-18	Lexington Police Department	Town of Lexington Police Traffic Services Enhancement	\$195,292	FAST ACT 402
PT-2018- HS-36-18	Spartanburg County Sheriff's Office	Spartanburg County Traffic Unit Enhancement	\$132,332	FAST ACT 402
PT-2018- HS-38-18	Fort Mill Police Department	Fort Mill Police Department Traffic Safety Unit	\$112,931	FAST ACT 402
PT-2018- HS-40-18	Monks Corner Police Department	Traffic Enforcement	\$112,067	FAST ACT 402
PT-2018- HS-41-18	Kershaw County Sheriff's Office	Traffic Services Enforcement Education	\$122,638	FAST ACT 402
<b>402 Total</b>			<b>\$4,253,944</b>	

## **TRAFFIC RECORDS PROGRAM AREA**

### **Overview:**

Timely, accurate, and efficient collection and analysis of appropriate traffic records data have always been essential to highway safety and are critical in the development, implementation, and evaluation of appropriate countermeasures to reduce traffic collisions and injuries. There are many users of these data. Law enforcement utilizes the data for the deployment of enforcement units. Engineers use data to identify roadway hazards, while judges utilize data as an aid in sentencing. Prosecutors use traffic records data to determine appropriate charges to levy against drivers in violation of traffic laws and ordinances. Licensing agencies utilize data to identify problem drivers, and emergency response teams use data to improve response times. Health-care organizations use data to understand the implications of patient care and costs, and legislators/public officials use data to pass laws and to set public policy.

Traffic collision data are the focal point of the various record systems that must be accessed to identify highway safety problems. The management approach to highway safety program development embraces the concept of implementing countermeasures directed at specific problems identified through scientific and analytical procedures. The results of any analytical process are only as valid and credible as the data used in analysis. Therefore, an effective safety program is dependent on an effective collision records system.

The South Carolina Department of Public Safety (SCDPS) is the state agency charged with the overall responsibility for maintenance of traffic records. The original Traffic Records System (TRS) was developed during the late 60s and early 70s in compliance with criteria established by the National Highway Traffic Safety Administration (NHTSA). A major systems upgrade began in 1985 and was completed in 1988 with the assistance of highway safety grant funding. The upgrade project was guided by a Traffic Records Steering Committee consisting of the managers of the various data files. The system was expanded in 1993 to collect additional data regarding truck and bus collisions and to incorporate data fields identified nationally as being critical for states to collect in the same manner. The state's traffic records system is the vehicle used for the recording and storing of traffic records data and functions as an information decision system. Since 1988, local units of government have been able to receive tabulated and raw data upon request. The SCDPS currently employs two statisticians, and one Fatality Analysis Reporting System (FARS) analyst to perform analyses of traffic collision data. SCDPS is also seeking to fill a statistical research manager position that was recently vacated.

Prior to restructuring of South Carolina's state government in 1993, the state's TRS was housed in the South Carolina Department of Highways and Public Transportation. The system included driver files, vehicle files, the police-reported collision data, and the roadway characteristics file. Currently, the traffic collision master file is housed and maintained by the SC Department of Public Safety; the driver license and vehicle registration files are housed and maintained by the SC Department of Motor Vehicles (SCDMV); the roadway characteristics file is housed and maintained by the SC Department of Transportation (SCDOT); the Emergency Medical Response data is housed with the SC Department of Health and Environmental Control

(SCDHEC); and the citation/adjudication data is housed with the SC Judicial Department (SCJD).

South Carolina has established a two-tiered Traffic Records Coordinating Committee (TRCC):

*The TRCC Executive Group* oversees new policies and approves projects designed to improve the SC Traffic Records System. This group ensures that planned projects align with the priorities of their respective agencies, as well as the Traffic Records Strategic Plan. Each member of this Group is responsible for designating the appropriate TRCC Working Group members.

*The TRCC Working Group* consists of technical and managerial persons designated by members of the TRCC Executive Group. The Working Group represents those entities responsible for the various components that constitute the Traffic Records System (TRS) in South Carolina.

The TRCC includes representation from the state agencies responsible for components of the TRS, along with representatives of local law enforcement who were selected by the South Carolina Law Enforcement Network. South Carolina's TRCC Executive Group was re-organized at a meeting in September 2007 and continues to meet on at least an annual basis. At the 2007 meeting, the TRCC Executive Group also charged the TRCC Working Group with the development of the state's *Traffic Records Strategic Plan for Traffic Records Improvements* and helping to coordinate the State's 2009 Section 408 grant submission. In 2013, the Section 408 Funding stream was discontinued after the implementation of the Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21) transportation authorization, which allows states to apply for Section 405c funding for state traffic safety information system improvements. In 2016 the 405c funding stream was moved to the FAST ACT (Fixing America's Surface Transportation Act). The requirement for having a state TRCC remains. This being the case, the TRCC Executive Group required:

- Participation in the strategic planning update meetings by designated TRCC Working Group members. The Working Group must meet a minimum of 3 times per year.
- Discussion of future traffic records improvement projects by the TRCC Working Group. The TRSP is a "living" document, and must be updated on a regular basis.
- Submission of an annual *Traffic Records Strategic Plan for Traffic Records Improvements (TRSP)* by the TRCC Working Group. The final approval of the *Plan* is required and conducted by the TRCC Executive Group.
- Communication to the TRCC Executive Group as to the processes for prioritization of current, immediate, and distant future projects for possible implementation.

In addition, each of the state agencies with custodial responsibilities for one or more of the traffic records system components agreed to provide needed information to the TRCC Working Group

for the Section 405c grant submission including budget, project justification information, and documentation of state contributions to projects' costs and staffing.

The state's TRSP was originally developed by the TRCC Working Group and subsequently approved by the TRCC Executive Group at a meeting held on June 4, 2009. Since then, the plan has been updated annually, with the FY 2017-2018 version approved by the TRCC Executive Group on May 24, 2017.

South Carolina was originally awarded Section 408 grant funds beginning August 2009 and had received them annually through 2012. After the passing of the MAP-21 legislation the state has received Section 405c funds from 2013 through 2015. The state has continued to seek assistance in terms of evaluating its Traffic Records System, to include assistance from NHTSA in conducting the most recent Statewide Traffic Records Assessment for South Carolina, which was completed in January 2012. The TRSP helps South Carolina spend limited resources wisely, thus getting the largest benefit for the investment of money and staff time. A strategic plan is a way for South Carolina to ensure that new efforts are aimed squarely at needed improvements to data and system processes, and that resources are allocated in a systematic manner. In addition, as situations change and South Carolina reacts to new opportunities or requirements, the strategic plan can help to put those changes and opportunities into context. It is easier to judge impact when the state knows the direction it is heading, and what resources are required to get there. For that reason, it is also acknowledged that a strategic plan is a "living" document. It cannot remain static, but must be updated frequently to account for changes in budgets, revised priorities, new opportunities, and emerging needs. When a plan is kept fresh, it serves as an integral part of the management of the traffic records system in general and for each of the particular components of that system.

### Demonstrated Progress

To qualify for FAST ACT 405c funding under the State Traffic Safety Information System Improvements Grants Program, the traffic records system has to demonstrate quantitative improvement in at least one of the data attributes of completeness, accuracy, timeliness, uniformity, accessibility, and integration on a yearly basis. The state demonstrates quantitative improvement in the past 12 months with the SC Traffic Records interim progress report. During the course of the fiscal year, the Traffic Records section prepares an interim progress report that identifies the traffic records system impact area, the performance measure that is identified, and the narrative of the improvement. The demonstration of progress actually began under SAFETEA-LU as a requirement for grant funds for Section 408 Traffic Records section grant funding. For FY 2017 the Traffic Records section demonstrated progress in the increased number of electronic crash and electronic citations received through the SCCATTS system. These areas show progress in accuracy, completeness and timeliness for the Crash and Citation/Adjudication Components of the State's Traffic Records System (TRS). Below are the ways South Carolina has demonstrated progress over the last 6 years.

*FY 2011 – Demonstrated Progress*

- **Software Pilot of South Carolina Collision and Ticket Tracking System (SCCATTS)**  
Within the Crash system, South Carolina demonstrated quantitative improvement in the areas of timeliness and completeness through the field deployment pilot of the SCCATTS software to the SC Highway Patrol. Relative to quantitative improvement in timeliness, there was a significant decrease from 35 or more days to only 5 days for the processing of a collision report and availability of the crash data in the state collision file. In the area of completeness, the vehicle identification number (VIN) was able to be collected, moving from a baseline of 3 vehicles available to over 200.
- **EMS Electronic Reporting Support**  
The SC EMS data system increased the number and percentage of EMS providers using the new electronic field data collection system. In June of 2009, only 32 (15%) of the 212 EMS agencies in South Carolina utilized the electronic field data collection system. However, in 2010 the number of EMS agencies increased to 196 (92%).
- **SCDMV Barcoding of the Vehicle Registration Project**  
Within the Traffic Records System, a deficiency was identified relevant to the accuracy of the Vehicle Identification Number (VIN) within the collision master file, as well as with the data transmitted to the South Carolina Department of Motor Vehicles (SCDMV). It was determined that law enforcement officers manually entering a VIN on the form frequently recorded incorrect information. This project assisted in correcting this deficiency by placing a bar code on each vehicle registration card. The bar code allows law enforcement agencies with bar code scanner equipment to populate the VIN and all essential registered owner information from the vehicle registration card.

*FY 2012 – Demonstrated Progress*

- **SC Judicial Department Case Management System**  
South Carolina's Judicial Department has a statewide Case Management System that handles approximately 1.5 million cases annually statewide, with approximately 80% of those cases being traffic-related. During the period from May 2011 to April 2012, South Carolina demonstrated quantitative improvement by increasing the number of participating counties from 44 (98%) to 46 (100%) that are "live" on the Statewide Case Management System.
- **EMS Runtimes and the Fatality Analysis Reporting System (FARS)**  
NHTSA requires the reporting of the EMS time data field as part of its FARS database. The Office of Highway Safety and Justice Programs collaborated with the South Carolina Department of Health and Environmental Control (SCDHEC) to link essential, identifiable information for each fatality to a FARS number. In the Crash system, South Carolina demonstrated quantitative improvement by increasing the percentage of matches within FARS from 0% of 809 fatality records (2011) to 33% of 823 fatality records (2012).

- **SCCATTS Interface to SCDMV Project**  
This project created an interface between SCDMV and SCCATTS. This will ensure that SCDMV can accept collision and citation data (including dispositions) from SCCATTS. The SCCATTS software is capable of providing data in any specified format. Systematic changes were made to enable the SCDMV system to accept the electronic data from SCCATTS and also update the driver's record.
- **Purchase of Hardware for Local Law Enforcement for Collision Reporting**  
This effort provided a means to purchase and distribute 99 mobile data terminals using Section 408 funds. The equipment purchased is authorized to be used for agencies that investigate collisions so the state can receive more timely, accurate, and complete data. The state purchased an additional 250 units in November 2013.

*FY 2013 – Demonstrated Progress*

- **SC-DMV Collision Data Interface**  
In April 2012, SCDPS and SCDMV collaborated to create an interface that transmits the collision data, and also transmits a PDF copy of the report. From April 2012 to January 2013, approximately 73,000 reports received from the SCDPS system were electronically processed through SCDMV. The collision report processing time from the date of report acceptance to date of availability was decreased from an average of 35 days to an average of less than 3 days, which is a significant improvement in timeliness. The processing time referenced is from the date that SCDMV received, or accepted, the report to the date that the report processing has been completed and the data has been posted to the driver record. With the advantage of electronic submission, reports are at times immediately processed.
- **Uniform Traffic Ticket (UTT) Revision Project**  
This project revised the uniform traffic citation to take advantage of features available in e-Citation systems. The citation was due for a revision, and the advent of electronic citation issuance meant that some efficiency could be gained from restructuring the citation to have a more logical flow. The authored changes were completed in December 2012, and the revised UTT form was approved for use by the SC Attorney General's Office in February 2013.
- **TRCC Coordinator Project**  
This project established a full-time Traffic Records Coordinator position within the Office of Highway Safety and Justice Programs (OHSJP) that functions as the point of contact and organizer for all Traffic Records. The Coordinator also dedicates time to ensure the traffic safety community is aware of the available datasets. The Traffic Records Coordinator champions the agency's efforts for the proper creation and retention of traffic records. The position of Traffic Records Coordinator is necessary for many of the ongoing projects that originate in the OHSJP. The position is dedicated to successfully moving the state forward while continuing to understand the needs of all involved with the Traffic Records management system.

*FY 2014 – Demonstrated Progress\**

- Increase of VINs in Collision Master File

Within the Crash system, South Carolina demonstrated a quantitative improvement by increasing the number of VINs within the collision master file. From collision dates April 1, 2012 to March 31, 2013, there were 196,372 vehicle units entered into the collision data file. Of those 196,372 units, 112,274 or 57.17% contained VINs. For the measurable year from April 1, 2013 to March 31, 2014, there were 188,284 vehicle units entered into the collision data file. Of those 188,284 units, 133,942 or 71.14% contained VINs.

*FY 2015 – Demonstrated Progress\**

- Increase of VINs in Collision Master File

Within the Crash system, South Carolina demonstrated a quantitative improvement by increasing the number of VINs within the collision master file. From collision dates April 1, 2013 to March 31, 2014, there were 206,238 vehicle units entered into the collision data file. Of those 206,238 units, 137,389 or 66.62% contained VINs. From collision dates April 1, 2014 to March 31, 2015, there were 192,252 vehicle units entered into the collision data file. Of those 192,252 units, 159,422 or 82.92% contained VINs.

\*Please note that when the FY2014 report was sent on or around April 7, 2014 the number of units reported was 188,284. This figure was preliminary in nature, as indicated in last year's interim progress report, and was updated when this year's figures were provided. While SC continues to receive a majority of its collision reports electronically, we still receive a small percentage of handwritten reports that must be keyed into our database. The increase in reports from the FY2014 time period is most likely due to the additional reports received and then keyed into our database after the Interim Progress Report was sent last year. Also, there may have been a small number of electronically received reports that were still in the review process and may not have been approved and exported to our datasets before last year's report was sent.

*FY 2016 – Demonstrated Progress*

- Increase number of Citations received electronically through SCCATTS.

The State of South Carolina began deployment of its e-Citation application in SCCATTS in June 2015. The "Citation Data Interface between SCDPS, SCJD, and SCDMV" project of the 2016 TRSP targets the development of a joint traffic citation database for the three agencies. The initial step is preparing and submitting the e-Citation from law enforcement to the field. The pilot test began in June 2015 with three agencies and one officer per agency submitting. During the month of June, those officers submitted 94 traffic citations electronically through the system. Each month, the number of agencies and number of officers submitting has increased (See **Data Attachment 3** of the 405c FAST Act Application for specific number of Agencies, Officers and Citations issued). As

of March 31, 2016, 15,876 e-Citations have been submitted. The number of agencies participating has increased to 14 and the number of officers to 125.

- Increase the percentage of the state's Local Agency Roadway Data in the SCDOT Master Roadway Data File.

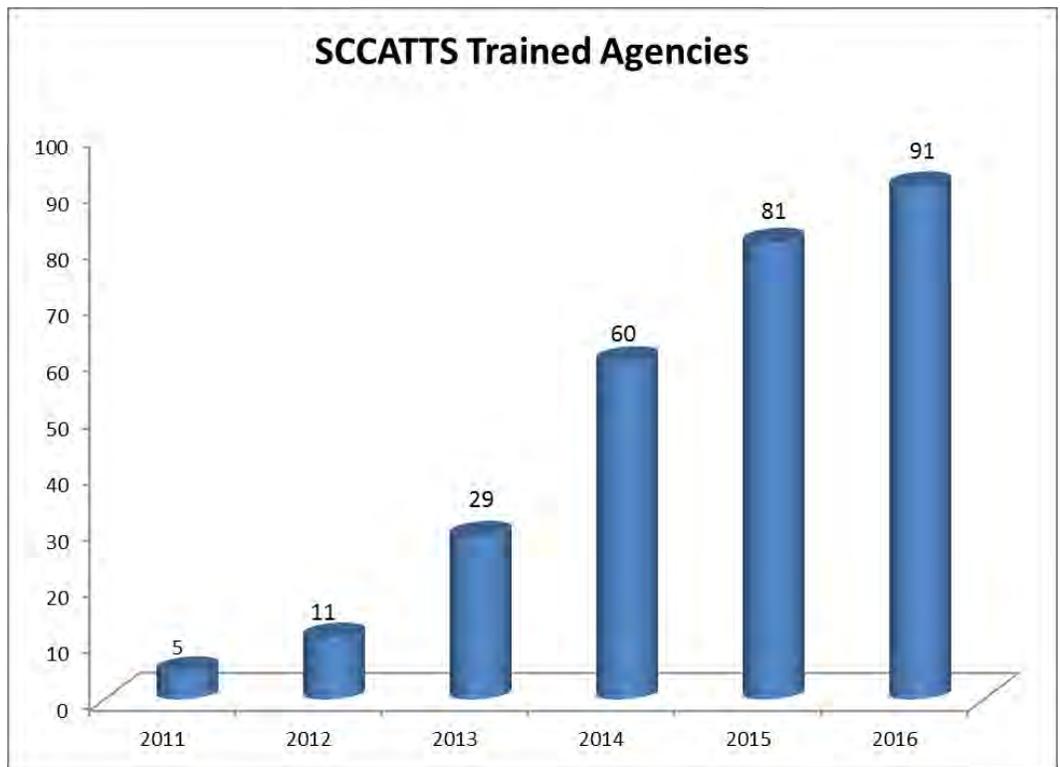
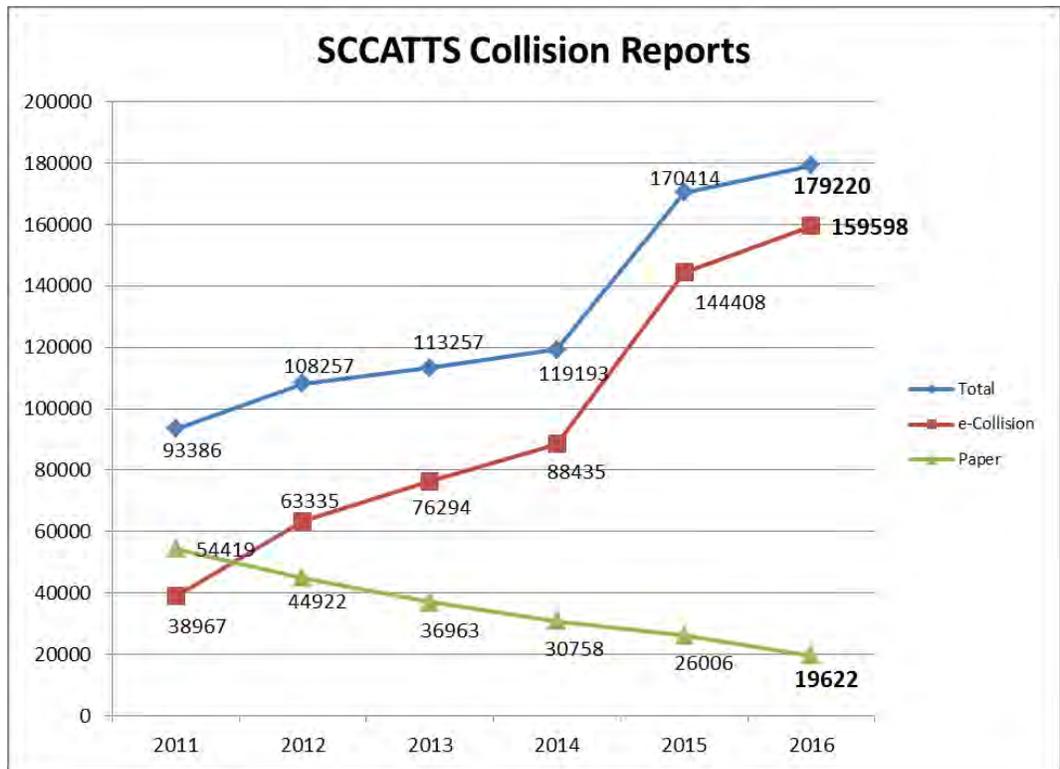
In the *2015-2016 TRSP* South Carolina began a project to increase the completeness of local roadway data contained in SCDOT's Master Roadway Data File. The roadway data is crucial for the state in collision studies to accurately locate collisions that occur within the state. Further, there is a priority placed on locating alcohol and fatal collisions for traffic-related studies and law enforcement planning. Prior to the initiation of this project, SCDOT's master file contained 75% of the local roadway data for all 46 counties in the state. The goal is to increase this data to 90% by May 2016. SCDOT is evaluating the data for all counties lacking complete roadway data and is updating local roadway information in the master file.

During this reporting period SCDOT updated the Local Agency Data Collection (LADC) in 16 counties (see Data Attachment V of the 405c Map-21 Application which shows the current percentage of LADC). The overall LADC has increased from 75% to 84% as of June 2016.

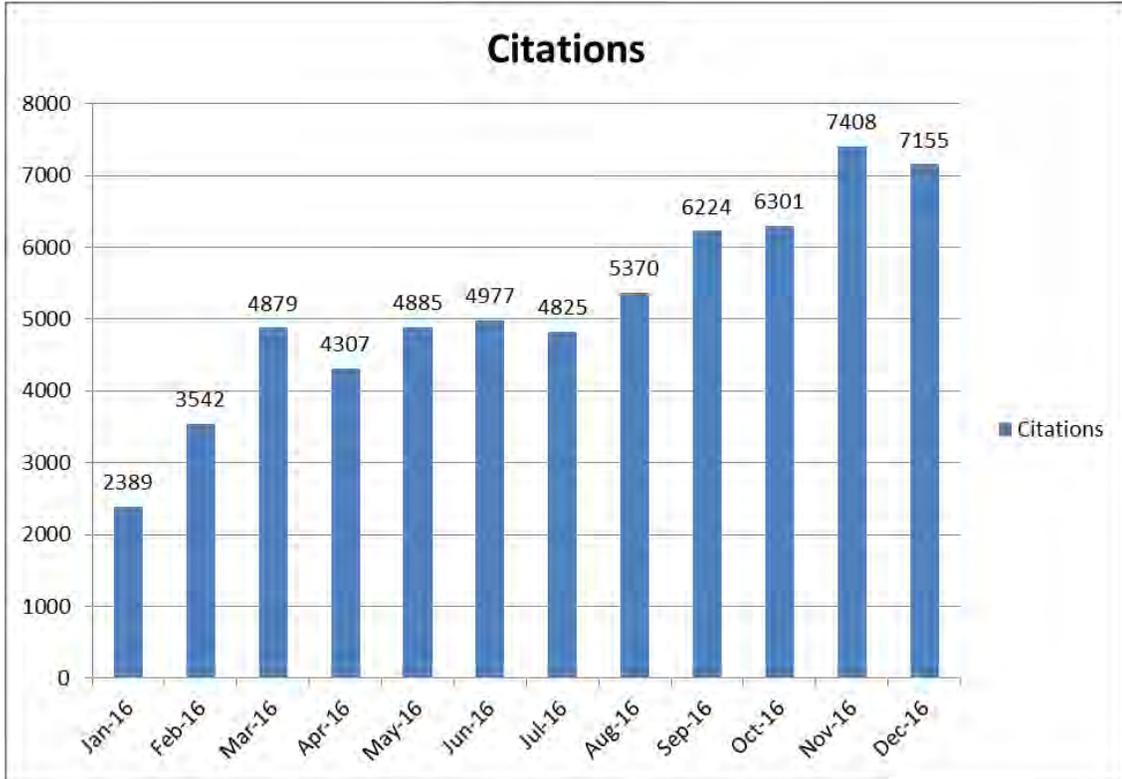
*FY 2017 – Demonstrated Progress*

- Increase number of reports received electronically through SCCATTS.

The South Carolina Collision and Ticket Tracking System (SCCATTS) deployed the e-collision form in 2008. The project started with the Highway Patrol and several local agencies. This project now has 91 agencies including the Highway Patrol. These agencies are submitting approximately 86% of all collision reports electronically through SCCATTS. The next project for SCCATTS was the deployment of its e-Citation application. The pilot test began in June 2015 with three agencies and one officer per agency submitting. During the month of June, those officers submitted 94 traffic citations electronically through the system. Each month, the number of agencies and number of officers submitting has increased. As of May 31, 2017, over 120,000 e-Citations have been submitted. The number of agencies participating has increased to 39 and the number of officers to 1125.



### Number of e-citations issued by month for 2016



- Increase the percentage of the state’s Local Agency Roadway Data in the SCDOT Master Roadway Data File.

In the 2016-2017 TRSP South Carolina began a project to increase the completeness of local roadway data contained in SCDOT’s Master Roadway Data File. The roadway data is crucial for the state in collision studies to accurately locate collisions that occur within the state. Further, there is a priority placed on locating alcohol and fatal collisions for traffic-related studies and law enforcement planning. Prior to the initiation of this project, SCDOT’s master file contained 75% of the local roadway data for all 46 counties in the state. The goal is to add 10 more counties by May 2017. SCDOT is evaluating the data for all counties lacking complete roadway data and is updating local roadway information in the master file.

During this reporting period SCDOT updated the LADC in 19 counties. The attached table shows the current percentage of LADC and the percentage for each individual county. The overall LADC has increased from 84% to 86%.

## **TRCC 2017-2018 TRSP Planning Session**

On March 2, 2017, the TRCC working group conducted a planning session during their regularly scheduled quarterly meeting. This planning session gave all stakeholders an opportunity to update information in the current TRSP and present any new initiatives needed for current or future projects.

The TRSP was reviewed by all members present, and agency representatives presented updates on current and completed projects. Updates included projected budget allocations and revisions. Each agency was also given an opportunity to present new, proposed projects for the 2017-2018 TRSP.

During the meeting, it was decided that the majority of the current projects within the TRSP should be carried over into the 2017-2018 TRSP with only minor adjustments to the programs being developed. No new projects were presented for this year's TRSP.

The information was documented and presented to the TRCC Working Group for approval. Each agency's assigned members of the working group approved and prioritized all projects presented for the new plan through an online survey process. The new prioritization list included 14 programs.

Detailed information for programs listed in the TRSP with project descriptions is located in Appendix C of the TRSP. Summary information is provided in **HSP Attachment 5** for the 14 projects approved for this year. Please note that the budget projections are estimates and must be approved by the TRCC-Executive Group.

## **Performance Measures**

### **Goals:**

1. Create a citation database to improve the timeliness, accuracy, completeness, uniformity, accessibility, and data integration of citation records collected by the state.
2. Develop an interface with the new citation database to improve data sharing between law enforcement, courts, and SCDMV.
3. Enhance collision data collection techniques to improve accuracy, completeness, and uniformity, and increase Model Minimum Uniform Crash Criteria (MMUCC) compliance.
4. Continue to address all major recommendations contained in the *2012 Traffic Records Assessment*. This year's priority emphasis will focus on the Citation Data Component.
5. Implement additional projects outlined within the 2016-2017 South Carolina Traffic Records Strategic Plan.

**Objectives:**

1. Develop a web-based citation database to collect citations issued by law enforcement from various electronic reporting systems utilized across the state by July 2016.
2. Interconnect the citation database among law enforcement, SCDPS, SCJD, and SCDMV for information sharing in order to decrease the number of days required to receive adjudication records from 30-45 days to 10 days by January 2018.
3. Several projects are included in the 2016-2017 TRSP to enhance data collection techniques and add data elements to the current TRS Collision, Roadway, Injury Surveillance, Driver and Vehicle components.
4. Projects in the 2016-2017 TRSP for the citation database initiative will specifically address the five major recommendations for the “Citation Data Component” contained in the *2012 TRS Assessment*.
5. The TRCC Working group will continue to monitor programs/projects to ensure that they are being implemented and completed in a timely manner.

**Performance Indicators**

1. Initiate a pilot test of the citation database collection of citation data beginning in July 2016 and continuing through December 2016. [On Target]
2. Begin the transfer of citation data from law enforcement through the central database to the SCJD’s *Case Management System* and return posted citation/adjudication data for retrieval by SCDMV. [Under Development]
3. Implement new collection techniques and measure the increase in completeness and accuracy of collision data elements received.
4. Indicate the major recommendations completed with the full implementation of the citation database/interface by January 2018.
5. Identify the TRS projects deemed complete from the 2016-2017 TRSP.

## Strategies

### **1. The implementation of Citation Data Interfaces among the SCJD, SCDPS, and SCDMV – A Section 405c Grant Project:**

This is a joint project among SCDPS, SCJD, and SCDMV to ensure that the courts records system can receive data from and send data to a central citation database. The project will develop e-Citation interface requirements for court records management. The courts' case management system will need to be able to accept data from the citation database and post disposition information back to the system for SCDMV acceptance.

### **2. The continued implementation of the South Carolina Collision and Ticket Tracking System (SCCATTS):**

The South Carolina Collision and Ticket Tracking System has developed into the primary electronic reporting system for the state's law enforcement community. Currently eighty (80) local law enforcement agencies and the SC Highway Patrol submit collision reports electronically through SCDPS to SCDMV.

This system also functions as a decision support tool that will provide more accurate and meaningful data for analysis. Upon its completion some of the benefits attained will be as follows:

- **Law Enforcement:** Decreased time spent by troopers/officers in the field writing collision reports and tickets. Accuracy and integrity of data, coupled with the access to large amounts of information, will be significant as well.
- **Office of Highway Safety and Justice Programs:** Virtual elimination of key-stroke data-entry process of collision data. The immediate availability and improved accuracy of collision and ticket data.
- **Citizens:** Reduced time of delay in the completion of routine field tasks and administrative functions by law enforcement officers. There will also be an increase in the availability of officers to perform other duties through a reduction in time to issue citations and investigate traffic collisions. Also, citizens will ultimately benefit from the enhancement of highway safety, resulting from the availability of timely and accurate information.

Other entities throughout the state, such as local governments, state and federal agencies, and private organizations that address highway safety will benefit as well from the SCCATTS initiative.

Roughly \$1.6 million in FFY 2006 Section 406 Funds were used to procure a vendor to develop the electronic reporting solution. A vendor (Visual Statement) was selected in June of 2008 to develop electronic versions of the TR-310, Uniform Traffic Ticket, Public Contact

Form, and Size and Weight Citation. The solution was tested in November 2009 and was deemed complete in January of 2010. The SCDPS has been using the software as its primary means of creating collision reports since January 1, 2012. The Public Contact/Warning electronic form was released to the South Carolina Highway Patrol (SCHP) for e-reporting in November 2013 and subsequently released to all users of the SCCATTS application in March 2014. The SCHP and sixty-five (65) local law enforcement agencies are now using the software as a means to collect collision and public contact/warning data. This combination has allowed the state to increase its electronic collection of collision reports from 70% in 2013-2014 to 79% for 2015-2016. The OHSJP Traffic Records section continues to make a concerted effort to make local agencies aware of the software solution and deploy it to all agencies that are willing to use the application.

### **3. The revision of the TR-310 collision form and enhancement of collision component databases collection techniques to increase MMUCC compliance.**

The TRCC Working Group established a sub-group composed of law enforcement and collision records stakeholders to review and revise the South Carolina Collision TR-310 Report form. The purpose of this review will be to increase the number of MMUCC elements collected through collision reporting and clarify other elements to improve the quality of the data collected.

Several additional projects within the TRSP focus on the quality of data collected for the Roadway Components of the TRS. These projects specifically address collision location, speed limit data, and roadway/shoulder data elements collected on the TR-310. In addition to improving the quality of this data the projects will address enhancing the current SCCATTS application to automate the collection process of this data for law enforcement from SCDOT map data contained in the application.

## **PROJECT TO BE IMPLEMENTED**

### **Administration**

**Problem Identification:** South Carolina continues to rank in the top percentile for number of traffic-related deaths relative to population and vehicle miles traveled. The state has made great strides in its collection of data for collision, roadway, injury surveillance, driver, and vehicle components through the implementation of SCCATTS. However, the state is lacking a centralized citation/adjudication database, which is vital for analytical identification for traffic safety initiatives to combat the high fatality rate. The majority of law enforcement agencies maintain separate databases for citation data reported through local courts for adjudication. The citation/adjudication component of the state's TRS is a manual process, and the databases are not linked to provide the accessibility, uniformity, and completeness needed to properly use the data for highway safety improvements.

**Project Description:** The state will shift its priority from improving traffic records data collection to focus upon the collection of citation/adjudication data elements. In a collaborated

effort among SCDPS, SCJD, SCDMV, and local law enforcement stakeholders, the state will begin the process of developing a centralized citation database and interface. This project will allow the state to interconnect stakeholders' databases to share data collection for detailed analysis. The project will also lay a foundation for a DUI-tracking system in the state.

Additional 2016-2017 TRSP projects will enhance areas of the state's TRS in all core components to improve highway safety.

Agency	Location	Project Title	Project Number	Budget	Personnel Funded
SC Department of Public Safety: Office of Highway Safety and Justice Programs	Statewide	Traffic Records Program Management	TR-2018-HS-03-18 M3DA-2018-HS-03-18	\$2,544,385	3.073

### Project Budget Summary

Project Number	Subgrantee	Project Title	Budget	Budget Source
TR-2018-HS-03-18	SC Department of Public Safety: Office of Highway Safety and Justice Programs	Traffic Records	\$67,650	NHTSA 402
M3DA-2018-HS-03-18	SC Department of Public Safety: Office of Highway Safety and Justice Programs	Traffic Records	\$1,363,627.40	MAP-21 Section 405c Data Program
M3DA-2018-HS-03-18	SC Department of Public Safety: Office of Highway Safety and Justice Programs	Traffic Records	\$557,107.60	FAST ACT Section 405c Data Program
<b>Total All Funds</b>			<b>\$1,988,385</b>	
FAST Act 402			\$67,650	
FAST ACT 405c Data Program			<b>\$557,107.60</b>	
MAP-21 Section 405c Data Program			<b>\$1,363,627.40</b>	

## OTHER VULNERABLE ROADWAY USERS

### Overview

The State of South Carolina has addressed the problem area of motorcycle safety in a previous section of the Highway Safety Plan. However, equally important are the other subgroups which make up the category of vulnerable roadway users. Each year the State of South Carolina experiences traffic crashes, injuries, and fatalities which involve individuals whose modes of transportation involve means other than four-wheeled vehicles. These individuals choose to negotiate roadways on foot (pedestrians), or by the mechanism of two-wheeled vehicles (mopeds, bicycles and motorcycles). Unfortunately, each year these most vulnerable of roadway users contribute, sometimes through no fault of their own, to the negative traffic statistics experienced by the state. For the purposes of this section, and since motorcyclist fatalities are emphasized in another section of this Plan, the designation “Other Vulnerable Roadway Users” will refer to moped riders, bicyclists and pedestrians.

In 2015 alone, the State of South Carolina experienced 123 pedestrian fatalities, 16 bicyclist fatalities and 45 moped-rider fatalities (see **Table 12** [p. 26], **Table 13** [p. 28], and **Table S-24** [p. 204]). Collectively, these vulnerable roadway users accounted for 184, or 18.8%, of the state’s reported 979 traffic-related fatalities. In 2011, 2012, and 2014, pedestrian fatalities outpaced motorcyclist fatalities. During 2013 and 2015, motorcyclist fatalities outpaced pedestrian fatalities. During the five-year period of 2011 – 2015, there were a total of 566 pedestrian fatalities and 567 motorcyclist fatalities (This figure subtracts the 162 moped deaths during that time period, which NHTSA FARS data includes with its motorcyclist death totals.).

The state’s Strategic Highway Safety Plan (SHSP), *Target Zero*, updated in 2015, identified Vulnerable Roadway Users as its own Emphasis Area (pages 47-66) citing the significance of the problem for the state and recommends engineering, education, enforcement, EMS and public policy strategies for appropriate countermeasures to attack the problem.

The NHTSA-produced *Countermeasures That Work: A Highway Safety Countermeasure Guide for State Highway Safety Offices, Eighth Edition, 2015* (CTW) contains specific chapters on motorcyclists, pedestrians, and bicyclists, but no specific documentation about appropriate countermeasures for moped rider safety, although aspects of motorcyclist safety countermeasures would clearly be applicable to this category as well. The State of South Carolina has implemented certain efforts over time, predominantly of an educational nature, in terms of addressing bicyclist and pedestrian traffic safety issues, such as elementary-age child pedestrian training, deemed likely effective (Chapter 8, Section 2.1, pp. 8-18 to 8-22); child school bus training, deemed undetermined in terms of effectiveness (Chapter 8, Section 2.3, p. 8-25 to 8-27); impaired pedestrians: communications and outreach, deemed undetermined in terms of effectiveness (Chapter 8, Section 3.1, p. 8-27 to 8-28); conspicuity enhancement, deemed likely effective (Chapter 8, Section 4.3, p. 8-34 to 8-36); *Share the Road* awareness programs, limited evidence of effectiveness (Chapter 9, Section 4.2, p. 9-35 to 9-36); and bicycle safety education for bicycle commuters, limited evidence of effectiveness (Chapter 9, Section 2.2, p. 9-23 to 9-25).

The following data paints a picture of other vulnerable roadway users in the State of South Carolina in terms of the status of this category relative to the overall traffic safety problems experienced in the state.

## **BICYCLISTS**

### **Traffic Fatalities**

According to FARS data, in 2015 there were 16 bicyclist fatalities in South Carolina motor vehicle crashes. These 14 fatalities accounted for only 1.6% of the total fatalities for the state for 2015.

As seen in **Table 13** on page 28, there were 73 bicyclist fatalities in the five-year period from 2011 to 2015, with 16 occurring in 2015, representing a 12.3% increase when compared to the average of the previous four-year period, and a 6.67% increase from the level in 2011. This percentage change is significantly larger than the percentage increase in such fatalities seen nationwide (a 2.93% increase) during the same timeframe (see **Table 32** below).

**Table 32. Nationwide Bicyclist Fatalities**

	2011	2012	2013	2014	2015	% Change: 2015 vs. 2011	% Change: 2014 vs. prior 4- yr Avg.
<b>Fatalities</b>	682	734	743	726	702	2.93%	-2.67%
<b>Pop. Rate*</b>	0.22	0.23	0.24	0.23	0.22	0.00%	-4.35%
<b>Pct. of Total</b>	2.10%	2.17%	2.27%	2.22%	2.00%	-4.76%	-8.70%

\* Fatality rate per 100,000 population

Throughout the last five years (2011-2015), South Carolina's average population-based bicyclist fatality rate (0.30 deaths per 100,000 population) was higher than the national average rate (0.23) during the same timeframe. South Carolina's rate in 2015 (0.33) was 10.03% higher than the prior four-year average (0.30), and was 3.13% higher than the 2011 rate (0.32) (see **Table 12** on page 26). Nationwide, the population-based bicyclist fatality rate decreased by 4.35% in 2015 (0.22) compared to the 2011-2014 average (0.23) and was equal to the rate in 2011 (0.22).

## **Traffic Injuries**

Based on state data, bicyclist traffic injuries increased from 2011 to 2012, before declining in 2013, 2014 and 2015. **Table S-20** below shows that total bicyclist traffic injuries in the state for the five-year period was 2,294, or 0.88% of the total traffic injuries in the state for the time period (258,692). Total bicyclist injuries increased in 2015 (436) as compared to 2011 (417) by 4.6%. However, the number of bicyclist injuries from 2015 represents a 6.6% decrease from (436) the number of bicyclist injuries in 2014 (467), and injuries were 6.1% lower than the average number of bicyclist injuries for the period 2011-2014 (464.5).

<b>Table S-20. Bicyclists by Injury Type, 2011-2015</b>				
<b>Year</b>	<b>Non-Severe Injuries</b>	<b>Severe Injuries</b>	<b>Fatal Injuries</b>	<b>Total Bicyclists Injured*</b>
2011	332	70	15	417
2012	422	71	13	506
2013	402	51	15	468
2014	397	56	14	467
2015	377	43	16	436
<b>TOTAL</b>	<b>1,930</b>	<b>291</b>	<b>73</b>	<b>2,294</b>

As seen in **Table S-21** below in 2011, bicyclists experienced 70 serious traffic-related injuries. When comparing the number of serious injuries that occurred each year to the 70 experienced in 2011, the injuries have decreased to 51 in 2013 before increasing slightly to 56 in 2014 and decreasing again in 2015 to 43. The number of severe injuries in 2015 was 38.6% lower than in 2011 and 30.6% lower than the average number of bicyclist serious traffic-related injuries for 2011-2014 (62).

<b>Table S-21. Bicyclists by Injury Type, 2011-2015</b>					
	2011	2012	2013	2014	2015
South Carolina	70	71	51	56	43

## **Traffic Collisions**

According to state data, SC experienced 2,429 total traffic collisions involving bicyclists during the time period 2011-2015. **Table S-22** below shows that, during the five-year period, the state has experienced variation in the number of bicyclist collisions. In 2015, the state's number of bicyclist collisions decreased 7.5% compared to the previous year (2014, 494 collisions), and was 2.0% higher than it was in 2011. In 2015, the state's number of bicyclist collisions was 7.3% less than the average number of bicyclist collisions (493.0) for the four-year period 2011-2014.

<b>Table S-22. Total Bicycle Collision by Year, 2011-2015 - SC</b>				
<b>Year</b>	<b>Fatal Collision</b>	<b>Injury Collision</b>	<b>Property Damage Only Collision</b>	<b>Total Collisions</b>
2011	16	403	29	448
2012	14	493	34	541
2013	15	446	28	489
2014	14	449	31	494
2015	16	417	24	457
<b>TOTAL</b>	<b>75</b>	<b>2208</b>	<b>146</b>	<b>2429</b>

**Table S-23** on the following page presents the number of fatal and severe-injury bicycle-related collisions from 2011-2015 by county. Charleston, Horry, Richland, and Beaufort counties had the highest occurrences of bicyclist fatal and severe-injury collisions during this time period with 60, 57, 31, and 22, respectively.

<b>Table S-23. Bicycle Fatal and Severe Injury Collisions by County, 2011-2015 - SC</b>						
<b>County</b>	<b>Year</b>					<b>Total</b>
	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	
Abbeville	1	0	0	0	0	1
Aiken	2	2	2	1	1	8
Allendale	1	0	0	1	0	2
Anderson	1	2	3	1	1	8
Bamberg	0	1	0	0	0	1
Barnwell	1	0	0	0	0	1
Beaufort	1	6	5	4	6	22
Berkeley	2	4	3	4	2	15
Calhoun	0	0	0	0	0	0
Charleston	13	11	14	12	10	60
Cherokee	0	0	0	1	1	2
Chester	0	0	0	0	0	0
Chesterfield	1	0	0	1	0	2
Clarendon	2	1	1	1	2	7
Colleton	0	2	0	0	1	3
Darlington	3	2	0	0	3	8
Dillon	1	1	0	1	0	3
Dorchester	2	2	2	1	1	8
Edgefield	2	1	0	0	0	3
Fairfield	0	1	1	0	0	2
Florence	2	3	2	2	4	13
Georgetown	2	4	3	1	0	10
Greenville	4	8	2	4	1	19
Greenwood	1	2	1	2	0	6
Hampton	0	0	1	0	0	1
Horry	12	12	14	8	11	57
Jasper	1	0	0	1	0	2
Kershaw	0	0	0	0	0	0
Lancaster	1	0	0	0	1	2
Laurens	0	1	0	2	0	3
Lee	0	1	0	1	0	2
Lexington	3	2	0	2	2	9
McCormick	0	0	1	0	0	1
Marion	1	0	1	0	0	2
Marlboro	0	0	2	0	1	3
Newberry	1	0	1	0	1	3
Oconee	0	0	0	0	1	1
Orangeburg	0	1	2	1	1	5
Pickens	3	0	0	1	0	4
Richland	8	9	1	8	5	31
Saluda	0	0	1	0	0	1
Spartanburg	4	2	1	3	2	12
Sumter	3	1	1	3	0	8
Union	1	0	1	1	1	4
Williamsburg	0	0	0	1	0	1
York	5	4	1	1	1	12
<b>Total</b>	<b>85</b>	<b>86</b>	<b>67</b>	<b>70</b>	<b>60</b>	<b>368</b>

## MOPED OPERATORS

### Traffic Fatalities

According to SC state data (the state's fatality data does not include mopeds as a subset of motorcycles) (see **Table S-24** below), in 2015 there were 45 moped operator fatalities as a result of motor vehicle collisions in South Carolina. These 45 fatalities accounted for 4.6% of the total fatalities for the state that year. While there had been a significant increase in the number of moped fatalities since 2008, in 2015, moped-operator traffic fatalities increased by 95.7% as compared to 2011 and 53.8% as compared to the average number of moped operator traffic fatalities for the four-year period 2011-2014 (29.25).

	2011	2012	2013	2014	2015	Total
Total Fatalities	828	863	768	823	979	4,261
Moped Fatalities	23	38	24	32	45	162
Percent of Total	2.8%	4.4%	3.1%	3.9%	4.6%	3.8%

### Traffic Injuries

According to state data, moped operators/riders received 3,520 injuries in traffic crashes during the period 2011-2015 (does not include fatally injured moped operators/riders), representing about 1.4% of all traffic-related injuries during the time period (258,692). Traffic injuries are on the rise for moped operators, with 640 such injuries occurring in 2011 and 723 such injuries occurring in 2015, an increase of almost 13.0%. This attests, in part, to the rapid rise in moped use across the state during this five-year period.

**Table S-25** on the following page shows total moped riders involved in traffic collisions by injury severity. Severe injuries among moped riders decreased from 2011 to 2015, with 148 such injuries occurring in 2011 as compared to 128 in 2015, an increase of 13.5%. The 2015 figure also represents a decrease in 2015 of 17.0% as compared to the average number of moped-rider traffic severe injuries for the four-year period 2011-2014 (154.25).

<b>Table S-25. Moped Operators_Riders by Injury Severity, 2011-2015</b>						
<b>Year</b>	<b>Not Injured</b>	<b>Possible Injury</b>	<b>Non Incapacitating</b>	<b>Severe</b>	<b>Killed</b>	<b>Total Moped Operators/Riders</b>
2011	138	225	267	148	23	801
2012	111	263	318	162	38	892
2013	116	267	311	148	24	866
2014	136	236	293	159	32	856
2015	137	264	331	128	45	905
<b>Total</b>	<b>638</b>	<b>1,255</b>	<b>1,520</b>	<b>745</b>	<b>162</b>	<b>4,320</b>

As depicted in **Table S-26** below, the top six counties for moped-operator fatal and severe-injury collisions accounted for more than 54.7% of the total. These counties were Horry, Greenville, Charleston, Spartanburg, Richland, and Lexington.

<b>Table S-26. Moped Involved Fatal and Severe Injury Collisions by Top County, 2011-2015 - SC</b>							
<b>County</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>Total</b>	<b>Cumulative Percent of Total</b>
Horry	28	36	29	45	28	166	18.8%
Greenville	16	18	23	17	14	88	28.8%
Charleston	21	18	14	18	16	87	38.7%
Spartanburg	5	13	15	12	10	55	44.9%
Richland	8	14	10	8	9	49	50.5%
Lexington	9	4	10	7	7	37	54.7%

### **Traffic Collisions**

According to state data, traffic collisions involving moped operators increased in 2012, and decreased in 2013 and 2014 before increasing again in 2015 (see **Table S-27** on the following page). The 3,914 total collisions represent only 0.68% of the state's 576,497 total traffic collisions during the 2011-2015 time period. In 2015, the state experienced 829 such collisions, a 14.8% increase as compared to the number of collisions in 2011 (722). In 2015, the number of moped-operator traffic collisions increased by 8.1% as compared to 2014, and the 2015 figure was 7.5% higher than the average number of moped-operator collisions for the four-year period 2011-2014 (771.25).

Table S-27. Moped Involved Collisions by Year, 2011-2015 - SC				
Year	Fatal Collision	Injury Collision	Property Damage Only Collision	Total Collisions
2011	23	605	94	722
2012	37	694	80	811
2013	25	685	75	785
2014	31	643	93	767
2015	44	681	104	829
<b>TOTAL</b>	<b>160</b>	<b>3,308</b>	<b>446</b>	<b>3,914</b>

**Table S-28** below shows that in South Carolina during the period 2011-2015, the greatest concentration of moped-involved collisions occurred between 3:01 p.m. and 6:00 p.m. (934 or 23.9%). During that same time period, the greatest number of fatal moped-involved crashes occurred between the hours of 9:01 p.m. to Midnight (37, or 23.1%).

Table S-28 Moped Involved Collisions by Time of Day, 2011-2015 - SC		
Time of Day	Total Collisions	Fatal Collisions
12:01AM - 3:00AM	233	12
3:01AM - 6:00AM	105	6
6:01AM - 9:00AM	198	6
9:01AM - Noon	362	12
12:01PM - 3:00PM	666	22
3:01PM - 6:00PM	934	31
6:01PM - 9:00PM	861	34
9:01PM - Midnight	555	37
<b>Total</b>	<b>3,914</b>	<b>160</b>

## **PEDESTRIANS**

### **Traffic Fatalities**

The State of South Carolina is experiencing a pedestrian safety problem of almost equal magnitude to the challenges being faced with motorcycle safety. **Table 12** on page 26 shows the number and rate of pedestrian deaths in South Carolina, both of which increased considerably throughout the 2011-2015 period. Overall, the 2015 total (123 fatalities) is 11.1% higher than the prior four-year average (110.75 fatalities), and 8.8% higher than the 2011 total (113 fatalities).

Throughout the five years (2011-2015) shown in **Table 12** on page 26, pedestrian fatalities accounted for, on average, 13.3% of all traffic-related deaths in South Carolina. The 2015 percentage of South Carolina pedestrian fatalities to total traffic fatalities (12.56%) represents a 6.8% decrease in this index when compared to the 2011-2014 average (13.48%), and a 7.99% decrease compared to the 2011 proportion (13.65%).

The state’s population-based pedestrian fatality rate increased in 2015 (2.51 deaths per 100,000 population) by 7.3% when compared to the prior four-year average (2.34). Over all five years, South Carolina’s average population death rate for pedestrians (2.37) was higher than the rate seen for the US as a whole (1.52).

**Table 33** below indicates that nationwide, pedestrians accounted for an average of 4,809 deaths annually during the 2011-2015 period. Total pedestrian fatalities increased in 2015 (5,264 fatalities) by 12.10 % when compared to the 2011-2014 average (4,696). Additionally, the 2015 nationwide population-based fatality rate for pedestrian fatalities (1.64) increased by 10.25% as compared to the previous four-year average (1.49). In the US, pedestrians accounted for an average of 14.32% of all 2011-2015 traffic-related fatalities. The 2015 proportion of pedestrian fatalities to total traffic fatalities (15.00%) represented a 5.97% increase when compared to the prior four-year average (14.15%).

<b>Table 33. Nationwide Pedestrian Fatalities</b>							
	2011	2012	2013	2014	2015	% Change: 2015 vs.2011	% Change: 2015 vs. prior 4- yr Avg.
<b>Fatalities</b>	4,302	4,818	4,779	4,884	5,264	22.36%	12.10%
<b>Pop. Rate*</b>	1.39	1.53	1.5	1.53	1.64	17.99%	10.25%
<b>Pct. of Total</b>	13.04%	14.26%	14.47%	14.85%	15.00%	15.03%	5.97%

\*Fatality rate per 100,000 population

## **Traffic Injuries**

According to state data (see **Table S-29** on page 208), the State of South Carolina experienced 4,172 traffic-related injuries (not including fatalities) in the years 2011-2015 involving pedestrians. Of these injuries, 924, or 22.1%, were severe injuries. The number of pedestrian injuries has fluctuated in recent years, with the state in 2015 experiencing 16.2% more pedestrian traffic injuries than occurred in 2011. The 2015 figure of 831 total pedestrian traffic injuries represents an increase (16.2%) from 2014’s number of 715. The 2015 figure represents a decrease of 0.5% as compared to the average number of pedestrian traffic injuries for the four-year period 2011-2014 (835.25). Serious pedestrian traffic injuries also appear to be trending downward. The 2015 figure for serious pedestrian traffic injuries (162) is 9.0% lower than the 2011 figure of 178. However, the 2015 figure represents an increase of 2.5% when compared to

the 2014 figure (158), and it is 11.1% higher than the average number of pedestrian traffic fatalities for the four-year period 2011-2014 (110.75).

<b>Year</b>	<b>Not Injured</b>	<b>Possible Injury</b>	<b>Non Incapacitating</b>	<b>Severe</b>	<b>Killed</b>	<b>Total Pedestrians</b>
2011	41	250	287	178	113	869
2012	42	417	293	207	123	1,082
2013	40	360	303	219	100	1,022
2014	38	380	289	158	107	972
2015	48	392	277	162	123	1,002
<b>Total</b>	<b>209</b>	<b>1,799</b>	<b>1,449</b>	<b>924</b>	<b>566</b>	<b>4,947</b>

As depicted in **Table S-30** below, the top six counties for fatal and severe-injury pedestrian collisions accounted for more than 50% of the total. These counties were Charleston, Greenville, Horry, Richland, Spartanburg, and Lexington.

<b>County</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>Total</b>	<b>Cumulative Percent of Total</b>
Charleston	33	29	43	37	38	180	12.2%
Greenville	22	40	34	28	28	152	22.6%
Horry	35	32	39	21	20	147	32.6%
Richland	25	38	30	20	29	142	42.2%
Spartanburg	14	21	20	6	18	79	47.6%
Lexington	16	11	14	13	7	61	51.8%

## **Traffic Collisions**

According to state data, South Carolina experienced 4,692 total traffic collisions involving pedestrians during the time period 2011-2015 (see **Table S-31** below). Total collisions involving pedestrians have fluctuated over the recent years, with 817 collisions in 2011, 962 in 2013 and 953 in 2015. The number of collisions involving pedestrians increased 3.3% in 2015 compared to 2014 and 16.6% when compared to 2011. The 2015 figure of 953 was also 2.0% greater than the average number of traffic collisions involving pedestrians for the four-year period 2011-2014 (934.75).

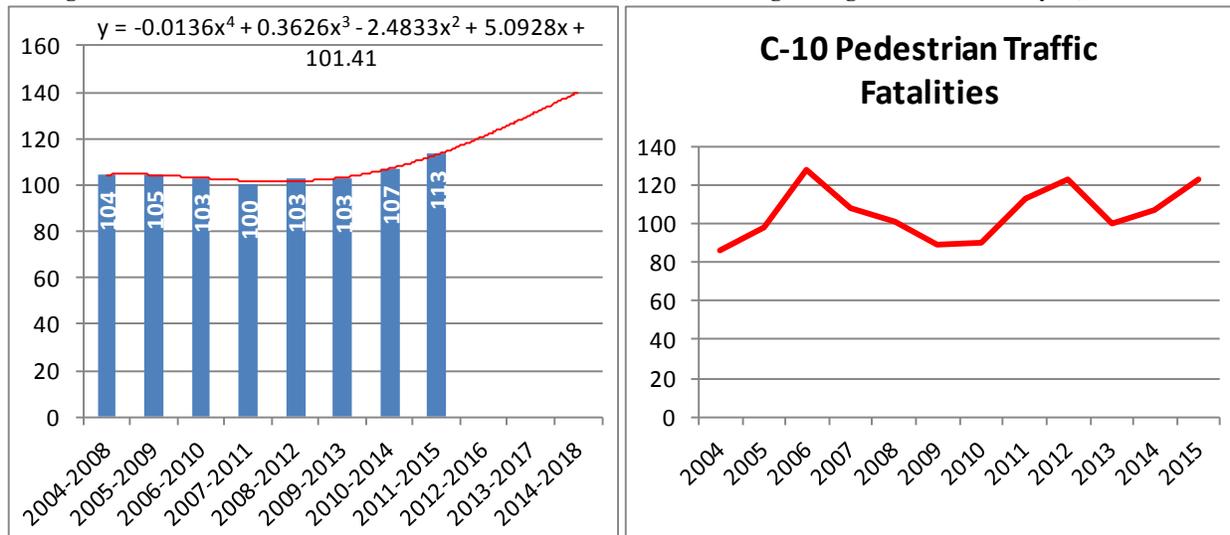
<b>Table S-31. Pedestrian Involved Collisions by Year, 2011-2015 - SC</b>				
<b>Year</b>	<b>Fatal Collision</b>	<b>Injury Collision</b>	<b>Property Damage Only Collision</b>	<b>Total Collisions</b>
2011	112	681	24	817
2012	121	890	26	1037
2013	100	834	28	962
2014	107	795	21	923
2015	126	799	28	953
<b>TOTAL</b>	<b>566</b>	<b>3,999</b>	<b>127</b>	<b>4,692</b>

## Performance Measures

### Goals:

1. To decrease pedestrian traffic fatalities by 0.9% from the 2011-2015 baseline average of 113 to 112 by December 31, 2018.

**Figure C-10. South Carolina Pedestrian Traffic Fatalities, 5 Year Moving Average with Trend Analysis, 2004-2015.**

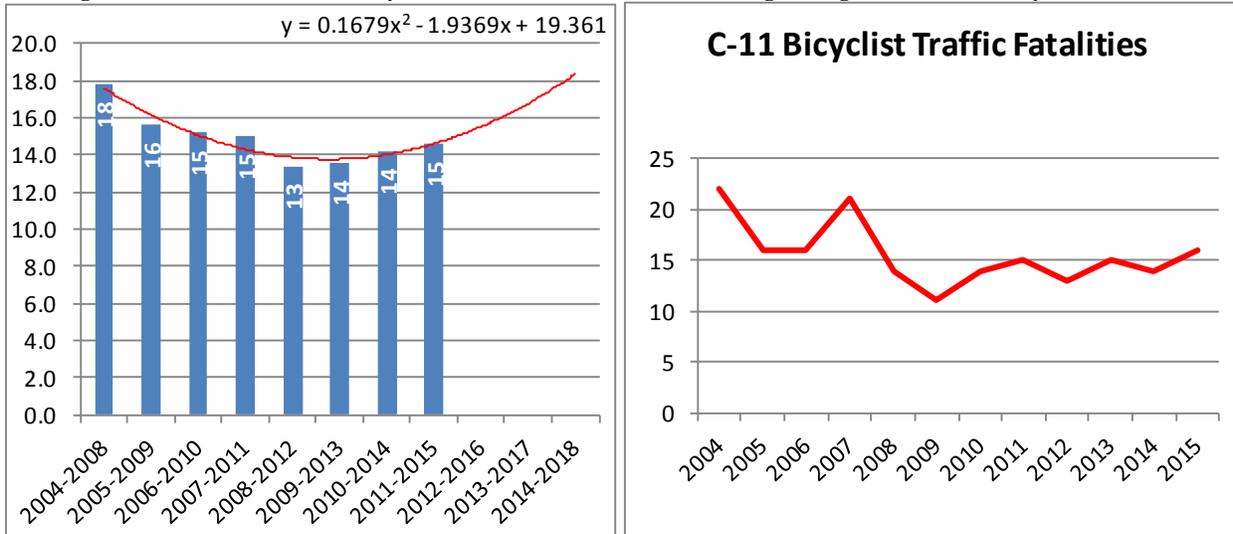


Polynomial Projection =  $-0.0136(11^4) + 0.3626(11^3) - 2.4833(11^2) + 5.0928(11) + 101.41 = 140.5$   
 2011-2015 Average = 113.2  
 2012-2016 Average = 120.2  
 2011 = 113  
 2012 = 123  
 2013 = 100  
 2014 = 107  
 2015 = 123 (15% increase from 2014)  
 2016 = 148 (20.3% increase from 2015, 2016 not FARS finalized)

As shown in Figure C-10 above, the five-year moving average with polynomial trend analysis projects South Carolina will experience a five-year average number of 140.5 pedestrian fatalities by December 31, 2018. This equates to an estimated 149 annual pedestrian fatalities for 2018, which is a 21.1% increase from 2015. The state preliminary data compiled by the OHSJP Statistical Analysis and Research Section indicates there were 148 pedestrian fatalities in 2016, an increase of 20.3% from 2015. The state preliminary projection for 2017, using the first four months of data, indicates a slight decrease in pedestrian fatalities when compared to the same time period in 2016. Based on the projected decrease in 2017 from the significant increase in 2016, OHSJP has set a goal of 112 pedestrian fatalities in 2018, a 24.3% decrease in pedestrian fatalities by December 31, 2018 from the 2016 calendar year.

- To decrease bicyclist traffic fatalities by 6.7% from the 2011-2015 baseline average of 15 to 14 by December 31, 2018.

**Figure C-11. South Carolina Bicyclist Traffic Fatalities, 5 Year Moving Average with Trend Analysis, 2004-2015.**

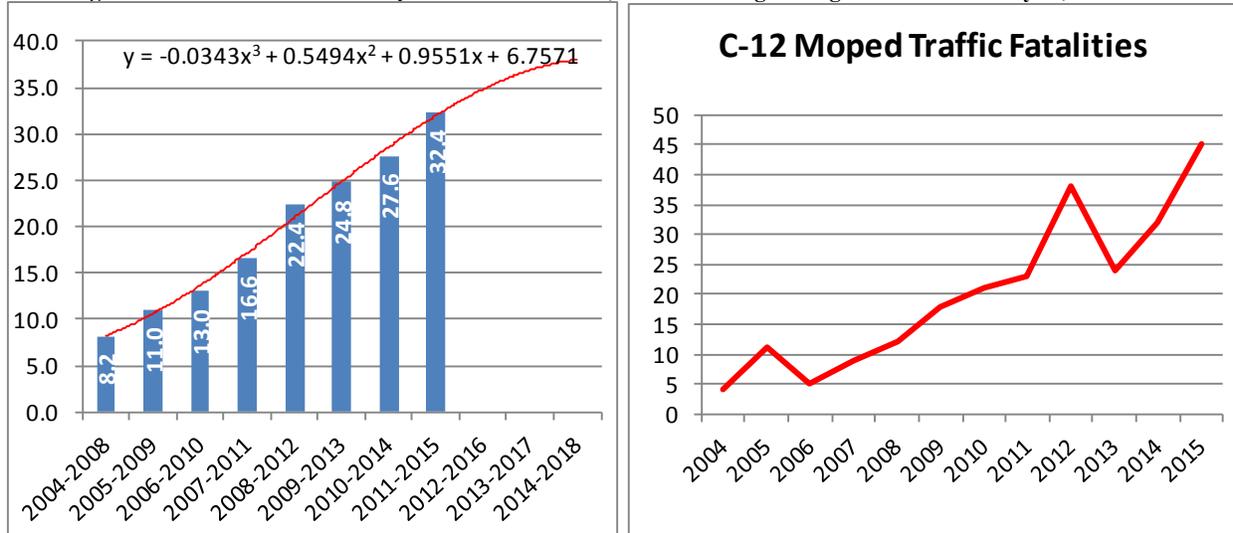


Polynomial Projection =  $0.1679(11^2) - 1.9369(11) + 19.361 = 18.4$   
 2011-2015 Average = 14.6  
 2012-2016 Average = 16.2  
 2011 = 15  
 2012 = 13  
 2013 = 15  
 2014 = 14  
 2015 = 16 (14.3% increase from 2014)  
 2016 = 23 (43.8% increase from 2015, 2016 not FARS finalized)

As shown in Figure C-11 above, the five-year moving average with polynomial trend analysis projects South Carolina will experience a five-year average number of 18 bicyclist traffic fatalities by December 31, 2018. This equates to an estimated 23 annual bicyclist traffic fatalities for 2018, which is a 43.8% increase from 2015. Preliminary state data compiled by the OHSJP Statistical Analysis and Research Section indicates there were 23 bicyclist traffic fatalities in 2016, an increase of 43.8% from 2015. The state preliminary projection for 2016, using the first four months of data, indicates a slight decrease in bicyclist fatalities when compared to the same time period in 2016. Based on the small number of fatalities and stabilization of the number of fatalities in the past few years, OHSJP has set a goal of 14 bicyclist traffic fatalities in 2018, a 39.1% reduction in bicyclist traffic fatalities by December 31, 2018 from the 2016 calendar year.

- To decrease moped traffic fatalities by 3.1% from the 2011-2015 baseline average of 32 to 31 by December 31, 2018.

Figure C-12. South Carolina Moped Traffic Fatalities, 5 Year Moving Average with Trend Analysis, 2004-2015.



Polynomial Projection =  $-0.0343(11^3) + 0.5494(11^2) + 0.9551(11) + 6.7571 = 38.1$   
 2011-2015 Average = 32.4  
 2012-2016 Average = 35.2  
 2011 = 23  
 2012 = 38  
 2013 = 24  
 2014 = 32  
 2015 = 45 (40.6% increase from 2014)  
 2016 = 37 (17.8% decrease from 2015, 2016 not FARS finalized)

As shown in Figure C-12 above, the five-year moving average with linear projection trend analysis projects South Carolina will experience a five-year average number of 38.1 moped traffic fatalities by December 31, 2018. This equates to an estimated 30 annual moped traffic fatalities for 2018, which is a 33.3% decrease from 2015. Preliminary state data compiled by the OHSJP Statistical Analysis and Research Section indicates there were 37 moped traffic fatalities in 2016, a decrease of 17.8% from 2015. The state preliminary projection for 2016, using the first four months of data, indicates a slight decrease in moped fatalities in comparison with the same time period in 2016. After much discussion among OHSJP staff, OHSJP has set a goal of 31 moped traffic fatalities in 2018, a 16.2% decrease in moped traffic fatalities by December 31, 2018 from the 2016 calendar year. This may be too ambitious given the economic factors that have driven many in our state to seek alternative, less expensive modes of transportation, which have steadily driven up the number of moped fatalities each year.

New legislation could help reduce the number of moped fatalities. Current state laws do not require moped operators to obtain a driver's license or register a moped. A recently passed bill would require moped registration beginning on February 1, 2018. Passage of this law may lead to more effective enforcement of motor vehicle laws on moped operators and reduce confusion in

the state definition of a moped versus a motorcycle. The state continues its very compelling Vulnerable Roadway Users billboard campaign which it hopes will have a positive impact on the rising negative traffic statistics associated with moped operators.

### **Objectives:**

1. To maintain a statewide billboard campaign effort during FFY 2018 to alert motorists of the presence of other vulnerable roadway users on the roadways of the state.
2. To work with Law Enforcement Liaisons of the OHSJP to provide safety information about other vulnerable roadway users to LENs around the state, which includes counties identified by statistical data to have a high occurrence of other-vulnerable-roadway-user fatal and serious-injury collisions.

### **Performance Indicators:**

#### **Goals:**

The OHSJP will review and compare traffic statistical data regarding bicyclists, moped operators, and pedestrians relative to 2013-2015 statistical data to determine if goal targets are being met.

#### **Objectives:**

1. The OHSJP will maintain records of financial and programmatic information relative to the statewide billboard campaign, to include locations of billboard advertising purchased.
2. OHSJP staff will attend Law Enforcement Network meetings in areas which include target counties for the dissemination of safety information about other vulnerable roadway users and to encourage law enforcement agencies to implement enforcement and educational strategies in these counties to improve other-vulnerable-roadway-user safety.

### **Strategies:**

1. The Office of Highway Safety and Justice Programs (OHSJP) will launch a billboard campaign in April 2018 to focus on safety issues related to vulnerable roadway users, particularly moped riders, bicyclists and pedestrians. The campaign will target focus counties that experienced high rates of deaths and serious injuries among vulnerable roadway user groups during the five-year period from 2011 to 2015. The campaign will support public outreach and enforcement efforts by the SC Highway Patrol to address the increase in deaths occurring in South Carolina among these vulnerable groups. While each board will focus on one vulnerable roadway group, the campaign features a unified and cohesive series of “share the road” messages. That way, roadway users will recognize the compellingly colorful billboard campaign as one theme, which is “Look!” The theme encourages motorists to simply pay attention and “look” for these vulnerable roadway users when they are negotiating the roadways. The billboards, in essence, tell motorists that by looking out for vulnerable roadway users and sharing the road responsibly with them, lives can be saved. (Boards focusing on motorcycles also feature the same theme and logo, but funding for the boards will be taken from another source.)
2. During FFY 2018, the OHSJP staff will develop a presentation on vulnerable roadway users to present at LEN meetings around the state in those Judicial Circuits in which the priority

counties for the above-referenced billboard campaign are located. The presentation will contain a variety of information about vulnerable roadway users, including statistical information regarding traffic crashes, injuries, and fatalities featuring locations, time, and demographic data.

<b>Agency</b>	<b>Title</b>	<b>County</b>	<b>Project Number</b>	<b>Budget</b>
SCDPS	Public Information, Outreach and Training Vulnerable Roadway Users (Look) Campaign	Statewide	PS-2018-HS-04-18	\$40,000

# PERFORMANCE REPORT

## Report on Meeting Targets for Performance Measures

Listed below is a program level performance report of the state's success in meeting the core performance targets identified in the 2017 HSP for each program area.

*C-1: To decrease the number of traffic fatalities by 0.6% from 2010-2014 baseline average of 818 to 813 fatalities by December 31, 2017.*

As of August 28, 2017, traffic fatalities for the state are down by nearly 5% when compared to the same time period in 2016 (661 in 2016, 629 in 2017). Despite the decrease, the state does not anticipate meeting its goal of 813 traffic deaths in 2017. However, a separate, special solicitation for impaired driving countermeasures projects was recently issued for funding beginning in FFY 2018. As a result, many more DUI enforcement-oriented projects, all of which are located in priority counties in the state, will be funded in the upcoming year. These projects should have a significant impact on DUI-related fatalities and, as a result, help our state to achieve greater decreases in traffic fatalities. The FFY 2018 HSP will be updated to reflect the inclusion of these new grant-funded projects.

*C-2: To decrease the number of serious traffic injuries by 6.7% from the 2010-2014 baseline average of 3,314 to 3,091 serious traffic injuries by December 31, 2017.*

State data show that the number of serious traffic injuries in 2015 was 3,092. Preliminary 2016 figures indicate a decrease (1.6%) in serious injuries from 2015 to 3,042. Based on these recent figures, the state anticipates meeting its goal of 3,091 serious traffic injuries in 2017.

*C-3: To decrease the fatality rate/100M VMT by 0.6% from the 2010-2014 baseline average of 1.67 to 1.66 fatality rate/100M VMT by December 31, 2017.*

The fatality rate for 2015 in SC was 1.89. The estimated rate for 2016 is 1.87. Although traffic fatalities are currently down compared to this time last year, due to the delay in receiving VMT, it is unknown where the state stands at present in regards to meeting this objective.

*C-3R: To decrease the rural fatality rate by 0.3% from the 2010-2014 baseline average of 2.87 to 2.86 fatalities by December 31, 2017.*

The rural fatality rate for 2015 in SC was 2.96, 17.5% higher than in 2014. The rural fatality rate for 2016 is unavailable at this time and the overall fatalities are up from 2015 to 2016. As of August 28, 2017, traffic fatalities for the state are down by nearly 5% when compared to the same time period in 2016 (661 in 2016, 629 in 2017). Although traffic fatalities are currently down compared to this time last year, due to the delay in receiving VMT, it is unknown where the state stands at present in regards to meeting this objective.

*C-3U: To decrease the urban fatality rate by 1.7% from the 2010-2014 baseline average of 0.58 to 0.57 fatalities by December 31, 2017.*

The urban fatality rate for 2015 in SC was 0.99, a 6.5% increase from the previous year. The urban fatality rate for 2016 is unavailable at this time and the overall fatalities were up from 2015 to 2016. As of August 28, 2017, traffic fatalities for the state are down by nearly 5% when compared to the same time period in 2016 (661 in 2016, 629 in 2017). Although traffic fatalities are currently down compared to this time last year, due to the delay in receiving VMT, it is unknown where the state stands at present in regards to meeting this objective.

*C-4: To decrease the number of unrestrained passenger vehicle occupant fatalities in all seating positions by 1.8% from the 2010-2014 baseline average of 280 to 275 unrestrained passenger vehicle occupant fatalities by December 31, 2017.*

There were 306 unrestrained passenger vehicle occupant fatalities in 2015. Preliminary state data reveal an increase during 2016 to 324 unrestrained passenger vehicle occupant fatalities, which is a 5.9% increase. As of August 28, 2017, there were 210 unrestrained passenger vehicle occupant fatalities. Safety belt enforcement remains a top priority in South Carolina, which is evidenced by our state having achieved a 90% safety belt usage rate or higher for the past 6 years. However, it is known that safety belt usage drops after dark, so the state will continue to emphasize nighttime safety belt enforcement in its future campaign efforts.

*C-5: To decrease the alcohol-impaired driving fatalities by 1.8% from the 2010-2014 baseline average of 326 to 320 by December 31, 2017.*

The number of alcohol-impaired driving fatalities for SC in 2015 was 301, a 9.1% decrease from 2014. In order to combat the DUI problem in South Carolina, a separate, special solicitation for impaired driving countermeasures projects was recently issued for funding beginning in FFY 2018. As a result, many more DUI enforcement-oriented projects, all of which are located in priority counties in the state, will be funded in the upcoming year. These projects should have a significant impact on DUI-related fatalities. The FFY 2018 HSP will be updated to reflect the inclusion of these new grant-funded projects.

*C-6: To decrease the number of speed-related fatalities by 0.3% from the 2010-2014 baseline average of 300 to 299 speed-related fatalities by December 31, 2017.*

Speed-related fatalities totaled 361 in 2015 and preliminary state data show a total of 380 speed-related fatalities occurred during 2016, a 5.3% increase. Insufficient statistical data exists to determine if the state is on track to meet its 2017 objective. However, the state participated in the recent NHTSA Region 4 Southern Shield/Arrive Alive speed campaign and achieved a favorable decrease in speed-related fatalities during that time period based on preliminary results. The state plans to continue this initiative in 2018.

*C-7: To decrease the number of motorcyclist fatalities by 0.8% from the 2010-2014 baseline average of 129 to 128 motorcyclist fatalities by December 31, 2017.*

As of August 28, 2017 preliminary state data reveal that 184 motorcyclist fatalities (figure includes moped operators) occurred during 2016, a 0% increase from 2015, when there were 184 motorcyclist fatalities (figure includes moped operators). Preliminary figures for 2017

indicate that motorcyclist fatalities (figure includes moped operators) are down by nearly 28% (130 in 2016 vs. 95 in 2017). The state appears on track to meet this goal.

*C-8: To decrease the number of un-helmeted motorcyclist fatalities by 1.0% from the 2010-2014 baseline average of 96 to 95 un-helmeted motorcycle fatalities by December 31, 2017.*

The number of un-helmeted motorcyclist fatalities in SC was 129 in 2015 and 140 in 2016 (preliminary state data, figure includes moped operators), representing an 8.5% increase. As of August 28, 2017, there were 78 un-helmeted motorcyclist fatalities compared to 95 in 2016. The state is on track to reduce un-helmeted motorcyclist fatalities from the previous calendar year. It remains possible that the state could reach its goal of 95 un-helmeted fatalities in 2017.

*C-9: To decrease the number of drivers 20 years of age or younger involved in fatal crashes by 0.96% from the 2010-2014 baseline average of 112 to 111 drivers age 20 or younger involved in fatal crashes by December 31, 2017.*

There were 121 drivers age 20 or younger involved in fatal crashes in 2015. Preliminary state data present 105 drivers involved in fatal crashes who were age 20 or younger in 2016, a 13.2% decrease. It remains possible that the state could reach its goal of 111 drivers age 20 or younger involved in fatal crashes in 2017.

*C-10: To decrease the number of pedestrian fatalities by 0.9% from the 2010-2014 baseline average of 107 to 106 pedestrian fatalities by December 31, 2017.*

There were 123 pedestrian fatalities in 2015, and preliminary state data for 2016 indicate 148 pedestrian fatalities. As of August 28, 2017, state data shows an 8.7% decrease from 2016 data (92 in 2016 vs. 84 in 2017). It remains possible that the state could reach its goal of 106 pedestrian fatalities in 2017.

*C-11: To decrease bicyclist fatalities 7.1% from the 2010-2014 baseline average of 14 to 13 by December 31, 2017.*

There were 16 bicyclist fatalities in 2015 and preliminary state data for 2016 indicate 23 bicyclist fatalities. Through August 28, 2017, the state had experienced a preliminary number of 13 bicyclist fatalities compared 16. Based on this data, it may be difficult for the state to meet its goal of 13 bicyclist fatalities by the end of 2017. However, it does appear that the state will have fewer bicyclist fatalities in 2017 compared to 2016.

*C-12: To decrease moped fatalities 3.7% from the 2010-2014 baseline average of 27 to 26 by December 31, 2017.*

There were 45 moped operator fatalities in 2015, and preliminary state data for 2016 indicate 37 such fatalities. Through August 28, 2017, the state has experienced a preliminary number of 19 moped operator fatalities as compared to 32 at this time last year. It remains possible that the state could reach its goal of 26 moped fatalities in 2017.

*B-1: To increase the statewide observed seat belt use rate of front seat outboard occupants in passenger vehicles by 2.0 percentage points from the 2015 calendar baseline usage rate of 90.0% to 92.0% by December 31, 2017.*

A statewide survey conducted by the University of South Carolina in June 2017 indicated a safety belt usage rate for South Carolina of 92.3%. The state has met this goal.

*A-1: Seat belt citations issued.*

Final figures from 2015 indicate that 167,761 seat belt citations were issued during that year. Preliminary data for 2016 show a reduction (12.1%) in the number of seat belt citations issued during 2016, to 142,422.

*A-2: Impaired driving arrests made.*

The final number of impaired driving arrests made during calendar year 2015 was 21,512, a 6.7% decline from 2014 (23,064). The number of arrests decreased again from 2015 to 2016 (6.4%), in which 20,144 arrests are estimated.

*A-3: Speeding citations issued.*

Final figures from 2015 indicate that 388,631 speeding citations were issued during the year. Preliminary data for 2016 show a 5.6% decrease in the number of speeding citations issued for the year, to 366,793.

# **Section 405 Incentive Grant Applications**

\* All Incentive Grant Applications are uploaded separately by applicable programs

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**APPENDIX A TO PART 1300 –  
CERTIFICATIONS AND ASSURANCES  
FOR HIGHWAY SAFETY GRANTS  
(23 U.S.C. CHAPTER 4; SEC. 1906, PUB. L. 109-59,  
AS AMENDED BY SEC. 4011, PUB. L. 114-94)**

*[Each fiscal year, the Governor's Representative for Highway Safety must sign these Certifications and Assurances affirming that the State complies with all requirements, including applicable Federal statutes and regulations, that are in effect during the grant period. Requirements that also apply to subrecipients are noted under the applicable caption.]*

State: South Carolina

Fiscal Year: 2018

By submitting an application for Federal grant funds under 23 U.S.C. Chapter 4 or Section 1906, the State Highway Safety Office acknowledges and agrees to the following conditions and requirements. In my capacity as the Governor's Representative for Highway Safety, I hereby provide the following Certifications and Assurances:

**GENERAL REQUIREMENTS**

The State will comply with applicable statutes and regulations, including but not limited to:

- 23 U.S.C. Chapter 4 – Highway Safety Act of 1966, as amended
- Sec. 1906, Pub. L. 109-59, as amended by Sec. 4011, Pub. L. 114-94
- 23 CFR part 1300 – Uniform Procedures for State Highway Safety Grant Programs
- 2 CFR part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards
- 2 CFR part 1201 – Department of Transportation, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards

**INTERGOVERNMENTAL REVIEW OF FEDERAL PROGRAMS**

The State has submitted appropriate documentation for review to the single point of contact designated by the Governor to review Federal programs, as required by Executive Order 12372 (Intergovernmental Review of Federal Programs).

**FEDERAL FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT (FFATA)**

The State will comply with FFATA guidance, OMB Guidance on FFATA Subaward and Executive Compensation Reporting, August 27, 2010, ([https://www.fsrs.gov/documents/OMB\\_Guidance\\_on\\_FFATA\\_Subaward\\_and\\_Executive\\_Compensation\\_Reporting\\_08272010.pdf](https://www.fsrs.gov/documents/OMB_Guidance_on_FFATA_Subaward_and_Executive_Compensation_Reporting_08272010.pdf)) by reporting to FSRS.gov for each sub-grant awarded:

- Name of the entity receiving the award;
- Amount of the award;

- Information on the award including transaction type, funding agency, the North American Industry Classification System code or Catalog of Federal Domestic Assistance number (where applicable), program source;
- Location of the entity receiving the award and the primary location of performance under the award, including the city, State, congressional district, and country; and an award title descriptive of the purpose of each funding action;
- A unique identifier (DUNS);
- The names and total compensation of the five most highly compensated officers of the entity if:
  - (i) the entity in the preceding fiscal year received—
    - (I) 80 percent or more of its annual gross revenues in Federal awards;
    - (II) \$25,000,000 or more in annual gross revenues from Federal awards; and
  - (ii) the public does not have access to information about the compensation of the senior executives of the entity through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986;
- Other relevant information specified by OMB guidance.

### **NONDISCRIMINATION**

**(applies to subrecipients as well as States)**

The State highway safety agency will comply with all Federal statutes and implementing regulations relating to nondiscrimination ("Federal Nondiscrimination Authorities"). These include but are not limited to:

- **Title VI of the Civil Rights Act of 1964** (42 U.S.C. 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin) and 49 CFR part 21;
- **The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970**, (42 U.S.C. 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- **Federal-Aid Highway Act of 1973**, (23 U.S.C. 324 *et seq.*), and **Title IX of the Education Amendments of 1972**, as amended (20 U.S.C. 1681-1683 and 1685-1686) (prohibit discrimination on the basis of sex);
- **Section 504 of the Rehabilitation Act of 1973**, (29 U.S.C. 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability) and 49 CFR part 27;
- **The Age Discrimination Act of 1975**, as amended, (42 U.S.C. 6101 *et seq.*), (prohibits discrimination on the basis of age);
- **The Civil Rights Restoration Act of 1987**, (Pub. L. 100-209), (broadens scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal aid recipients, sub-recipients and contractors, whether such programs or activities are Federally-funded or not);
- **Titles II and III of the Americans with Disabilities Act** (42 U.S.C. 12131-12189) (prohibits discrimination on the basis of disability in the operation of public entities,

public and private transportation systems, places of public accommodation, and certain testing) and 49 CFR parts 37 and 38;

- **Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations** (prevents discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations); and
- **Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency** (guards against Title VI national origin discrimination/discrimination because of limited English proficiency (LEP) by ensuring that funding recipients take reasonable steps to ensure that LEP persons have meaningful access to programs (70 FR at 74087 to 74100).

The State highway safety agency—

- Will take all measures necessary to ensure that no person in the United States shall, on the grounds of race, color, national origin, disability, sex, age, limited English proficiency, or membership in any other class protected by Federal Nondiscrimination Authorities, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any of its programs or activities, so long as any portion of the program is Federally-assisted.
- Will administer the program in a manner that reasonably ensures that any of its subrecipients, contractors, subcontractors, and consultants receiving Federal financial assistance under this program will comply with all requirements of the Non-Discrimination Authorities identified in this Assurance;
- Agrees to comply (and require any of its subrecipients, contractors, subcontractors, and consultants to comply) with all applicable provisions of law or regulation governing US DOT's or NHTSA's access to records, accounts, documents, information, facilities, and staff, and to cooperate and comply with any program or compliance reviews, and/or complaint investigations conducted by US DOT or NHTSA under any Federal Nondiscrimination Authority;
- Acknowledges that the United States has a right to seek judicial enforcement with regard to any matter arising under these Non-Discrimination Authorities and this Assurance;
- Insert in all contracts and funding agreements with other State or private entities the following clause:

“During the performance of this contract/funding agreement, the contractor/funding recipient agrees—

- a. To comply with all Federal nondiscrimination laws and regulations, as may be amended from time to time;

- b. Not to participate directly or indirectly in the discrimination prohibited by any Federal non-discrimination law or regulation, as set forth in Appendix B of 49 CFR part 21 and herein;
- c. To permit access to its books, records, accounts, other sources of information, and its facilities as required by the State highway safety office, US DOT or NHTSA;
- d. That, in event a contractor/funding recipient fails to comply with any nondiscrimination provisions in this contract/funding agreement, the State highway safety agency will have the right to impose such contract/agreement sanctions as it or NHTSA determine are appropriate, including but not limited to withholding payments to the contractor/funding recipient under the contract/agreement until the contractor/funding recipient complies; and/or cancelling, terminating, or suspending a contract or funding agreement, in whole or in part; and
- e. To insert this clause, including paragraphs a through e, in every subcontract and subagreement and in every solicitation for a subcontract or sub-agreement, that receives Federal funds under this program.

**THE DRUG-FREE WORKPLACE ACT OF 1988 (41 U.S.C. 8103)**

The State will provide a drug-free workplace by:

- a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- b. Establishing a drug-free awareness program to inform employees about:
  - o The dangers of drug abuse in the workplace.
  - o The grantee's policy of maintaining a drug-free workplace.
  - o Any available drug counseling, rehabilitation, and employee assistance programs.
  - o The penalties that may be imposed upon employees for drug violations occurring in the workplace.
  - o Making it a requirement that each employee engaged in the performance of the grant be given a copy of the statement required by paragraph (a).
- c. Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will –
  - o Abide by the terms of the statement.
  - o Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.
- d. Notifying the agency within ten days after receiving notice under subparagraph (c)(2) from an employee or otherwise receiving actual notice of such conviction.
- e. Taking one of the following actions, within 30 days of receiving notice under subparagraph (c)(2), with respect to any employee who is so convicted –

- Taking appropriate personnel action against such an employee, up to and including termination.
  - Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency.
- f. Making a good faith effort to continue to maintain a drug-free workplace through implementation of all of the paragraphs above.

**POLITICAL ACTIVITY (HATCH ACT)**  
**(applies to subrecipients as well as States)**

The State will comply with provisions of the Hatch Act (5 U.S.C. 1501-1508), which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

**CERTIFICATION REGARDING FEDERAL LOBBYING**  
**(applies to subrecipients as well as States)**

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all sub-award at all tiers (including subcontracts, subgrants, and contracts under grant, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who

fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

**RESTRICTION ON STATE LOBBYING**  
**(applies to subrecipients as well as States)**

None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

**CERTIFICATION REGARDING DEBARMENT AND SUSPENSION**  
**(applies to subrecipients as well as States)**

**Instructions for Primary Certification (States)**

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR Parts 180 and 1300.
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default or may pursue suspension or debarment.
4. The prospective primary participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms *covered transaction*, *debarment*, *suspension*, *ineligible*, *lower tier*, *participant*, *person*, *primary tier*, *principal*, and *voluntarily excluded*, as used in this clause, have the

meaning set out in the Definitions and coverage sections of 2 CFR Part 180. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.

6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by NHTSA.

7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR Parts 180 and 1300.

8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the list of Parties Excluded from Federal Procurement and Non-procurement Programs.

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, the department or agency may disallow costs, annul or terminate the transaction, issue a stop work order, debar or suspend you, or take other remedies as appropriate.

*Certification Regarding Debarment, Suspension, and Other Responsibility Matters-Primary Covered Transactions*

(1) The prospective primary participant certifies to the best of its knowledge and belief, that its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;

- (b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of record, making false statements, or receiving stolen property;
- (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
- (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

(2) Where the prospective primary participant is unable to certify to any of the Statements in this certification, such prospective participant shall attach an explanation to this proposal.

#### Instructions for Lower Tier Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR Parts 180 and 1300.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms *covered transaction*, *debarment*, *suspension*, *ineligible*, *lower tier*, *participant*, *person*, *primary tier*, *principal*, and *voluntarily excluded*, as used in this clause, have the meanings set out in the Definition and Coverage sections of 2 CFR Part 180. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by NHTSA.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Certification" including the "Certification

Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR Parts 180 and 1300.

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Non-procurement Programs.

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, the department or agency with which this transaction originated may disallow costs, annul or terminate the transaction, issue a stop work order, debar or suspend you, or take other remedies as appropriate.

*Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion -- Lower Tier Covered Transactions:*

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

**BUY AMERICA ACT**

**(applies to subrecipients as well as States)**

The State and each subrecipient will comply with the Buy America requirement (23 U.S.C. 313) when purchasing items using Federal funds. Buy America requires a State, or subrecipient, to purchase only steel, iron and manufactured products produced in the United States with Federal funds, unless the Secretary of Transportation determines that such domestically produced items would be inconsistent with the public interest, that such materials are not reasonably available and of a satisfactory quality, or that inclusion of domestic materials will increase the cost of the overall project contract by more than 25 percent. In order to use Federal funds to purchase

foreign produced items, the State must submit a waiver request that provides an adequate basis and justification to and approved by the Secretary of Transportation.

**PROHIBITION ON USING GRANT FUNDS TO CHECK FOR HELMET USAGE**  
**(applies to subrecipients as well as States)**

The State and each subrecipient will not use 23 U.S.C. Chapter 4 grant funds for programs to check helmet usage or to create checkpoints that specifically target motorcyclists.

**POLICY ON SEAT BELT USE**

In accordance with Executive Order 13043, Increasing Seat Belt Use in the United States, dated April 16, 1997, the Grantee is encouraged to adopt and enforce on-the-job seat belt use policies and programs for its employees when operating company-owned, rented, or personally-owned vehicles. The National Highway Traffic Safety Administration (NHTSA) is responsible for providing leadership and guidance in support of this Presidential initiative. For information on how to implement such a program, or statistics on the potential benefits and cost-savings to your company or organization, please visit the Buckle Up America section on NHTSA's website at [www.nhtsa.dot.gov](http://www.nhtsa.dot.gov). Additional resources are available from the Network of Employers for Traffic Safety (NETS), a public-private partnership headquartered in the Washington, D.C. metropolitan area, and dedicated to improving the traffic safety practices of employers and employees. NETS is prepared to provide technical assistance, a simple, user-friendly program kit, and an award for achieving the President's goal of 90 percent seat belt use. NETS can be contacted at 1 (888) 221-0045 or visit its website at [www.trafficsafety.org](http://www.trafficsafety.org).

**POLICY ON BANNING TEXT MESSAGING WHILE DRIVING**

In accordance with Executive Order 13513, Federal Leadership On Reducing Text Messaging While Driving, and DOT Order 3902.10, Text Messaging While Driving, States are encouraged to adopt and enforce workplace safety policies to decrease crashes caused by distracted driving, including policies to ban text messaging while driving company-owned or -rented vehicles, Government-owned, leased or rented vehicles, or privately-owned when on official Government business or when performing any work on or behalf of the Government. States are also encouraged to conduct workplace safety initiatives in a manner commensurate with the size of the business, such as establishment of new rules and programs or re-evaluation of existing programs to prohibit text messaging while driving, and education, awareness, and other outreach to employees about the safety risks associated with texting while driving.

**SECTION 402 REQUIREMENTS**

1. To the best of my personal knowledge, the information submitted in the Highway Safety Plan in support of the State's application for a grant under 23 U.S.C. 402 is accurate and complete.
2. The Governor is the responsible official for the administration of the State highway safety program, by appointing a Governor's Representative for Highway Safety who shall be responsible for a State highway safety agency that has adequate powers and is suitably

equipped and organized (as evidenced by appropriate oversight procedures governing such areas as procurement, financial administration, and the use, management, and disposition of equipment) to carry out the program. (23 U.S.C. 402(b)(1)(A))

3. The political subdivisions of this State are authorized, as part of the State highway safety program, to carry out within their jurisdictions local highway safety programs which have been approved by the Governor and are in accordance with the uniform guidelines promulgated by the Secretary of Transportation. (23 U.S.C. 402(b)(1)(B))
4. At least 40 percent of all Federal funds apportioned to this State under 23 U.S.C. 402 for this fiscal year will be expended by or for the benefit of political subdivisions of the State in carrying out local highway safety programs (23 U.S.C. 402(b)(1)(C)) or 95 percent by and for the benefit of Indian tribes (23 U.S.C. 402(h)(2)), unless this requirement is waived in writing. (This provision is not applicable to the District of Columbia, Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.)
5. The State's highway safety program provides adequate and reasonable access for the safe and convenient movement of physically handicapped persons, including those in wheelchairs, across curbs constructed or replaced on or after July 1, 1976, at all pedestrian crosswalks. (23 U.S.C. 402(b)(1)(D))
6. The State will provide for an evidenced-based traffic safety enforcement program to prevent traffic violations, crashes, and crash fatalities and injuries in areas most at risk for such incidents. (23 U.S.C. 402(b)(1)(E))
7. The State will implement activities in support of national highway safety goals to reduce motor vehicle related fatalities that also reflect the primary data-related crash factors within the State, as identified by the State highway safety planning process, including:
  - Participation in the National high-visibility law enforcement mobilizations as identified annually in the NHTSA Communications Calendar, including not less than 3 mobilization campaigns in each fiscal year to –
    - Reduce alcohol-impaired or drug-impaired operation of motor vehicles; and
    - Increase use of seatbelts by occupants of motor vehicles;
  - Submission of information regarding mobilization participation in accordance with 23 CFR part 1300.11(d)(6)(ii);
  - Sustained enforcement of statutes addressing impaired driving, occupant protection, and driving in excess of posted speed limits;
  - An annual Statewide seat belt use survey in accordance with 23 CFR part 1340 for the measurement of State seat belt use rates, except for the Secretary of Interior on behalf of Indian tribes;
  - Development of Statewide data systems to provide timely and effective data analysis to support allocation of highway safety resources;
  - Coordination of Highway Safety Plan, data collection, and information systems with the State strategic highway safety plan, as defined in 23 U.S.C. 148(a). (23 U.S.C. 402(b)(1)(F))

8. The State will actively encourage all relevant law enforcement agencies in the State to follow the guidelines established for vehicular pursuits issued by the International Association of Chiefs of Police that are currently in effect. (23 U.S.C. 402(j))
9. The State will not expend Section 402 funds to carry out a program to purchase, operate, or maintain an automated traffic enforcement system. (23 U.S.C. 402(c)(4))

The State: **[CHECK ONLY ONE]**

Certifies that automated traffic enforcement systems are not used on any public road in the State;

OR

Is unable to certify that automated traffic enforcement systems are not used on any public road in the State, and therefore will conduct a survey meeting the requirements of 23 CFR 1300.13(d)(3) AND will submit the survey results to the NHTSA Regional office no later than March 1 of the fiscal year of the grant.

**I understand that my statements in support of the State's application for Federal grant funds are statements upon which the Federal Government will rely in determining qualification for grant funds, and that knowing misstatements may be subject to civil or criminal penalties under 18 U.S.C. 1001. I sign these Certifications and Assurances based on personal knowledge, and after appropriate inquiry.**

\_\_\_\_\_  
Signature Governor's Representative for Highway Safety

06/28/17  
\_\_\_\_\_  
Date

Leroy Smith  
\_\_\_\_\_  
Printed name of Governor's Representative for Highway Safety

**APPENDIX B TO PART 1300 –  
APPLICATION REQUIREMENTS  
FOR SECTION 405 AND SECTION 1906 GRANTS**

*[Each fiscal year, to apply for a grant under 23 U.S.C. 405 or Section 1906, Pub. L. 109-59, as amended by Section 4011, Pub. L. 114-94, the State must complete and submit all required information in this appendix, and the Governor's Representative for Highway Safety must sign the Certifications and Assurances.]*

State: South Carolina

Fiscal Year: 2018

**In my capacity as the Governor's Representative for Highway Safety, I hereby provide the following certifications and assurances –**

- I have reviewed the above information in support of the State's application for 23 U.S.C. 405 and Section 1906 grants, and based on my review, the information is accurate and complete to the best of my personal knowledge.
- As condition of each grant awarded, the State will use these grant funds in accordance with the specific statutory and regulatory requirements of that grant, and will comply with all applicable laws, regulations, and financial and programmatic requirements for Federal grants.
- I understand and accept that incorrect, incomplete, or untimely information submitted in support of the State's application may result in the denial of a grant award.

**I understand that my statements in support of the State's application for Federal grant funds are statements upon which the Federal Government will rely in determining qualification for grant funds, and that knowing misstatements may be subject to civil or criminal penalties under 18 U.S.C. 1001. I sign these Certifications and Assurances based on personal knowledge, and after appropriate inquiry.**

\_\_\_\_\_  
Signature Governor's Representative for Highway Safety

06/28/17  
Date

Henry Smith  
Printed name of Governor's Representative for Highway Safety

U.S. Department of Transportation National Highway Traffic Safety Administration  
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Program Area	Project	Description	State Approved Program Funds	State Funds	Previous Bal.	Incrs./ (Decre)	Current Balance	Share to Local
NHTSA								
MAP 21 405b OP High			\$ 00	\$108,621.25	\$ 00	\$434,485.00	\$434,485.00	\$ 00
405b High NVE			\$ 00	\$108,621.25	\$ 00	\$434,485.00	\$434,485.00	\$ 00
	M1HVE-2018-HS-02-18	SCDPS: Occupant Protection Program Maine						
	405b High NVE Total		\$ 00	\$16,378.75	\$ 00	\$65,515.00	\$65,515.00	\$ 00
405b High OP Information System			\$ 00	\$16,378.75	\$ 00	\$65,515.00	\$65,515.00	\$ 00
	M1OP-2018-HS-02-18	Occupant Protection Seatbelt Survey						
	405b High OP Information System Total		\$ 00	\$57,500.00	\$ 00	\$230,000.00	\$230,000.00	\$ 00
405b High Alcohol			\$ 00	\$57,500.00	\$ 00	\$230,000.00	\$230,000.00	\$ 00
	M1*AL-2018-HS-25-18	SCDPS: Impaired Driving Countermeasures						
	405b High Alcohol Total		\$ 00	\$57,500.00	\$ 00	\$230,000.00	\$230,000.00	\$ 00
MAP 21 405b OP High Total			\$ 00	\$162,500.00	\$ 00	\$730,000.00	\$730,000.00	\$ 00
MAP 21 405c Data Program								
405c Data Program			\$ 00	\$340,906.85	\$ 00	\$1,263,627.40	\$1,363,627.40	\$ 00
	M3DA-2018-HS-03-18	SCDPS: Traffic Records Improvement						
	405c Data Program Total		\$ 00	\$240,906.85	\$ 00	\$1,363,627.40	\$1,363,627.40	\$ 00
MAP 21 405c Data Program Total			\$ 00	\$340,906.85	\$ 00	\$1,363,627.40	\$1,363,627.40	\$ 00
MAP 21 405d Impaired Driving High								
405d High NVE			\$ 00	\$102,220.25	\$ 00	\$408,881.00	\$408,881.00	\$ 00
	M4HVE-2018-HS-24-18	City of North Charleston DUI Team						
	405d High NVE Total		\$ 00	\$42,133.00	\$ 00	\$168,532.00	\$168,532.00	\$ 00
	M4HVE-2018-HS-25-18	SCDPS: Impaired Driving Countermeasures						
	405d High NVE Total		\$ 00	\$17,793.25	\$ 00	\$71,173.00	\$71,173.00	\$ 00
	M4HVE-2018-HS-28-18	Berkeley County Sheriff's Office DUI Enforcement						
	405d High NVE Total		\$ 00	\$27,770.50	\$ 00	\$111,082.00	\$111,082.00	\$ 00
	M4HVE-2018-HS-29-18	Darlington County Sheriff's Office DUI Te						
	405d High NVE Total		\$ 00	\$92,974.00	\$ 00	\$171,896.00	\$171,896.00	\$ 00
	M4HVE-2018-HS-30-18	Town of Mount Pleasant DUI Enforcement						

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Program Area	Project	Description	Prior Approved Program Funds	State Funds	Previous Bal.	Incre/(Decre)	Current Balance	Share to Local
	MAHVE-2018-HS-37-18	City of Darlington DUI Enforcement	\$ .00	\$22,986.00	\$ .00	\$91,944.00	\$91,944.00	\$ .00
	<b>405d High HVE Total</b>		<b>\$ .00</b>	<b>\$255,877.00</b>	<b>\$ .00</b>	<b>\$1,023,508.00</b>	<b>\$1,023,508.00</b>	<b>\$ .00</b>
	<b>405d High Court Support</b>							
	MACS-2018-HS-20-18	SCHP Berkeley County DUI Prosecutor	\$ .00	\$28,729.25	\$ .00	\$114,917.00	\$114,917.00	\$ .00
	MACS-2018-HS-27-18	SC Commission on Prosecution Coordinatio	\$ .00	\$31,295.50	\$ .00	\$125,182.00	\$125,182.00	\$ .00
	MACS-2018-HS-39-18	Sixth Circuit Solicitors DUI Prosecutor	\$ .00	\$24,239.00	\$ .00	\$96,956.00	\$96,956.00	\$ .00
	<b>405d High Court Support Total</b>		<b>\$ .00</b>	<b>\$84,263.75</b>	<b>\$ .00</b>	<b>\$337,055.00</b>	<b>\$337,055.00</b>	<b>\$ .00</b>
	<b>405d High Paid/Earned Media</b>							
	M4PEM-2018-HS-25-18	SCDPS: Impaired Driving Countermeasures	\$ .00	\$267,500.00	\$ .00	\$1,070,000.00	\$1,070,000.00	\$ .00
	<b>405d High Paid/Earned Media Total</b>		<b>\$ .00</b>	<b>\$267,500.00</b>	<b>\$ .00</b>	<b>\$1,070,000.00</b>	<b>\$1,070,000.00</b>	<b>\$ .00</b>
	<b>405d High Training</b>							
	M4TR-2018-HS-26-18	SC Criminal Justice Academy Training	\$ .00	\$49,400.50	\$ .00	\$197,602.00	\$197,602.00	\$ .00
	<b>405d High Training Total</b>		<b>\$ .00</b>	<b>\$49,400.50</b>	<b>\$ .00</b>	<b>\$197,602.00</b>	<b>\$197,602.00</b>	<b>\$ .00</b>
	<b>405d Impaired Driving High</b>							
	M4X-2018-HS-23-18	Mothers Against Drunk Driving	\$ .00	\$20,385.00	\$ .00	\$81,540.00	\$81,540.00	\$ .00
	<b>405d Impaired Driving High Total</b>		<b>\$ .00</b>	<b>\$20,385.00</b>	<b>\$ .00</b>	<b>\$81,540.00</b>	<b>\$81,540.00</b>	<b>\$ .00</b>
	<b>MAP 21 405d Impaired Driving High Total</b>		<b>\$ .00</b>	<b>\$677,426.25</b>	<b>\$ .00</b>	<b>\$2,709,705.00</b>	<b>\$2,709,705.00</b>	<b>\$ .00</b>
	<b>MAP 21 405f Motorcycle Programs</b>							
	M9MA-2018-HS-04-18	Motorcycle Awareness PIOT	\$ .00	\$2,106.71	\$ .00	\$8,126.85	\$8,126.85	\$ .00
	<b>405f Motorcyclist Awareness Total</b>		<b>\$ .00</b>	<b>\$2,106.71</b>	<b>\$ .00</b>	<b>\$8,126.85</b>	<b>\$8,126.85</b>	<b>\$ .00</b>
	<b>MAP 21 405f Motorcycle Programs Total</b>		<b>\$ .00</b>	<b>\$2,106.71</b>	<b>\$ .00</b>	<b>\$8,126.85</b>	<b>\$8,126.85</b>	<b>\$ .00</b>
	<b>FAST Act NHTSA 402 Planning and Administration</b>							
	PA-2018-HS-01-17	Highway Safety Planning & Administration	\$ .00	\$149,508.00	\$ .00	\$149,508.00	\$149,508.00	\$ .00

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<b>Planning and Administration Total</b>								
			\$ .00	\$149,508.00	\$ .00	\$149,508.00	\$149,508.00	\$ .00
<b>Motorcycle Safety</b>								
	MC-2018-HS-04-18	Public Information, Outreach and Trainin	\$ .00	\$12,500.00	\$ .00	\$50,000.00	\$50,000.00	\$ .00
	MC-2018-HS-10-18	State Board for Technical & Comprehensiv	\$ .00	\$25,750.00	\$ .00	\$103,000.00	\$103,000.00	\$103,000.00
	<b>Motorcycle Safety Total</b>		\$ .00	\$38,250.00	\$ .00	\$153,000.00	\$153,000.00	\$103,000.00
<b>Occupant Protection</b>								
	OP-2018-HS-02-18	SCDPS: Occupant Protection Program Manag	\$ .00	\$26,082.00	\$ .00	\$104,328.00	\$104,328.00	\$ .00
	OP-2018-HS-17-18	SC DHEC Operation Safe Ride SC	\$ .00	\$38,178.50	\$ .00	\$152,714.00	\$152,714.00	\$ .00
	<b>Occupant Protection Total</b>		\$ .00	\$64,260.50	\$ .00	\$257,042.00	\$257,042.00	\$ .00
<b>Pedestrian/Bicycle Safety</b>								
	PS-2018-HS-04-18	SCDPS: Public Information, Outreach & Tr	\$ .00	\$10,000.00	\$ .00	\$40,000.00	\$40,000.00	\$ .00
	<b>Pedestrian/Bicycle Safety Total</b>		\$ .00	\$10,000.00	\$ .00	\$40,000.00	\$40,000.00	\$ .00
<b>Police Traffic Services</b>								
	PT-2018-HS-05-18	SCDPS: Police Traffic Services Program M	\$ .00	\$24,615.50	\$ .00	\$98,458.00	\$98,458.00	\$ .00
	PT-2018-HS-06-18	SCDPS: Law Enforcement Coordination	\$ .00	\$119,682.25	\$ .00	\$478,729.00	\$478,729.00	\$478,729.00
	PT-2018-HS-07-18	CJA: Traffic Safety Officer Program	\$ .00	\$93,895.75	\$ .00	\$375,583.00	\$375,583.00	\$375,583.00
	PT-2018-HS-08-18	Charleston County Sheriffs Office	\$ .00	\$77,652.75	\$ .00	\$310,611.00	\$310,611.00	\$310,611.00
	PT-2018-HS-09-18	City of Columbia Traffic Enforcement	\$ .00	\$61,245.50	\$ .00	\$244,982.00	\$244,982.00	\$244,982.00
	PT-2018-HS-11-18	Mauldin Police Department	\$ .00	\$17,707.00	\$ .00	\$70,828.00	\$70,828.00	\$70,828.00
	PT-2018-HS-12-18	City of Cayce Traffic Enforcement Unit	\$ .00	\$55,607.25	\$ .00	\$222,429.00	\$222,429.00	\$222,429.00
	PT-2018-HS-13-18	Dorechester County Sheriff's Office	\$ .00	\$62,713.25	\$ .00	\$250,853.00	\$250,853.00	\$250,853.00
	PT-2018-HS-14-18	Simpsonville Police Department	\$ .00	\$15,666.25	\$ .00	\$62,665.00	\$62,665.00	\$62,665.00
	PT-2018-HS-15-18	City of Beaufort	\$ .00	\$26,884.75	\$ .00	\$107,539.00	\$107,539.00	\$107,539.00
	PT-2018-HS-16-18	City of Charleston Traffic Enforcement T	\$ .00	\$34,866.26	\$ .00	\$139,465.00	\$139,465.00	\$139,465.00

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Program Area	Project	Description	Prior Approved Program Funds	State Funds	Previous Bal.	Incr/(Decre)	Current Balance	Share to Local
	PT-2018-HS-18-18	Town of Summerville Traffic Enforcement	\$0.00	\$62,713.25	\$0.00	\$250,853.00	\$250,853.00	\$250,853.00
	PT-2018-HS-19-18	Bluffton Police Department Traffic Unit	\$0.00	\$39,391.00	\$0.00	\$157,564.00	\$157,564.00	\$157,564.00
	PT-2018-HS-21-18	Florence County Sheriffs Office Traffic	\$0.00	\$48,017.75	\$0.00	\$192,071.00	\$192,071.00	\$192,071.00
	PT-2018-HS-22-18	Aiken Department of Public Safety Traffic	\$0.00	\$60,727.50	\$0.00	\$242,910.00	\$242,910.00	\$242,910.00
	PT-2018-HS-24-18	City of North Charleston Radar	\$0.00	\$2,400.00	\$0.00	\$9,600.00	\$9,600.00	\$9,600.00
	PT-2018-HS-29-18	Darlington County Sheriffs Office Radar	\$0.00	\$573.75	\$0.00	\$2,295.00	\$2,295.00	\$2,295.00
	PT-2018-HS-31-18	Laurens Police Department Traffic Unit	\$0.00	\$12,162.00	\$0.00	\$48,648.00	\$48,648.00	\$48,648.00
	PT-2018-HS-32-18	City of York Traffic Unit	\$0.00	\$17,688.25	\$0.00	\$70,753.00	\$70,753.00	\$70,753.00
	PT-2018-HS-33-18	Lancaster County Sheriffs Office Traffic	\$0.00	\$40,906.00	\$0.00	\$163,626.00	\$163,626.00	\$163,626.00
	PT-2018-HS-34-18	Colleton County Sheriffs Office Traffic	\$0.00	\$44,634.75	\$0.00	\$178,539.00	\$178,539.00	\$178,539.00
	PT-2018-HS-35-18	Lexington Police Department Traffic Unit	\$0.00	\$48,823.00	\$0.00	\$195,292.00	\$195,292.00	\$195,292.00
	PT-2018-HS-36-18	Spartanburg County Sheriffs Office Traffic	\$0.00	\$33,083.00	\$0.00	\$132,332.00	\$132,332.00	\$132,332.00
	PT-2018-HS-38-18	Fort Mill Police Department Traffic Unit	\$0.00	\$28,232.75	\$0.00	\$112,931.00	\$112,931.00	\$112,931.00
	PT-2018-HS-40-18	Moncks Corner Police Department Traffic	\$0.00	\$28,016.75	\$0.00	\$112,067.00	\$112,067.00	\$112,067.00
	PT-2018-HS-41-18	Kershaw County Sheriffs Office Traffic S	\$0.00	\$30,659.50	\$0.00	\$122,638.00	\$122,638.00	\$122,638.00
	<b>Police Traffic Services Total</b>		<b>\$0.00</b>	<b>\$1,088,565.76</b>	<b>\$0.00</b>	<b>\$4,354,261.00</b>	<b>\$4,354,261.00</b>	<b>\$4,255,803.00</b>
	<b>Traffic Records</b>							
	TR-2018-HS-03-18	SCDPS: Traffic Records Improvement	\$0.00	\$16,912.50	\$0.00	\$67,650.00	\$67,650.00	\$0.00
	<b>Traffic Records Total</b>		<b>\$0.00</b>	<b>\$16,912.50</b>	<b>\$0.00</b>	<b>\$67,650.00</b>	<b>\$67,650.00</b>	<b>\$0.00</b>
	<b>Safe Communities</b>							
	SA-2018-HS-04-18	SCDPS: Public Information, Outreach & Tra	\$0.00	\$134,467.25	\$0.00	\$537,869.00	\$537,869.00	\$0.00
	<b>Safe Communities Total</b>		<b>\$0.00</b>	<b>\$134,467.25</b>	<b>\$0.00</b>	<b>\$537,869.00</b>	<b>\$537,869.00</b>	<b>\$0.00</b>
	<b>FAST Act NHTSA 402 Total</b>		<b>\$0.00</b>	<b>\$1,501,964.01</b>	<b>\$0.00</b>	<b>\$5,559,330.00</b>	<b>\$5,559,330.00</b>	<b>\$4,358,803.00</b>
	<b>FAST Act 405c Data Program</b>							
	<b>405c Data Program</b>							
	M3DA-2018-HS-03-18	Traffic Records	\$0.00	\$139,276.90	\$0.00	\$557,107.60	\$557,107.60	\$0.00

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	<b>405c Data Program Total</b>		\$ .00	\$ 139,276.90	\$ .00	\$ 557,107.60	\$ 557,107.60	\$ .00
	<b>FAST Act 405c Data Program Total</b>		\$ .00	\$ 139,276.90	\$ .00	\$ 557,107.60	\$ 557,107.60	\$ .00
	<b>FAST Act 405f Motorcycle Programs</b>							
	<b>405f Motorcyclist Awareness</b>	M9MA-2018-HS-04-18 SCDPS: Public Information, Outreach & Tr	\$ .00	\$ 17,893.28	\$ .00	\$ 71,573.15	\$ 71,573.15	\$ .00
	<b>FAST Act 405f Motorcyclist Awareness Total</b>		\$ .00	\$ 17,893.28	\$ .00	\$ 71,573.15	\$ 71,573.15	\$ .00
	<b>FAST Act 405f Motorcycle Programs Total</b>		\$ .00	\$ 17,893.28	\$ .00	\$ 71,573.15	\$ 71,573.15	\$ .00
	<b>NHTSA Total Total</b>		\$ .00	\$ 2,862,074.00	\$ .00	\$ 10,999,470.00	\$ 10,999,470.00	\$ 4,358,803.00
	<b>Total</b>		\$ .00	\$ 2,862,074.00	\$ .00	\$ 10,999,470.00	\$ 10,999,470.00	\$ 4,358,803.00

## Appendix C: South Carolina Target Zero Teams

### Problem Identification

In May/June 2015, the South Carolina Department of Transportation (SCDOT) identified 16, 10-mile corridors based on an analysis of fatal & injury crashes from 2009-2013. During the planning portion of this project, representatives from SCDOT and the Target Zero Team Commanding Officer met on numerous occasions to discuss the identified enforcement locations.

The 16 selected corridors accounted for 4.1% of the total traffic fatalities and 4.4% of the total injuries in the state during that time period.

We also have maps of these roads on the SHSP website <http://www.sctargetzeroplan.org/about/target-zero-enforcement-team>

Target Zero Enforcement Teams  
Fatal and Injury Crashes, 2009-2013

Region	County	Segment	Total Crashes	Total Fatalities	Total Injuries
Pee Dee	Berkeley	S-62	1,028	5	527
	Berkeley	I-26	465	15	208
	Charleston	US 17	1,441	14	561
	Charleston	I-26	3,117	9	913
Midlands	Lexington/Richland	I-26	2,925	13	799
	Orangeburg	US 301	636	12	403
	Richland	US 1	2,580	9	996
	Richland	SC 48	1,211	5	420
Lowcountry	Horry	US 501	3,753	19	1,245
	Horry	US 17	1,460	14	670
	Horry	US 17	1,418	7	749
	Horry	US 17	1,976	10	843
Upstate	Anderson	SC 28	1,182	9	556
	Greenville	US 276	1,781	6	496
	Greenville	US 25	2,530	16	1,023
	Greenville	I-385	814	6	241
Percent of Total 2009-2013			5.3%	4.1%	4.4%

### Budget

DOT's budget for the Target Zero Teams ONE year maximum reimbursable amount: \$2,239,918.00. This would include the purchase of equipment (cars, computers, etc.), salaries, fringe benefits, etc.

- \$1.5M allocated for subsequent years.

**FFY 2018 Highway Safety Equipment \$5000  
and above**

Grant No.	Subgrantee	Equipment	Cost of Equipment Requested for Approval	Actual Equipment Cost	Funding Source
M4HVE-2018-HS-37-18	City of Darlington Police Department	(1) Police car at \$24,322 each	\$24,322		FAST ACT 405d
M4HVE-2018-HS-24-18	City of North Charleston	(3) Police Vehicles at \$31,000 each	\$93,000		FAST ACT 405d
		(3) In-car cameras at \$6,400 each	\$19,200		FAST ACT 405d
		(3) Mobile radios at \$6,500 each	\$19,500		
		(3) Walkie Talkies at \$6,000 each	\$18,000		
M4HVE-2018-HS-29-18	Darlington County Sheriff's Office	(1) Police Vehicle at \$26,843 each	\$26,843		FAST ACT 405d
		(1) In-car video camera at \$5,090 each	\$5,090		FAST ACT 405d
					FAST ACT NHTSA 402
PT-2018-HS-08-18	Charleston County Sheriff's Office	(2) Police Vehicles at \$46,000 each	\$92,000		FAST ACT NHTSA 402
		(2) In-car video cameras \$5,000 each	\$10,000		FAST ACT NHTSA 402
		(2) Mobile radios at \$6,000 each	\$12,000		FAST ACT NHTSA 402
		(2) Portable radios at \$6,000 each	\$12,000		FAST ACT NHTSA 402
PT-2018-HS-09-18	City of Columbia Police Department	(2) Police Vehicles at \$35,157 each	\$70,314		FAST ACT NHTSA 402
		(2) In-car cameras at \$5,307 each	\$10,614		FAST ACT NHTSA 402
PT-2018-HS-12-18	City of Cayce	(2) Police vehicles at \$27,155 each	\$54,310		FAST ACT NHTSA 402
PT-2018-HS-13-18	Dorchester County Sheriff's Office	(1) Police vehicle at \$28,000 each	\$28,000		FAST ACT NHTSA 402
PT-2018-HS-18-18	Town of Summerville	(2) Police Vehicles at \$30,297 each	\$60,594		FAST ACT NHTSA 402
		(2) Mobile Radios at \$5,686 each	\$11,372		FAST ACT NHTSA 402
		(2) Vehicle Cameras at \$5,746 each	\$11,492		FAST ACT NHTSA 402
		(2) Portable radios at \$5,478 each	\$10,956		FAST ACT NHTSA 402

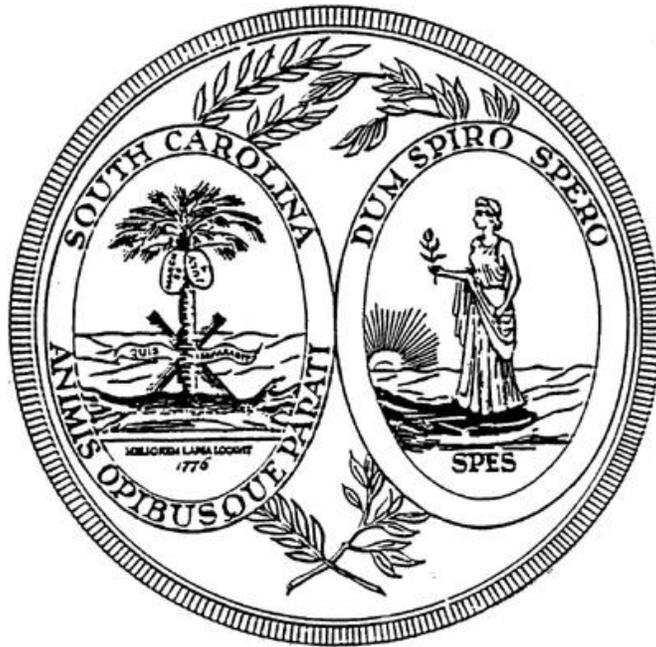
FFY 2018 Highway Safety Equipment \$5000  
and above

Attachment 1

PT-2018-HS-22-18	Aiken Department of Public Safety	(2) Police vehicles at \$28,000 each (2) In-car cameras at \$5,000 each	\$56,000 \$10,000	FAST ACT NHTSA 402 FAST ACT NHTSA 402
PT-2018-HS-38-18	Fort Mill Police Department	(1) Police Vehicle at \$27,725 (1) Mobile Radio at \$6,000 each (1) Video System at \$5,000 each	\$27,725 \$6,000 \$5,000	FAST ACT NHTSA 402 FAST ACT NHTSA 402 FAST ACT NHTSA 402
PT-2018-HS-40-18	Moncks Corner Police Department	(1) Police vehicle at \$29,000 each (1) In-car camera at \$5,000 each	\$29,000 \$5,000	FAST ACT NHTSA 402 FAST ACT NHTSA 402
PT-2018-HS-41-18	Kershaw County Sheriff's Office	(1) Police vehicle at \$29,975 each (1) Mobile Radio at \$5,500 each	\$29,975 \$5,500	FAST ACT NHTSA 402 FAST ACT NHTSA 402

# State of South Carolina

## 2018 Impaired Driving Countermeasures Plan



**South Carolina Department of Public Safety  
Office of Highway Safety and Justice Programs**

**Approved  
June 9, 2017**

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## Introduction

The South Carolina Department of Public Safety's (SCDPS) Office of Highway Safety and Justice Programs (OHSJP) is responsible for carrying out activities related to the administration of an effective highway safety program. This is accomplished by developing programs and other activities throughout South Carolina. Utilizing evidence-based performance measures and strategies, the impact goal of the OHSJP is to reduce traffic crashes, injuries, and fatalities through various programs that are spearheaded, coordinated, and/or implemented by the OHSJP. The OHSJP's Statistical and Research division collects and analyzes crash data to determine the progress in meeting this goal. The OHSJP is recognized internally and externally as a division of the SCDPS that is dedicated to informing the public about highway safety issues through educational and public outreach campaigns; administering federally funded grants to address highway safety issues; serving as a custodian of statewide collision statistics; and acting as a coordinator of highway safety activities throughout the state. The ultimate mission of the OHSJP is to develop comprehensive strategies aimed at reducing the number and the severity of traffic crashes on the state's streets and highways.

The State of South Carolina has traditionally ranked as one of the top states in the nation for impaired-driving-related fatalities. For Federal Fiscal Year 2018, the state will follow the provisions of the legislation for Fixing America's Surface Transportation Act (FAST Act), which had the Interim Final Rule published on May 23, 2016. FAST Act follows much of the same guidance of MAP-21 legislation; states that have a VMT of .60 or more are considered "high-range" states for impaired driving-related fatalities. Per a communication from the NHTSA Regional Operations and Program Delivery Office of Grants Management and Operations, NHTSA is using data from 2012-2014 to determine the range classification for Section 405 Impaired Driving Grants. According to this data, South Carolina's average VMT alcohol-impaired driving fatality rate for this time period was 0.69, which classifies the state as *high-range*.

FAST Act legislation has continued the mandate that high-range states are required to conduct a NHTSA-facilitated impaired driving assessment and convene a statewide impaired driving task force to develop an impaired driving plan for the state. For Federal Fiscal Year (FFY) 2018, South Carolina has met each of the requirements to qualify for funding as a "high-range" state for alcohol-impaired driving fatalities. South Carolina conducted a NHTSA-facilitated Impaired Driving Assessment in November 2016. The Assessment was held at the Embassy Suites by Hilton Hotel in Columbia, South Carolina, and was led by Judge Linda Chezem of Mooresville, Indiana. The recommendations from the 2016 Impaired Driving Assessment are addressed in a separate section of this document and will continue to be utilized to formulate strategies to improve impaired driving countermeasures in the State of South Carolina.

This Impaired Driving Countermeasures Plan was presented to the SC Impaired Driving Prevention Council for review and was approved at its June 9, 2017, meeting.

In addition, the State of South Carolina included significant impaired driving countermeasures strategies as part of its FFY 2018 Highway Safety Plan, also submitted to NHTSA on July 1, 2017.

## Impaired Driving Statistical Overview: Collisions, Injuries, and Fatalities

The State of South Carolina has been committed to reducing the occurrence of alcohol-impaired driving and the resulting traffic crashes, injuries, and fatalities. The state has experienced significant reductions in alcohol-impaired driving traffic fatalities in recent years. The most recent preliminary FARS data provided by the National Highway Traffic Safety Administration (NHTSA) indicates that 301 people died on South Carolina roadways in 2015 as a result of alcohol-impaired driving collisions (see **Table 1** below). This raw number translates into a VMT alcohol-impaired driving fatality rate (traffic fatalities per 100 million vehicle miles traveled) for the state of 0.58, higher than the national rate of 0.33.

**Table 1** below, compiled from the NHTSA’s Analysis of Fatal Crash Data South Carolina: 2011-2015 and updated by the SC Department of Public Safety’s Office of Highway Safety and Justice Programs (OHSJP) using 2015 preliminary FARS data, shows that in 2011, there were 309 alcohol-impaired driving fatalities in South Carolina. This number fluctuated each year until reaching its lowest point of the 2011-2015 five-year cycle (301) in 2015. The 301 alcohol-impaired driving fatalities in 2015 represent a considerable change (9.27% decrease) from the 2011-2014 average, and a less significant change (2.59% decrease) from the 2011 total (309). The VMT-based projected alcohol-impaired traffic fatality rate for 2015 (0.58) represented a 13.75% decrease from the prior four-year average and an 8.22% decrease when compared to the 2011 rate (0.63). South Carolina’s alcohol-impaired population-based fatality rate followed a similar pattern as the VMT rate, with the 2015 rate (6.15 deaths per 100,000 population) representing a 12.01% decrease when compared to the 2011-2014 average (6.99) and a 7.03% decrease when compared to the rate in 2011 (6.61). These declines suggest that different factors may have been affecting alcohol-impaired driving deaths as opposed to non-alcohol impaired driving, which showed an increase during the same time period (see **Table 2** on page 5).

**Table 1. South Carolina Alcohol-Impaired Driving Fatalities**

	2011	2012	2013	2014	2015	% Change: 2011 vs. 2015	% Change: 2015 vs. prior 4-yr Avg.
<b>Total Fatalities</b>	309	348	339	331	301	-2.59%	-9.27%
<b>VMT Rate*</b>	0.63	0.71	0.69	0.66	0.58	-8.22%	-13.75%
<b>Pop Rate**</b>	6.61	7.37	7.11	6.85	6.15	-7.03%	-12.01%
<b>Pct. Of Total</b>	37.32%	40.32%	44.14%	40.22%	30.75%	-17.61%	-24.09%

\*Rate per 100 million miles of travel

\*\*Fatality rate per 100,000 population

o *VMT Data Source:* 2011-2014 Final and FARS 2015 ARF, <http://www-nrd.nhtsa.dot.gov>

Statistical data (**Table 2** below) for calendar year (CY) 2015 shows that 979 people were killed in South Carolina traffic crashes. In the period from 2011 through 2015, the Fatality Analysis Reporting System (FARS) indicates that there were approximately 4,261 motor vehicle-related deaths in South Carolina. This resulted in an average of about 852 traffic fatalities per year over

the five-year period. Over this period, annual traffic fatalities fluctuated around the five-year average, starting with 828 in 2011 and ending with 979 in 2015. The 2015 count represents a 19.32% increase, when compared to the average of the prior four years (820.5 fatalities), and an 18.24% increase when compared to the count in 2011. Total deaths increased from 828 in 2011 to 863 in 2012, before decreasing to 768 in 2013, and then rising to 823 in 2014 and to 979 at the end of the five-year cycle in 2015.

**Table 2. South Carolina Basic Data**

	2011	2012	2013	2014	2015	% Change: 2011 vs. 2015	% Change: 2015 vs. prior 4-yr Avg.
<b>Total Fatalities</b>	828	863	768	823	979	18.24%	19.32%
<b>VMT*</b>	48,731	49,036	48,986	49,931	51,723	6.14%	5.19%
<b>VMT Rate**</b>	1.70	1.76	1.57	1.65	1.89	11.40%	13.42%
<b>Population</b>	4,672,733	4,721,341	4,768,498	4,829,160	4,896,146	4.78%	3.12%
<b>Pop. Rate***</b>	17.72	18.28	16.11	17.04	20.00	12.84%	15.67%

\* Vehicle Miles of Travel (billions)

\*\*Rate per 100 million miles of travel

\*\*\*Fatality rate per 100,000 population

VMT Data Source: 2011-2015 FARS, <http://www-nrd.nhtsa.dot.gov>

**Table 3** on page 6 indicates that nationwide, alcohol-impaired traffic deaths increased by 2.09% in 2015 compared to an average of the four prior years, while VMT-based and population-based fatality rates fell and rose by 2.74% and 0.18%, respectively. The national declines in VMT-based fatality rate and percent of total death are significantly smaller than those seen for the state.

Over the entire five-year period, 2011-2015, the average alcohol-impaired driving VMT rate in South Carolina (0.65 traffic deaths per 100 million VMT, see **Table 1**) was much higher than the rate for the nation (0.34). Over the entire five-year period, the alcohol-impaired driving population-based fatality rate in South Carolina (6.82 deaths per 100,000 residents) was much higher than the rates for the nation (3.19) (See **Table 3** on the following page).

The impaired-driving fatality percentage of total deaths is a key index of the problem of alcohol-impaired driving fatalities. **Table 1** on page 4 indicates that South Carolina's proportion of impaired-driving deaths declined significantly in 2015 when compared to both the prior four-year average and the 2011 proportion. In South Carolina, this proportion decreased by 24.09% in 2015 (30.75%) when compared to the average of the previous four years (40.5%) and by 17.61% in 2015 when compared to the 2011 proportion (37.32%).

**Table 3. Nationwide Alcohol-Impaired Driving Fatalities**

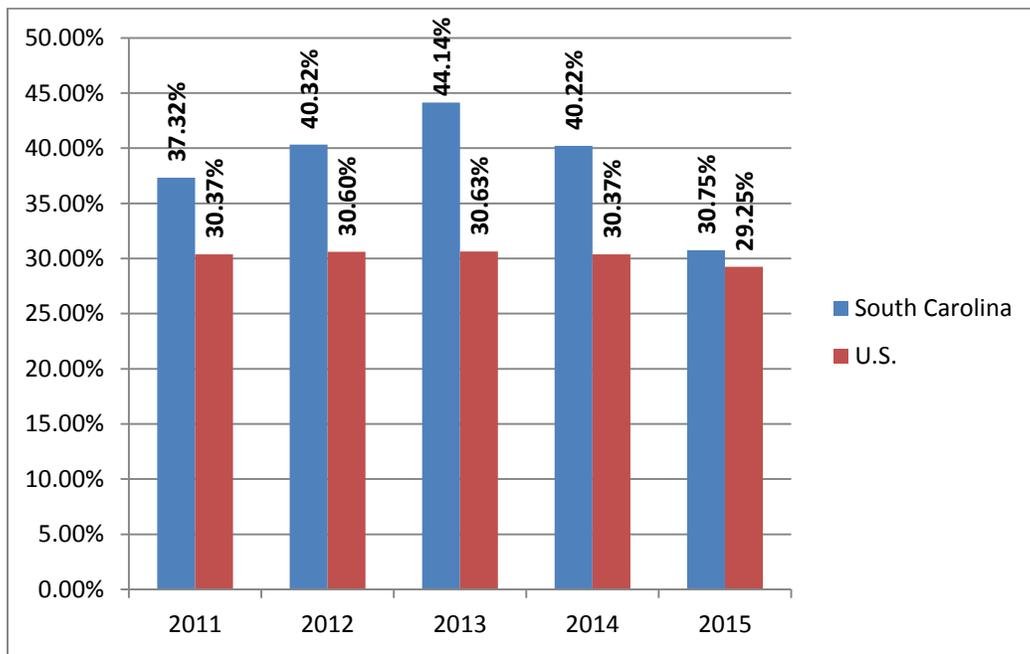
	2011	2012	2013	2014	2015	% Change 2011 vs. 2015	% Change 2015 vs. prior 4-yr Avg.
<b>Fatalities</b>	9,865	10,336	10,076	9,943	10,265	4.05%	2.09%
<b>VMT Rate*</b>	0.33	0.35	0.34	0.33	0.33	-1.96%	-2.74%
<b>Pop. Rate**</b>	3.16	3.29	3.18	3.12	3.20	0.96%	0.18%
<b>Pct. of Total</b>	30.37%	30.60%	30.63%	30.37%	29.25%	-3.69%	-4.07%

\* Rate per 100 million miles of travel

\*\* Rate per 100,000 population

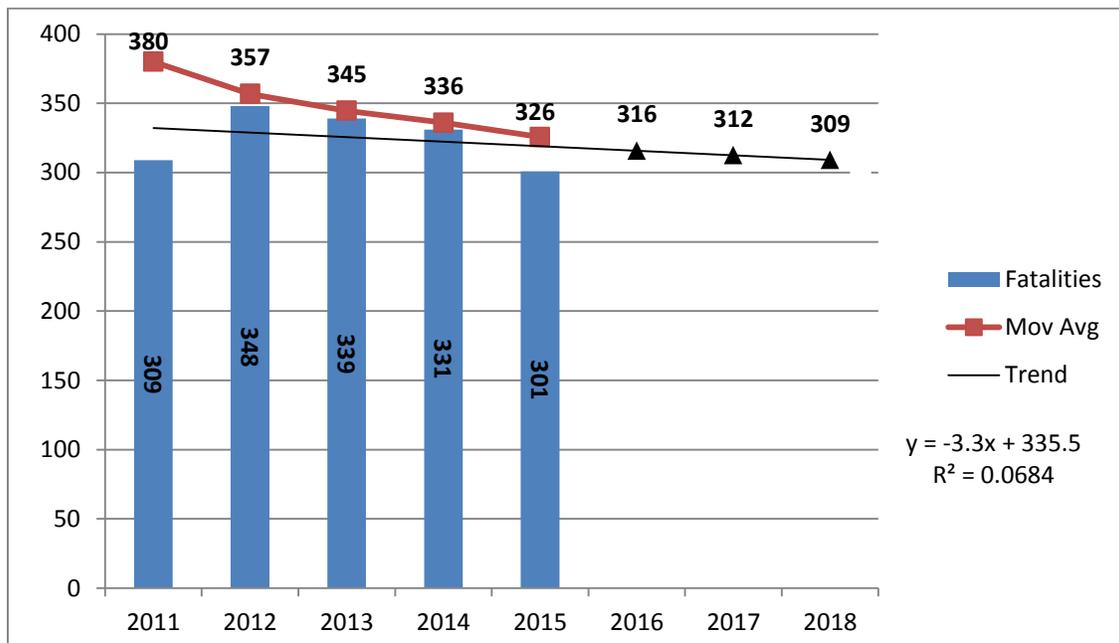
As shown in **Figure 1** below, the percentage of fatalities in South Carolina that involved alcohol-impaired driving was consistently above that of the nation from 2011 to 2014. However, in 2015, 30.75% of all fatalities in South Carolina were alcohol-impaired driving fatalities, in line with the nationwide percentage of 29.25%.

**Figure 1: Alcohol-Impaired Driving Fatalities as Percent of Total Fatalities**

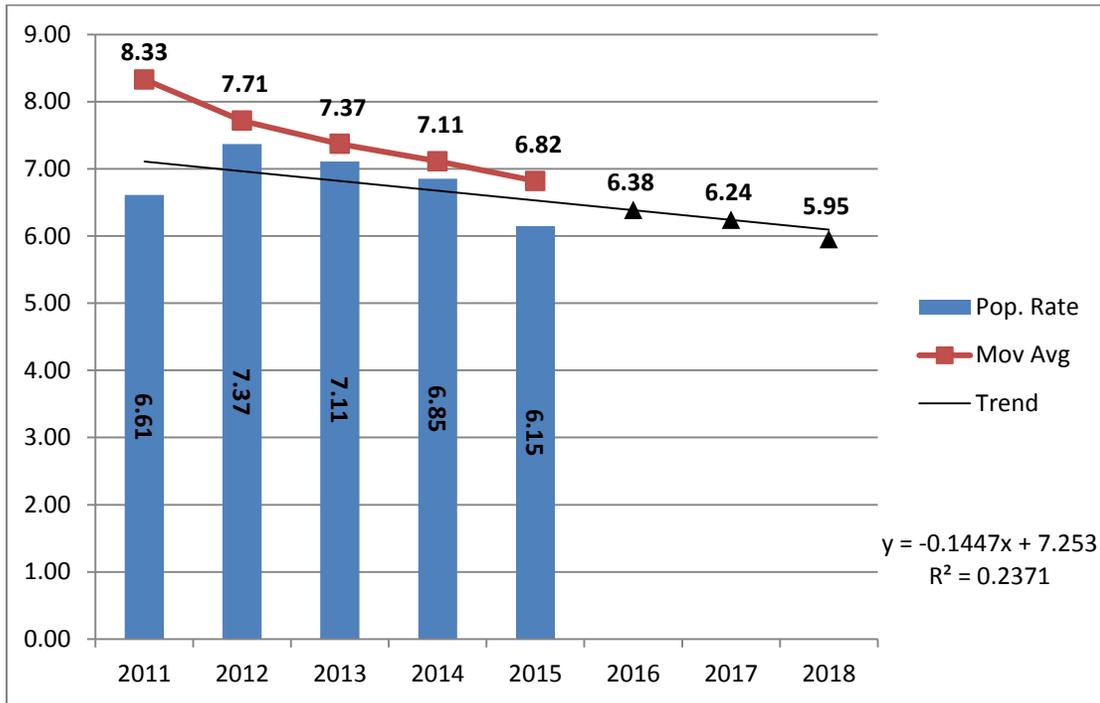


**Figure 2** below and **Figure 3** on page 8 are based on NHTSA FARS data and display graphically the downward trends in South Carolina in terms of four key indices of alcohol-impaired data – alcohol-impaired driving fatalities, VMT-based fatality rate, population-based alcohol-impaired driving fatality rate, and percent of total fatalities. Though the state has much work to do to improve the problem of alcohol-impaired driving, the trends displayed in these figures are encouraging.

**Figure 2. South Carolina Alcohol-Impaired Driving Fatalities**



**Figure 3. South Carolina Alcohol-Impaired Driving Fatalities, Population Rate**



**Alcohol-Impaired Driving Fatalities: Counties**

**Table 4** on page 9 and 10 shows the alcohol-impaired driving fatalities by county for South Carolina. According to data compiled from the OHSJP Statistical Analysis and Research Section and FARS, in South Carolina, from 2011 to 2015, the five counties with the most alcohol-impaired driving fatalities were Greenville (127); Lexington (114); Horry (112); Richland (107); and Charleston (102). Of these five counties, the following four showed decreases in the number of 2015 deaths when compared to the respective prior four-year average: Charleston (-31.03%), Richland (-29.67%), Greenville (-6.80%), and Lexington (-4.35%), while Horry experienced a slight increase (3.37%). Throughout the five-year period 2011-2015, the counties with the highest percentages of alcohol-impaired driving fatalities as compared to the total traffic fatalities were Edgefield (52.38%); Lexington (51.82%); Greenwood (51.11%); Fairfield (50.00%); and McCormick (50.00%).

**Table 4. Alcohol-Impaired Driving Fatalities by County**

Alcohol-Impaired Driving (A-I) Fatalities*						Total A-I Fatalities	Total Fatalities	% A-I	% Change 2015 vs. prior 4-yr Avg.
County	2011	2012	2013	2014	2015				
Abbeville	1	3	3	2	2	11	27	40.74%	-11.11%
Aiken	12	8	14	9	9	52	123	42.28%	-16.28%
Allendale	0	1	2	1	0	4	16	25.00%	-100.00%
Anderson	13	13	13	19	8	66	201	32.84%	-44.83%
Bamberg	1	1	1	2	1	6	18	33.33%	-20.00%
Barnwell	6	1	0	1	4	12	31	38.71%	100.00%
Beaufort	4	8	7	10	3	32	88	36.36%	-58.62%
Berkeley	15	14	13	14	10	66	169	39.05%	-28.57%
Calhoun	2	1	2	4	2	11	47	23.40%	-11.11%
Charleston	20	24	19	24	15	102	256	39.84%	-31.03%
Cherokee	4	2	3	6	5	20	64	31.25%	33.33%
Chester	3	1	6	3	2	15	48	31.25%	-38.46%
Chesterfield	2	5	4	2	8	21	48	43.75%	146.15%
Clarendon	3	3	5	3	6	20	65	30.77%	71.43%
Colleton	8	8	3	7	7	33	88	37.50%	7.69%
Darlington	8	7	10	3	10	38	88	43.18%	42.86%
Dillon	4	4	2	6	2	18	53	33.96%	-50.00%
Dorchester	6	8	8	5	11	38	98	38.78%	62.96%
Edgefield	6	2	0	2	1	11	21	52.38%	-60.00%
Fairfield	4	4	5	7	1	21	42	50.00%	-80.00%
Florence	6	8	9	11	9	43	144	29.86%	5.88%
Georgetown	2	7	5	4	4	22	58	37.93%	-11.11%
Greenville	21	25	35	22	24	127	328	38.72%	-6.80%
Greenwood	6	5	2	4	6	23	45	51.11%	41.18%
Hampton	2	4	2	2	2	12	25	48.00%	-20.00%
Horry	18	21	23	27	23	112	298	37.58%	3.37%
Jasper	7	5	3	2	3	20	78	25.64%	-29.41%
Kershaw	5	7	12	5	5	34	71	47.89%	-31.03%
Lancaster	8	5	2	5	4	24	69	34.78%	-20.00%
Laurens	4	7	6	6	5	28	94	29.79%	-13.04%
Lee	1	1	3	1	6	12	27	44.44%	300.00%
Lexington	27	28	21	16	22	114	220	51.82%	-4.35%
Marion	0	4	3	3	4	14	41	34.15%	60.00%
Marlboro	6	1	1	4	2	14	37	37.84%	-33.33%
McCormick	0	2	0	4	0	6	12	50.00%	-100.00%

<b>Newberry</b>	1	6	3	2	1	<b>13</b>	<b>40</b>	<b>32.50%</b>	-66.67%
<b>Oconee</b>	4	8	1	4	3	<b>20</b>	<b>64</b>	<b>31.25%</b>	-29.41%
<b>Orangeburg</b>	10	7	18	10	8	<b>53</b>	<b>144</b>	<b>36.81%</b>	-28.89%
<b>Pickens</b>	6	5	5	8	6	<b>30</b>	<b>75</b>	<b>40.00%</b>	0.00%
<b>Richland</b>	17	28	28	18	16	<b>107</b>	<b>240</b>	<b>44.58%</b>	-29.67%
<b>Saluda</b>	1	5	1	3	0	<b>10</b>	<b>23</b>	<b>43.48%</b>	-100.00%
<b>Spartanburg</b>	13	25	11	19	24	<b>92</b>	<b>240</b>	<b>38.33%</b>	41.18%
<b>Sumter</b>	9	5	10	12	4	<b>40</b>	<b>103</b>	<b>38.83%</b>	-55.56%
<b>Union</b>	1	1	0	1	4	<b>7</b>	<b>17</b>	<b>41.18%</b>	433.33%
<b>Williamsburg</b>	2	5	7	3	2	<b>19</b>	<b>53</b>	<b>35.85%</b>	-52.94%
<b>York</b>	12	11	11	8	7	<b>49</b>	<b>124</b>	<b>39.52%</b>	-33.33%
<b>Totals</b>	<b>311</b>	<b>354</b>	<b>342</b>	<b>334</b>	<b>301</b>	<b>1,642</b>	<b>4,261</b>	<b>40.10%</b>	<b>-18.70%</b>

Different county pictures emerge when looking at population-based alcohol-impaired traffic fatality rates in South Carolina. The population-based traffic fatality rates by county are shown in **Table 5** below and on page 11, with highlighting indicating counties with the highest rates in 2015 (Lee [33.53]; Colleton [18.55]; Barnwell [18.41]; Clarendon [17.76]; and Chesterfield [17.38]). These counties are much smaller in population than the average SC county, and it should be noted that the counties' population-based fatality rates can vary drastically from year to year as the chart below and on the next page shows. Thus, counties with the highest rates in 2015 may have had a much smaller rate in prior years. As a result, using this data to frame and inform strategies should be considered with caution.

**Table 5. Alcohol-Impaired Driving Fatalities by County: Rate per 100,000 Population**

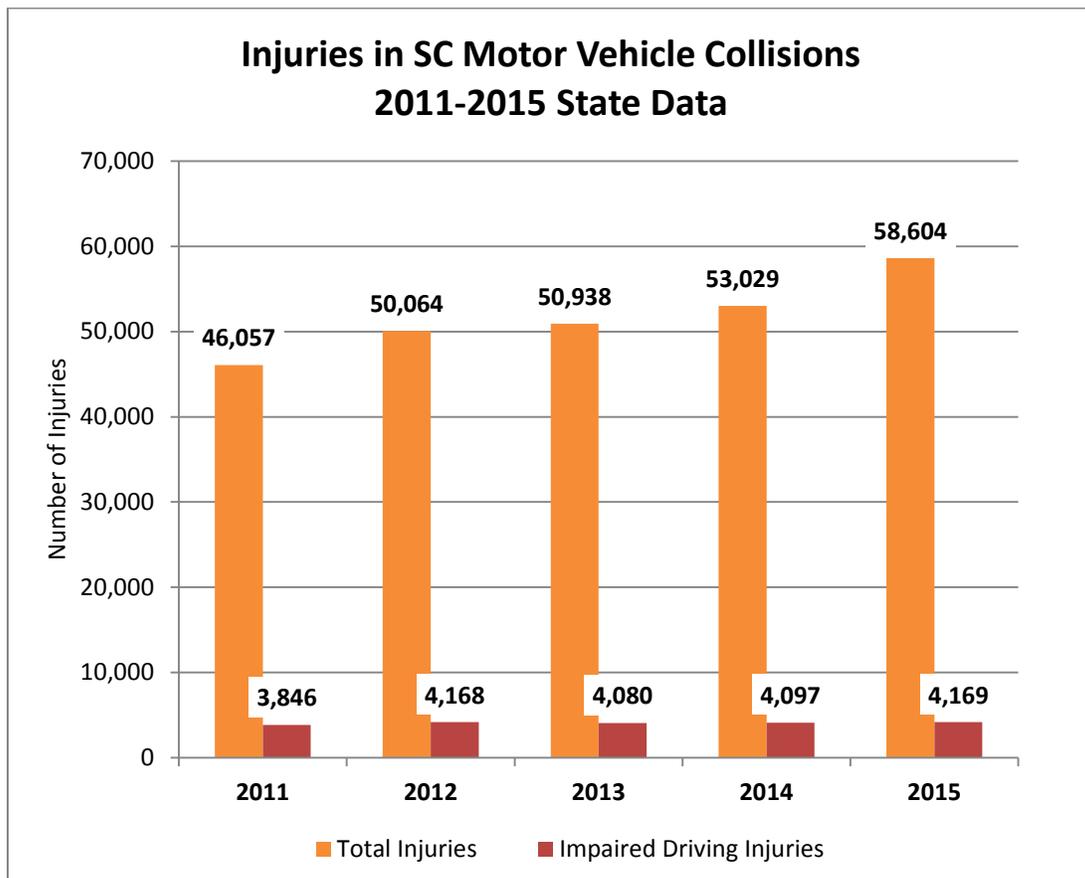
<b>County</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>
<b>Abbeville</b>	3.98	11.98	12.01	8.02	8.02
<b>Aiken</b>	7.42	4.90	8.53	5.47	5.43
<b>Allendale</b>	0.00	10.01	20.37	10.32	0.00
<b>Anderson</b>	6.90	6.87	6.82	9.85	4.11
<b>Bamberg</b>	6.30	6.33	6.48	13.17	6.72
<b>Barnwell</b>	26.78	4.49	0.00	4.56	18.41
<b>Beaufort</b>	2.44	4.78	4.09	5.71	1.67
<b>Berkeley</b>	8.17	7.39	6.71	7.06	4.93
<b>Calhoun</b>	13.18	6.70	13.29	26.90	13.53
<b>Charleston</b>	5.59	6.57	5.10	6.31	3.85
<b>Cherokee</b>	7.19	3.59	5.38	10.71	8.90

Chester	9.13	3.06	18.37	9.27	6.20
Chesterfield	4.29	10.85	8.67	4.34	17.38
Clarendon	8.66	8.76	14.63	8.81	17.76
Colleton	20.79	20.93	7.94	18.53	18.55
Darlington	11.72	10.27	14.73	4.43	14.80
Dillon	12.59	12.69	6.37	19.18	6.40
Dorchester	4.28	5.62	5.51	3.37	7.21
Edgefield	22.44	7.59	0.00	7.56	3.77
Fairfield	16.96	17.19	21.69	30.58	4.40
Florence	4.36	5.80	6.51	7.91	6.48
Georgetown	3.32	11.62	8.27	6.59	6.53
Greenville	4.57	5.36	7.38	4.56	4.88
Greenwood	8.59	7.15	2.87	5.75	8.59
Hampton	9.63	19.30	9.81	9.79	9.98
Horry	6.54	7.45	7.96	9.05	7.44
Jasper	27.55	19.29	11.29	7.40	10.78
Kershaw	8.06	11.25	19.18	7.92	7.86
Lancaster	10.29	6.32	2.49	6.02	4.66
Laurens	6.02	10.57	9.07	9.02	7.50
Lee	5.28	5.35	16.28	5.44	33.53
Lexington	10.13	10.37	7.68	5.77	7.81
Marion	0.00	12.35	9.38	9.39	12.60
Marlboro	21.07	3.55	3.58	14.34	7.27
McCormick	0.00	20.11	0.00	40.56	0.00
Newberry	2.67	15.97	7.99	5.29	2.63
Oconee	5.39	10.72	1.33	5.32	3.96
Orangeburg	10.90	7.66	19.86	11.12	8.97
Pickens	5.02	4.18	4.19	6.63	4.93
Richland	4.36	7.11	7.04	4.48	3.93
Saluda	5.03	25.04	4.98	14.98	0.00
Spartanburg	4.54	7.97	3.78	6.47	8.07
Sumter	8.38	4.63	9.26	11.12	3.72
Union	3.49	3.54	0.00	3.58	14.40
Williamsburg	5.86	14.87	21.12	9.16	6.15
York	5.21	4.69	4.60	3.26	2.79
<b>County Average</b>	<b>8.37</b>	<b>9.41</b>	<b>8.53</b>	<b>9.68</b>	<b>7.99</b>

## Traffic Injuries

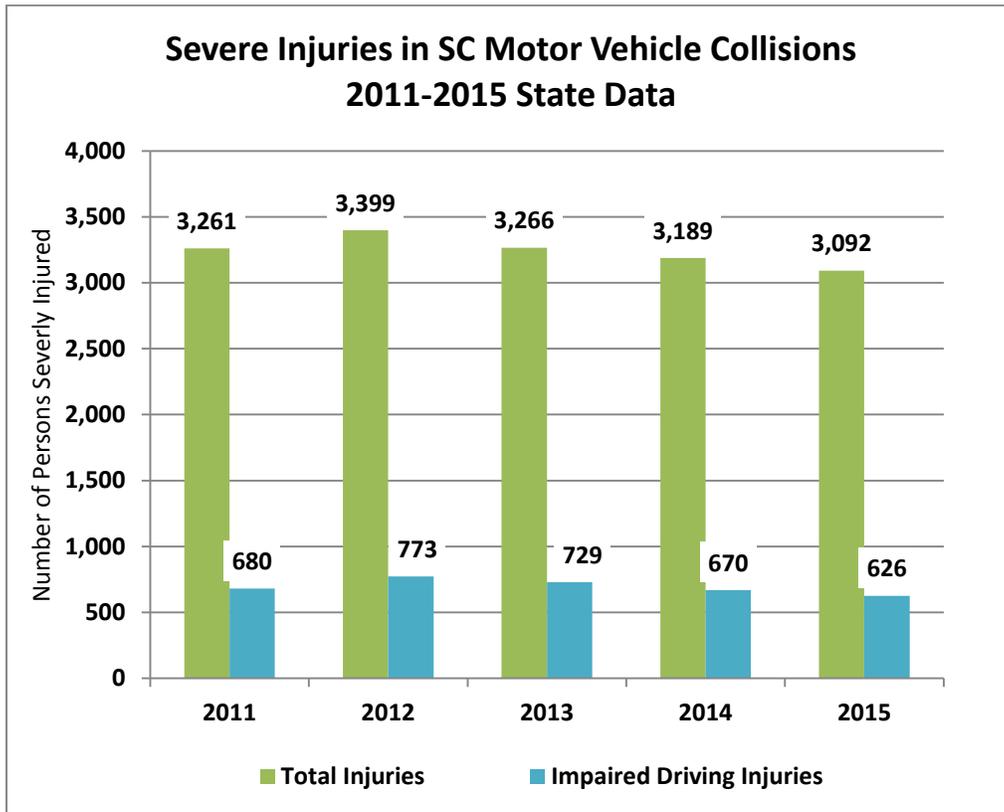
According to state data, from 2011 to 2015, a total of 258,692 people were injured in motor-vehicle collisions in South Carolina. Of the 258,692 injuries, 20,360 or 7.9%, were impaired driving-related (State data cannot separate alcohol- and drug-impaired driving). **Figure 4** below displays graphically how total injuries compare to impaired driving-related injuries in the state from 2011 to 2015.

**Figure 4**



**Figure 5** on page 13 compares total severe traffic-related injuries in SC from 2011 to 2015 to those severe injuries that were the result of impaired-driving collisions. From 2011 to 2015, SC experienced a total of 16,207 severe traffic-related injuries. Of these 16,207 severe-injuries, 3,478, or 21.5%, were impaired-driving-related. The state experienced a decrease (7.9%) in 2015 in impaired-driving-related severe injuries (626), as compared to the number of impaired-driving-related severe injuries in 2011 (680). The state also experienced a decrease (12.2%) in 2015 as compared to the average of the four-year period 2011-2014 (713 severe injuries).

**Figure 5**

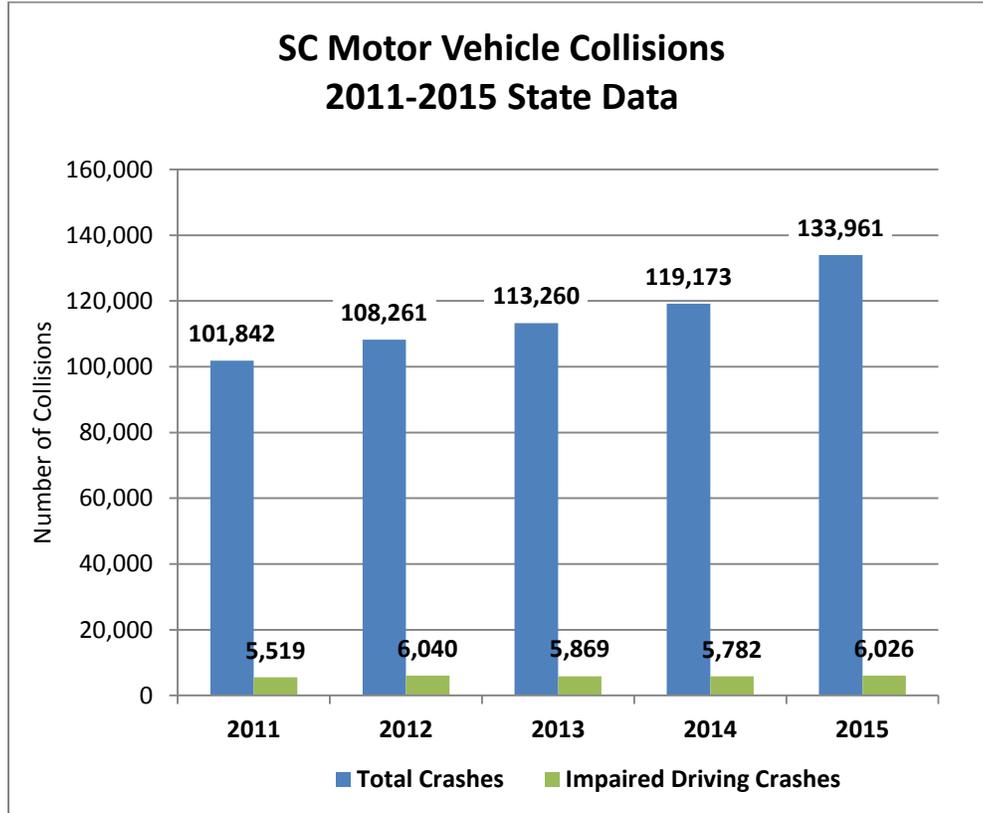


## **Traffic Crashes**

### **Impaired-Driving Collisions**

According to state data, over the five-year period 2011-2015, South Carolina experienced 29,236 impaired-driving collisions. During the same period, there was a 9.2% increase in the number of impaired-driving collisions, from 5,519 in 2011 to 6,026 in 2015 (see **Figure 6** on the following page). The 2015 figure of 6,026 impaired-driving-related crashes was 3.9% higher than the average number of impaired-driving-related crashes for the years 2011-2014 (5,802.5).

**Figure 6**



### **Drivers Involved in Impaired-Driving-related Collisions**

Drivers in the 20-24 year old age group made up the largest age group represented among all drivers (29,404) that contributed to an impaired-driving crash from 2011-2015, totaling 5,104 drivers. Of the 5,104 drivers, 241, or 4.7%, were involved in a fatal impaired-driving collision. The second highest age group of drivers that contributed to an impaired-driving crash was aged 25-29 (4,684 drivers), 222, or 4.7%, of whom were involved in a fatal impaired-driving-related crash. This age group was followed by drivers aged 30-34, totaling 3,955 drivers that contributed to an impaired-driving crash, 167, or 4.2%, of whom were involved in a fatal impaired-driving-related collision (see **Tables S-1** and **S-2** on the next page). During the period 2011-2015, 81.7% of the drivers that contributed to an impaired-driving crash were male, 18% were female, and 0.3% were gender unknown (**Table S-3** on page 16). In regards to ethnicity, Caucasians were the leading group of drivers that contributed to an impaired-driving crash, constituting 65.3% of the total drivers (**Table S-4** on page 16). African Americans were the next highest group, with 30.45%, followed by Hispanic drivers, who accounted for 3.3% of the total drivers that contributed to an impaired-driving crash (0.65% and 0.29% represent other and unknown ethnicities).

**Table S-1. Impaired Driving Crashes by ‘Contributed To’ Driver Age Group, State Data 2011 - 2015**

Age Group	2011	2012	2013	2014	2015	Total
<b>Under 15</b>	1	0	4	1	0	6
<b>15-19</b>	303	322	279	265	245	1,414
<b>20-24</b>	953	1,083	1,065	982	1,021	5,104
<b>25-29</b>	873	965	940	924	982	4,684
<b>30-34</b>	774	798	763	783	837	3,955
<b>35-39</b>	512	589	616	571	643	2,931
<b>40-44</b>	523	586	557	570	528	2,764
<b>45-49</b>	535	572	500	478	484	2,569
<b>50-54</b>	438	509	454	471	486	2,358
<b>55-59</b>	279	278	333	341	377	1,608
<b>60-64</b>	172	186	176	189	232	955
<b>65-69</b>	80	104	104	99	101	488
<b>70+</b>	55	54	81	90	75	355
<b>Unknown</b>	56	42	37	40	38	213
<b>Total</b>	5,554	6,088	5,909	5,804	6,049	29,404

**Table S-2. Impaired Driving Fatal Crashes by ‘Contributed To’ Driver Age Group, State Data 2011 – 2015**

Age Group	2011	2012	2013	2014	2015	Total
<b>Under 15</b>	0	0	0	0	0	0
<b>15-19</b>	18	20	16	21	14	89
<b>20-24</b>	51	49	47	44	50	241
<b>25-29</b>	46	41	38	52	45	222
<b>30-34</b>	38	33	33	35	28	167
<b>35-39</b>	26	22	25	28	28	129
<b>40-44</b>	21	22	36	26	24	129
<b>45-49</b>	25	33	25	16	29	128
<b>50-54</b>	22	27	22	18	20	109
<b>55-59</b>	12	18	17	16	18	81
<b>60-64</b>	8	4	3	12	13	40
<b>65-69</b>	4	4	7	5	3	23
<b>70+</b>	4	7	3	7	6	27
<b>Unknown</b>	1	2	1	0	0	4
<b>Total</b>	276	282	273	280	278	1,389

**Table S-3. Impaired Driving Fatal Crashes by ‘Contributed To’ Driver Gender, State Data 2011- 2015**

Gender	2011	2012	2013	2014	2015	Total
Male	224	231	229	222	229	1,135
Female	51	49	43	58	49	250
Unknown	1	2	1	0	0	4
<b>Total</b>	<b>276</b>	<b>282</b>	<b>273</b>	<b>280</b>	<b>278</b>	<b>1,389</b>

**Table S-4. Impaired Driving Fatal Crashes by ‘Contributed To’ Driver Ethnicity, State Data 2011 - 2015**

Ethnicity	2011	2012	2013	2014	2015	Total
Caucasian	180	191	174	176	186	907
African American	79	79	90	90	85	423
Hispanic	14	8	7	13	4	46
Other	2	2	1	1	3	9
Unknown	1	2	1	0	0	4
<b>Total</b>	<b>276</b>	<b>282</b>	<b>273</b>	<b>280</b>	<b>278</b>	<b>1,389</b>

**Alcohol-Impaired Driving Fatalities: BAC Percentages**

As shown in **Table 6** below, from 2011 through 2015, the percentage of fatalities in South Carolina in which the highest BAC in the crash was 0.08 or above was 89%, and only 11% of the known BAC test results were in the 0.01 to 0.07 range (BAC test results were available in 72% of the fatal crashes in South Carolina from 2011 to 2015). Additional analysis show 64% of these fatal crashes had a driver with double the legal limit of alcohol in their system at the time of the crash.

**Table 6: Fatalities by the Highest BAC in the Crash\***

Highest BAC	Number of Fatal Collisions
0.01-0.07	108
0.08-0.14	241
0.15-0.21	344
0.22-0.28	206
0.29-0.35	64
0.36+	16
Unknown	381
<b>Total</b>	<b>1,360</b>

## **Alcohol-Impaired Fatal Crashes: Month, Day, and Time**

As shown in **Table 7** on the following page, the three months with the greatest number of alcohol-impairment-related fatal crashes in South Carolina during the 2011-2015 period were May (145 crashes, 9.79% of total), July (143 crashes, 9.66% of the total), and October (141 crashes, or 9.52% of the total). Nationwide, the three months with the greatest percentage of such crashes were August (9.78%), July (9.70%), and then May (9.18%).

During the timeframe 2011-2015, alcohol-impairment-related fatal crashes were much more common on the weekends and Fridays than on other days of the week for South Carolina and the US as a whole. In South Carolina, the most alcohol-impairment-related fatal crashes occurred on Saturdays (387 crashes, 26.13% of total), followed by Sundays (331, 22.35%), and then Fridays (214, 14.45%). The same pattern was observed for the nation. Nationally, 24.51% of alcohol-impairment-related fatal crashes occurred on Saturdays, 22.30% on Sundays, and 14.73% on Fridays.

During the five years 2011-2015, alcohol-impairment-related fatal crashes were much more common after 6 p.m. and before 3 a.m. for South Carolina and the US as a whole. In South Carolina, the most alcohol-impairment-related fatal crashes occurred between midnight and 3 a.m. (339 crashes, 22.89% of total), followed by 9 p.m. to midnight (333, 22.48%), and then 6 p.m. to 9 p.m. (260, 17.56%). Nationwide the pattern was similar, as 24.65% of alcohol-impairment-related fatal crashes occurred between midnight and 3 a.m., 20.58% between 9 p.m. and midnight, and 17.27% between 6 p.m. and 9 p.m. It should be noted that, when adding the 3 a.m. to 6 a.m. (177, 11.95%) and 3 p.m. to 6 p.m. (158, 10.67%) timeframes to the equation, 85.55% of South Carolina's alcohol-impairment-related fatal crashes occurred between the hours of 3 p.m. and 6 a.m.

**Table 7. Alcohol-Impairment-Related\* Fatal Crashes by Month, Day of Week, and Time of Day: Totals 2011-2015**

	South Carolina N=1,481		U.S. N=45,644
	N	%	%
<b>MONTH</b>			
January	114	7.70%	7.07%
February	99	6.68%	6.39%
March	125	8.44%	7.87%
April	132	8.91%	8.02%
May	145	9.79%	9.18%
June	125	8.44%	9.13%
July	143	9.66%	9.70%
August	121	8.17%	9.78%
September	126	8.51%	8.66%
October	141	9.52%	8.70%
November	104	7.02%	8.09%
December	106	7.16%	7.42%
<b>DAY OF WEEK</b>			
Sunday	331	22.35%	22.30%
Monday	160	10.80%	9.33%
Tuesday	118	7.97%	8.92%
Wednesday	136	9.18%	9.39%
Thursday	135	9.12%	10.81%
Friday	214	14.45%	14.73%
Saturday	387	26.13%	24.51%
<b>TIME OF DAY</b>			
Midnight-3am	339	22.89%	24.65%
3am-6am	177	11.95%	12.25%
6am-9am	70	4.73%	5.00%
9am-Noon	53	3.58%	2.90%
Noon-3pm	90	6.08%	5.36%
3pm-6pm	158	10.67%	10.79%
6pm-9pm	260	17.56%	17.27%
9pm-Midnight	333	22.48%	20.58%
Unknown	1	0.07%	1.20%

\*Based on fatal crashes in which any crash participant had a BAC of 0.08 or above. Total fatal crashes may differ slightly depending on grouping (month, day, time) due to imputation method.

### Alcohol-Impaired Fatalities: Route Category

As shown in **Table 8** below, during 2011-2015, almost half (44.21%) of impaired driving-related fatalities in SC occurred on Secondary routes, followed by SC Primary and US Primary routes. County and Interstate routes had the least number of impaired driving-related fatalities with 7.00% and 7.60% of the total number of fatalities.

**Table 8. Alcohol-Impaired Driving Fatalities by Route Category**

Route Category	Number of Fatalities	Percentage of Total
Interstate	113	7.60%
US Primary	290	19.52%
SC Primary	322	21.67%
Secondary	657	44.21%
County	104	7.00%
Total	1,486	100%

### Alcohol-Impaired Fatal and Severe-Injury Collisions

The Office of Highway Safety and Justice Programs' (OHSJP) Statistical Analysis and Research Section also reviewed the counties with the highest reported frequencies of fatal and severe-injury DUI-related collisions in South Carolina from 2011 to 2015. Combining DUI-related "fatal and severe-injury" data is another way that the OHSJP analyzed the impaired-driving problem in the state. During the five-year time frame 2011-2015, the counties identified as experiencing the most DUI-related fatal and severe-injury collisions were Greenville (402), Horry (317), Richland (246), Lexington (239), Anderson (213), Spartanburg (211), Berkeley (174), Charleston (161), York (152), Aiken (125), Florence (114), Laurens (113), Orangeburg (106), Pickens (94), and Lancaster (90) (see **Table 9** on the following page). The five priority counties (Greenville, Lexington, Horry, Richland, and Charleston) identified in **Table 4** on pages 9 and 10 are all among the highlighted counties in the fatal and severe-injury DUI collision **Table 9** on page 20.

**Table 9. All Fatal and Severe Injury Alcohol and/or Drug Collisions  
South Carolina (2011-2015)**

County	2011	2012	2013	2014	2015	2011-2015	% DUI 2011-2015
<b>Greenville</b>	72	90	89	81	70	402	28.80%
<b>Horry</b>	54	89	60	59	55	317	20.30%
<b>Richland</b>	50	50	59	46	41	246	25.50%
<b>Lexington</b>	58	58	37	42	44	239	31.80%
<b>Anderson</b>	38	48	50	35	42	213	28.00%
<b>Spartanburg</b>	43	39	41	40	48	211	22.60%
<b>Berkeley</b>	32	33	46	35	28	174	21.40%
<b>Charleston</b>	33	32	33	39	24	161	10.80%
<b>York</b>	28	40	31	25	28	152	24.10%
<b>Aiken</b>	30	23	22	26	24	125	28.50%
<b>Florence</b>	20	28	24	28	14	114	25.00%
<b>Laurens</b>	21	22	24	24	22	113	34.00%
<b>Orangeburg</b>	22	13	31	19	21	106	25.50%
<b>Pickens</b>	27	15	19	21	12	94	25.90%
<b>Lancaster</b>	15	24	15	18	18	90	25.70%
Dorchester	17	21	17	14	19	88	19.80%
Beaufort	14	18	16	19	18	85	18.70%
Darlington	15	20	13	13	17	78	29.90%
Greenwood	22	16	10	14	16	78	27.60%
Sumter	19	14	17	17	10	77	23.30%
Oconee	12	18	8	14	16	68	28.80%
Georgetown	7	13	15	17	13	65	23.00%
Cherokee	13	14	6	14	15	62	26.70%
Kershaw	7	19	20	6	8	60	31.10%
Colleton	11	13	9	6	19	58	19.90%
Chesterfield	9	13	13	5	13	53	30.10%
Newberry	6	12	11	10	9	48	28.90%
Williamsburg	4	12	14	6	12	48	25.80%
Chester	9	8	7	8	7	39	24.40%
Jasper	8	6	8	5	9	36	14.80%
Clarendon	2	10	6	5	10	33	25.60%
Edgefield	15	7	1	4	4	31	32.00%
Fairfield	10	4	5	9	3	31	25.00%
Abbeville	3	6	10	4	5	28	30.80%
Barnwell	9	2	3	4	7	25	19.50%
Lee	1	4	5	6	7	23	30.70%
Dillon	4	5	5	6	2	22	19.30%

Saluda	3	6	8	3	2	22	25.30%
Marion	3	6	5	4	3	21	18.60%
Union	3	4	2	4	6	19	20.90%
Hampton	4	5	1	5	3	18	16.20%
Marlboro	6	3	3	2	3	17	16.70%
Calhoun	2	2	5	5	0	14	15.70%
Bamberg	4	1	2	4	2	13	18.80%
McCormick	3	1	1	4	2	11	29.70%
Allendale	2	1	2	0	1	6	14.30%
Total	790	888	829	775	752	4034	

## **I. Program Management and Strategic Planning**

The management of the highway safety program in South Carolina is based on strong leadership, sound policy development, program management, strategic planning, and an effective communications program. Since the issue of impaired driving is such a challenge in the state, specific attention is directed to this area of major concern. The state utilizes evidence-based practices in its problem-identification methods to determine where and when to place its resources in order to impact the state's traffic safety problems, with a priority given to impaired driving issues. The state's plan for impacting impaired driving is data-driven and focused on geographic areas that are most at-risk for impaired driving problems. The staff of the Office of Highway Safety and Justice Programs (OHSJP) carefully manages and monitors campaign initiatives and subgrantee projects, including impaired driving countermeasures projects.

### **• Task Forces or Commissions**

**SC Impaired Driving Prevention Council** - The State of South Carolina has an impaired driving task force known as the South Carolina Impaired Driving Prevention Council (SCIDPC), which was formed in August 2004 based on a recommendation submitted by an Impaired Driving Assessment conducted in the state in 2002 by a team of NHTSA experts led by Judge Mike Witte of the State of Indiana. The SCIDPC is a multi-agency, multi-disciplinary task force, made up of representatives from law enforcement, the criminal justice system (prosecution, adjudication and probation), driver licensing, treatment and rehabilitation, ignition interlock program, data and traffic records, public health, and communication, which has sought to utilize a variety of approaches in attacking the DUI problem in the state.

The SCIDPC is composed of representatives from the following agencies (please note primary agency function(s) indicated by each listed agency):

SC Office of the Governor – executive, administration, advisory

SC Department of Public Safety (SCDPS) – law enforcement, communication, data/traffic records  
 SC Office of Highway Safety and Justice Programs (OHSJP)/(SCDPS) – administration, data/traffic records  
 SC Department of Transportation (SCDOT) – data/traffic records  
 SC Department of Motor Vehicles (SCDMV) – driver licensing, data/traffic records, ignition interlock device program  
 SC Department of Corrections (SCDC) – criminal justice  
 SC Department of Alcohol and Other Drug Abuse Services (SCDAODAS) – treatment/rehabilitation/prevention, data  
 SC Legislature – administration, legislation  
 SC Department of Insurance (SCDOI) – data  
 SC Commission on Prosecution Coordination (SCCPC) – prosecution  
 SC Solicitors Association (SCSoA) – prosecution  
 SC Department of Probation, Parole and Pardon Services (SCDPPPS) – criminal justice, ignition interlock device program  
 SC Criminal Justice Academy (SCCJA) – law enforcement training  
 SC State Law Enforcement Division (SLED) – law enforcement  
 SC Department of Education (SCDOE) – education  
 SC Judicial Department (SCJD) – criminal justice, adjudication  
 SC Attorney General’s Office (SCAGO) – criminal justice  
 SC Sheriffs’ Association (SCSA) – law enforcement  
 SC Law Enforcement Officers’ Association (SCLEOA) – law enforcement  
 SC Summary Court Judges’ Association (SCSCJA) – criminal justice, adjudication  
 SC Campus Law Enforcement Association (SCCLEA) – law enforcement  
 SC Coroners’ Association (SCCA) – public health, criminal justice  
 SC Trucking Association (SCTA) – administration, advisory  
 Behavioral Health Services Association (BHSA) – public health, treatment/rehabilitation  
 SC Victims Assistance Network (SCVAN) – advocacy, victim services  
 SC Mothers Against Drunk Driving (SCMADD) – advocacy, victim services  
 Families of Highway Fatalities (FHF) – advocacy, victim services  
 State Office of Victim Assistance (SOVA) – advocacy, victim assistance  
 American College of Emergency Physicians (ACEP) – public health  
 Primary Care Physician Association (PCPA) – public health  
 American Automobile Association (AAA) – administration, data, advocacy  
 Safety Council of South Carolina (SC Chapter of National Safety Council) – advocacy, data  
 SC Restaurant and Lodging Association (SCRLA) – administration, business/industry  
 Federal Highway Administration (FHWA) – advisory  
 National Highway Traffic Safety Administration (NHTSA) – advisory  
 Federal Motor Carrier Safety Administration (FMCSA) – advisory

Each member agency/organization brings different perspectives and experiences to the task force.

The essential purpose of the SCIDPC is to provide leadership and guidance for citizens seeking to reduce the number of DUI-related collisions, injuries, and fatalities in the state. **Attachment 1** contains a list of current SCIDPC members, and **Attachment 2** contains the SCIDPC's charter. The SCIDPC was instrumental in getting the state's DUI law strengthened in 2009 and provided on-going support for the legislation that makes the Ignition Interlock Device (IID) mandatory for offenders with a BAC concentration of 0.15 or above convicted of a first-offense DUI in South Carolina. South Carolina's previous Governor, Nikki R. Haley, signed the bill on April 14, 2014. The amended IID law is referred to as "Emma's Law", and it took effect on October 1, 2014. The SCIDPC continues to make progress in addressing impaired driving issues in South Carolina. The SCIDPC actively advocated for the DUI video legislation to be amended, so as not to allow the offender stepping out of the video briefly to be the sole reason for dismissal of a case. The SCIDPC is still working to address the legislation which limits law enforcement to one BAC test at the time of a DUI arrest, advocating against the legalization of the Medical Marijuana Program Act, and supporting Alli's Law: Responsible Alcoholic Beverage Server Training Act. Alli's Law would mandate alcohol server training beyond the current requirement, which specifies mandated training after a serving violation.

The OHSJP will continue to work to ensure that the SCIDPC and its membership remain viable. The SCIDPC and the OHSJP will also continue to diligently work together to ensure that impaired driving countermeasures remain a top priority for the State of South Carolina. The SCIDPC continues to assist in the drafting and review of the Impaired Driving Countermeasures Plan and convened on June 9, 2017, to review and approve the state's FFY 2018 Impaired Driving Countermeasures Plan.

**Underage Drinking Action Group** - In addition to participating in the efforts of the SCIDPC, the SC Department of Alcohol and Other Drug Abuse Services' (SCDAODAS) is responsible for the administration of the state's Underage Drinking Action Group (UDAG). UDAG is dedicated to the reduction of underage drinking in the state and is composed of a multi-disciplinary team of stakeholders. Participants hail from the following agencies and groups: the SC Department of Public Safety, SCDAODAS, the SC Department of Social Services, the SC Department of Transportation, Mothers Against Drunk Driving SC, the University of South Carolina, Clemson University, Pacific Institute for Research and Evaluation, SC Department of Education, the College of Charleston, SC Law Enforcement Division (SLED), and the SC Petroleum Marketers. The UDAG has launched a successful campaign to ensure that parents in the state are aware of the liabilities associated with social hosting and the legal implications of providing alcohol to minors in any context. The campaign, which has utilized television, radio, and billboard advertising, is known as *Parents Who Host Lose the Most*. The UDAG has also funded an enforcement initiative known as *Out of Their Hands*, a program which enlists the support of Alcohol Enforcement Teams from local law enforcement agencies in each of the state's sixteen judicial circuits to enforce underage drinking laws, enact party dispersal enforcement activity, and conduct compliance checks of retail establishments serving alcohol.

**Empowering Communities for Healthy Outcomes** - SCDAODAS received a five-year federal grant on October 1, 2015, Empowering Communities for Healthy Outcomes (ECHO), a multi-

layered approach to bolstering prevention infrastructure for data-driven decision-making. While ECHO specifically addresses prescription drug abuse/misuse and impaired driving, the resulting increase in capacity will benefit communities' ability to address a wide range of local concerns.

ECHO addresses the two priorities mentioned above by funding high-need counties in order to reduce their rates of prescription drug abuse/misuse and impaired driving. ECHO will also strengthen local and state capacity to address substance abuse issues through a well-planned, data-driven approach. ECHO will be discussed in more detail on page 70 of this document.

In an effort to remove impaired drivers from the roadways and deter impaired driving in South Carolina, the OHSJP will continue to foster working relationships and/or partnerships with other impaired driving countermeasures advocacy groups, such as Mothers Against Drunk Driving (MADD) SC.

- **Strategic Planning**

As defined in the CFR 23 (1300.11), each year the state's Highway Safety Plan must include the planning process utilized by the highway safety office to obtain its source data and the processes used to identify the state's specific highway safety problems. The state must also describe highway safety performance measures, define performance targets, and develop/select evidence-based countermeasure strategies and projects to address traffic safety problems and achieve its performance targets. The state must also define the efforts used to coordinate data collection and information systems with the state's Strategic Highway Safety Plan and the outcomes from this coordination. The countermeasure strategies identified in this plan are performance-based and were developed with significant input from the Statistical Analysis and Research Section, which is housed within the Office of Highway Safety and Justice Programs (OHSJP).

Strategic planning is a measured process conducted by the State of South Carolina which contains a well-defined cycle and several distinct phases. A diagram of the Highway Safety Planning Cycle is offered on the next page to give a calendar-based description of the process. A discussion of the phases of strategic planning follows after the diagram.

# Highway Safety Planning Process and Development

**September-October**  
 Problem ID Meeting/Discuss Priority Projects  
 Project Development  
 Funding Guidelines Preparation  
 Conduct Project Management Workshop

**July/August**  
 Project Management Workshop Preparation  
 Prepare Grant Awards

**November**  
 Funding Guidelines Preparation  
 Distribute Funding Guidelines/Solicitation Information

**June**  
 Submit Highway Safety Plan to NHTSA  
 Problem I.D. Preparation/Planning  
 Pre-Award Risk Assessment



**December**  
 Conduct Funding Guidelines Workshop  
 Open Grants Management Information System (GMIS) for Application Submissions  
 Complete Internal Grant Applications  
 Prepare/Forward Annual Report for/to NHTSA

**May**  
 SC Public Safety Coordinating Council Meeting (*Approval of Grant Projects*)  
 Prepare Highway Safety Plan (HSP)

**January**  
 OHSJP Management Review of Internal Grant Applications/Budgets

**April**  
 Enter Grant Budgets into the Grants Management Information System (GMIS)

**February-March**  
 External Grant Applications (*Due first Friday in February*)  
 Review Grant Applications and Prepare Summaries and Recommendations Document (*Summary of Grant Applications Received and OHSJP Recommendations for Approval or Denial of Projects*)

## Phase 1

The FFY 2018 Problem Identification process began with a statewide Statistical Overview conducted by the Statistical Research Manager to give a picture of the highway safety problems in general in the State of South Carolina. The overview included an identification of problems and priority counties in the state regarding traffic safety issues and concerns and was presented to the Office of Highway Safety and Justice Programs (OHSJP) Management staff and Program Area Coordinators. The analysis utilized traffic data trends showing all counties in the State of South Carolina in six statistical categories regarding fatal and severe-injury crashes (number DUI-related, percentage DUI-related, number speed-related, percentage speed-related, number alcohol and/or speed-related, and percentage alcohol and/or speed-related). Additional data was provided relative to occupant protection statistics, such as statewide safety belt use, child passenger safety seat use, and unbelted occupant traffic fatalities. In addition, traffic statistics were provided for vulnerable roadway users (motorcyclists, moped riders, pedestrians, and bicyclists). Priority areas for highway safety initiatives for FFY 2018 were tentatively adopted as Impaired Driving Countermeasures; Occupant Protection; Police Traffic Services/Speed Enforcement; and Traffic Records (Statewide Emphasis). Other priority areas for consideration involved vulnerable roadway users and young drivers. The following list of areas for FFY 2018 was established after data analysis and evaluation.

### **Priority Emphasis Funding Areas:**

**Impaired Driving Countermeasures:** The enforcement, adjudication, education, and systematic improvements necessary to impact impaired driving. This includes programs focusing on youth alcohol traffic safety issues.

**Occupant Protection:** The development and implementation of programs designed to increase usage of safety belts among all age groups and proper usage of child restraints.

**Police Traffic Services/Speed Enforcement:** The development or enhancement of traffic enforcement programs necessary to directly impact traffic crashes, fatalities, and injuries. Speeding programs are a priority; however, these programs should also include attention to DUI enforcement and occupant protection. Priority will be given to projects with integrated enforcement strategies to effectively combat impaired driving and other aggressive driving behaviors such as speeding.

**Traffic Records (Statewide Emphasis):** The continued development and implementation of programs designed to enhance the collection, analysis, and dissemination of collision, citation, and public-contact data, increasing the capability for identifying and alleviating highway safety problems.

### **Other Potential Funding Areas:**

**Motorcycle Safety:** The development and implementation of programs to reduce the frequency of involvement of motorcycles in traffic collisions and to reduce the number of motorcycle-related crash injuries and fatalities. **FARS data includes moped data; however, state data relative to motorcycle statistics does not.**

**Young Drivers:** Components of grant proposals may also include efforts to educate and improve the driving skills, attitudes, and behaviors of young drivers ages 15 to 24. The OHSJP will maintain campaigns, particularly *Sober or Slammer!*, that focus on young drivers ages 21 to 34. The OHSJP will utilize paid advertising of highway safety messages at high school sports venues in the state, to include advertising on printed tickets for sporting and other special events, as well as public address announcements and program advertising.

**Other Vulnerable Roadway Users:**

**Pedestrian Safety:** The development, implementation, and evaluation of educational and enforcement programs that will enhance pedestrian safety, thus reducing the occurrence of pedestrian involvement in automobile crashes and the number of pedestrian fatalities occurring as a result of automobile collisions. The OHSJP will continue a statewide billboard campaign to increase public awareness of other vulnerable roadway user safety issues in the state.

**Bicycle Safety:** The development, implementation, and evaluation of educational and enforcement programs that will enhance bicycle safety, thus reducing the occurrence of bicycle involvement in automobile crashes and the number of bicycle fatalities occurring as a result of automobile collisions. The OHSJP will continue a statewide billboard campaign to increase public awareness of vulnerable roadway user safety issues in the state.

**Moped Rider Safety:** The development, implementation and evaluation of educational and enforcement programs that will enhance moped rider safety, thus reducing the occurrence of moped involvement in automobile crashes and the number of moped operator fatalities occurring as a result of automobile collisions. The OHSJP will continue a statewide billboard campaign to increase public awareness of other vulnerable roadway user safety issues in the state.

Phase 2

OHSJP management staff met on several occasions to determine funding priorities (programmatic and geographic) and develop a plan for project development for FFY 2018. During these meetings, OHSJP staff identified areas of the state where highway safety problems exist that are void of grant-funded projects or other efforts to reduce crashes and fatalities. The project development plan included, based on an estimate of federal funds being available in FFY 2018, soliciting quality grant applications from entities in those geographic areas where the greatest highway safety problems exist and for the type of projects that are likely to have the most impact.

It was the consensus of the OHSJP staff, based on the meetings outlined above, the review of evidence-based statewide statistical data, and project development ideas and efforts, that certain types of projects were strategic to achieving the proposed performance measures by reducing the state's mileage death rate and the number of injury crashes. While project applications were considered from all nationally- and state-identified program areas, the group recommended that projects considered strategic and evidence-based in terms of reducing the number of traffic injuries and deaths on South Carolina's streets and highways be given priority consideration.

The OHSJP staff recommended that proposals for the following types of projects receive priority attention for FFY 2018 Highway Safety funding:

- \* DUI and speeding enforcement projects focusing the traffic enforcement efforts of local and state jurisdictions, as well as multi-jurisdictional projects, on the apprehension of impaired drivers and those exceeding speed limits in the State of South Carolina. These types of projects provide support for the statewide *Sober or Slammer!* campaign, which is South Carolina's version of the national *Drive Sober or Get Pulled Over.* campaign. These types of projects must also have a component which includes Law Enforcement Network participation in statewide sustained impaired driving enforcement initiatives.
- \* Projects to educate young drivers, ages 15 to 24, as to how alcohol impairs driving ability and the consequences of driving while impaired. Proposals will also be entertained for training projects for the state's judiciary and prosecutors, which provide education on how driving ability is impaired at various blood alcohol levels. Law enforcement projects should also include guidelines for conducting public safety checkpoints, the use of horizontal gaze nystagmus as a field sobriety test, the use of passive alcohol sensors for the presence of ambient alcohol during traffic stops and DUI sentencing alternatives.
- \* Extensive formalized training on traffic safety issues for law enforcement officers statewide, including Standardized Field Sobriety Tests (SFST), Drug Recognition Expert (DRE), and Advanced Roadway Impaired Driving Enforcement (A-RIDE) training.
- \* Projects to establish or strengthen traffic enforcement units within local law enforcement agencies. Such projects must include, at a minimum, a comprehensive enforcement effort, including DUI enforcement, speed enforcement, and occupant protection enforcement. Such projects must also include Law Enforcement Network participation and participation in all components of statewide mobilization enforcement initiatives (occupant protection, impaired driving, speed enforcement, etc.).
- \* Projects to continue the automation of the state's collision and uniform traffic citation report forms, and to provide appropriate software and equipment to local law enforcement agencies for participation in the state's SCCATTS initiative.
- \* Statewide enforcement campaigns (*Buckle up, South Carolina. It's the law and it's enforced.*, the state's version of the national *Click it or Ticket* campaign) combining education, media, diversity outreach, and enforcement components to improve occupant restraint usage by South Carolina citizens and visitors and to attack the ever-growing impaired driving problem in the state.
- \* A project to maintain a Traffic Safety Resource Prosecutor in South Carolina to provide training on the prosecution of traffic safety violations, predominantly DUI, occurring in the state and to assist in the actual prosecution of traffic safety violations statewide.
- \* A project to maintain a DUI Court Monitoring Program that will monitor DUI-related traffic cases in jurisdictions that have high occurrence of DUI-related collisions. The DUI court monitoring program will ensure accountability to the judicial process and increase the DUI conviction rate for the jurisdictions in which the program is implemented.

- \* A project to maintain a specialized DUI Prosecutor in the Ninth Judicial Circuit to prosecute DUI-related cases made by the South Carolina Highway Patrol. The goal of the grant project is to increase the DUI conviction rate; reduce DUI-related collisions, injuries, and fatalities; and to reduce DUI recidivism in the Ninth Judicial Circuit.
- \* Projects to educate parents on the proper use of child safety seats and to promote the proper use of safety belts among all age groups. Projects targeting the usage of safety belts by young drivers and male drivers ages 15 to 34.
- \* Projects addressing the safe operation of motorcycles, encouraging voluntary compliance with helmet laws, promoting rider education, and dealing with impaired riding issues. This would include a statewide motorcycle safety campaign to alert motorists of the presence of motorcyclists on the roadways and encourage both drivers and bikers to appropriately share the roadways.
- \* Projects addressing safety issues of other vulnerable roadway users, including pedestrians, moped riders, and bicyclists.

### Phase 3

With the completion of the Problem Identification process, staff developed the 2018 Highway Safety Funding Guidelines. This document set guidelines for the submission of grant applications for highway safety funding in accordance with the priorities established through the Problem Identification process and basic federal requirements of the Section 402 program. Under the established performance-based process, the guidelines stipulated that "Applicants who do not demonstrate a traffic safety problem/need will not be considered for funding." In order to place funding where the problems exist, the Guidelines further specified that "Priority consideration will be given to applicants proposing major alcohol countermeasures, motorcycle safety, occupant protection, pedestrian safety, speed enforcement, and traffic records programs within the counties identified previously as having the highest numbers and percentages of alcohol and/or speed-related traffic collisions, deaths, and injuries during the last three years." The guidelines (1) described the highway safety problems identified by OHSJP staff; (2) discussed the types of projects desired and for which priority would be given based on the Problem Identification process; (3) described allowable and unallowable activities/program costs; (4) discussed the areas eligible for funding; (5) provided the criteria by which applications would be reviewed and evaluated; (6) gave a checklist for completion of the grant application; (7) discussed the responsibilities of funded applicants; and (8) gave specific requirements for various types of applications submitted under the various program areas.

### Solicitation Process

Once the guidelines were completed, a full page postcard was mailed to approximately 700 recipients, including state and local law enforcement agencies, state agencies, school districts, Project Directors of current grant projects, coroners, and Safe Kids coalitions within the state on October 27, 2016. The postcard informed recipients of the grant opportunity and invited them to

attend the Funding Guidelines Workshop. It also referred recipients to the Office of Highway Safety and Justice Programs' website at [www.scdps.gov/ohsjp/](http://www.scdps.gov/ohsjp/) which contains a link to the online Highway Safety Grant application through the Grants Management Information System (GMIS), and instructions for the preparation of the grant application document. An electronic version of the postcard was emailed on October 31, 2016, to all participants of the South Carolina Law Enforcement Network. The application deadline was Friday, February 3, 2017 at 5:00 p.m. Applicants were provided names and telephone numbers of Highway Safety staff to contact for assistance.

### Workshops for Potential Applicants

A Funding Guidelines workshop was held in Columbia on November 30, 2016, at the South Carolina Department of Public Safety with approximately 60 individuals in attendance. During the workshop, attendees were provided with an explanation of the highway safety problem in South Carolina; a description of the various program areas eligible for funding; an explanation of allowable costs; a description of the types of projects for which priority consideration would be given; a description of the criteria by which applications would be reviewed; specific instructions on the proper completion of the grant application; and a presentation on how to write a winning grant proposal. During the Workshop, everyone also received a packet of all items covered in order to review as the material was being presented and to have a reference for their records. Additionally, the workshop included a complete overview of the online grant application and instructions on how to complete and submit the application. Meeting participants came from across the state and represented all sectors of the highway safety community (education, enforcement, etc.). Participants were informed that three sample completed grant applications would be available on the SCDPS website to assist in the preparation of their applications.

### Phase 4

The next phase of the planning process involved the review of project applications received. The deadline for Highway Safety grant applications for FFY 2018 funding was Friday, February 3, 2017, at 5:00 p.m. Grant applications moved through a multi-stage review process. The first stage of the review process involved the Grants Administration Manager, Impaired Driving Countermeasures Program Coordinator, and the Planning and Evaluation Coordinator for the Office of Highway Safety and Justice Programs reviewing and discussing the applications submitted by the due date and time. A second stage of the review process involved additional meetings to discuss grant applications in detail. All applications for continued and new highway safety activities received were reviewed at both stages in accordance with the review criteria listed below:

1. The degree to which the proposal addressed a nationally- or state-identified problem area. Primary consideration was granted to those projects which addressed major impaired driving countermeasures, occupant protection, speed enforcement, and traffic records programs within the counties identified previously as having the highest numbers and

percentages of alcohol and/or speed-related traffic collisions, deaths, and injuries during the last three years.

2. The extent to which the proposal met the published criteria within the specific emphasis area.
3. The degree to which the applicant identified, analyzed, and comprehended the local or state problems. Applicants who did not demonstrate a traffic safety problem/need were not recommended for funding.
4. The extent to which the proposal sought to provide a realistic and comprehensive approach toward problem solution, including documenting coordination with local and state agencies necessary for successful implementation.
5. The assignment of specific and measurable objectives with performance indicators capable of assessing project activity.
6. The extent to which the estimated cost justified the anticipated results.
7. The ability of the proposed efforts to generate additional identifiable highway safety activity in the program area. The ability of the applicant to become self-sufficient and to continue project efforts once federal funds are no longer available.
8. The ability of the applicant to successfully implement the project based on the experience of the agency in implementing similar projects and the capability of the agency to provide necessary administrative support to the project. For continuation projects, the quality of work and the responsiveness to grant requirements demonstrated in past funding years, current or past grant performance, results of past monitoring visits, and the timeliness and thoroughness of required reports were all given consideration.

The first segment of the staffing allowed OHSJP staff to review the application against established criteria and determine the written quality of the grant application. Individual proposals were discussed based on supplemental considerations, such as current or past grant performance; success in attaining self-sufficiency (if a past subgrantee); likelihood of project to significantly reduce crashes, injuries, and fatalities; multi-jurisdictional nature of the project; and other factors which could affect funding consideration. Once all reviewers had completed their individual reviews, a multi-day staffing review was established.

A formal process for discussion of every application was implemented. The presenting Program Coordinator first outlined the highway safety problem identified in the application and discussed the approach proposed to resolve the problem. At the close of discussion and/or information gathering, a vote of all reviewers was taken as to whether to recommend denial or approval.

The second stage of the grant review process was based on discussions among the Grants Administration Manager, Business Manager, and Director of the OHSJP to reach a general consensus on each of the grant applications. Upon the conclusion of the two stages of staffing meetings, the third portion of the review process began. Each project was further reviewed and evaluated to ensure that all projects recommended for funding met the established criteria and the final recommendation would reflect the best use of grant funds to address a highway safety issue.

Once priorities are established, OHSJP staff develops a Summaries and Recommendations document to present for review and approval to the South Carolina Public Safety Coordinating Council (SCPSCC) pursuant to Section 23-6-520, South Carolina Code of Laws, 1976, as amended. This legislatively-mandated body is composed of the Director of the SC Department of Public Safety, the Chief of the State Law Enforcement Division (SLED), two members of the State General Assembly (a member of the House of Representatives and a member of the Senate), two county sheriffs, a local police chief and a victims advocate, all of whom are appointed by the Governor of South Carolina. This body has final authority regarding the funding of highway safety and justice programs projects in the State of South Carolina. After approval by the Council (which occurred May 22, 2017 for FFY 2018 projects) Highway Safety staff finalized program area plans. Upon receipt of funding notification by NHTSA and based on funding amounts/availability, grant awards will be issued to those applicants approved through this process. The OHSJP is conducting a Highway Safety Grant Special Solicitation for FFY 2018 Impaired Driving Countermeasures Projects in June 2017 in order to expend approximately \$2 million in 405d funds; therefore the number of projects to be implemented will be more than what is presented in the FFY 2018 Highway Safety Plan and this FFY 2018 Impaired Driving Countermeasures Plan. The Highway Safety Grant Special Solicitation is following the same phases as the normal planning process and developed a 2018 Highway Safety Special Solicitation Funding Guidelines. Once the guidelines were completed a full page flyer was mailed on April 27, 2017. A Special Solicitation Funding Guidelines Workshop was held in Columbia on May 18, 2017, at the SC Law Enforcement Hall of Fame with approximately 38 individuals in attendance. The review of the project applications will occur in July 2017, as the deadline for the 2018 Highway Safety Special Solicitation grant applications is Friday, June 30, 2017. A Special Solicitation Summaries and Recommendations document will be developed and presented to the SCPSCC for approval.

### **Other Key Planning Components**

While the above planning process took place, OHSJP staff began the process of developing two other key aspects of the overall strategic planning process, performance measures, and the state's annual Highway Safety Plan (HSP).

#### South Carolina Highway Safety Performance Measures

Listed in the table on page 34 are South Carolina's Highway Safety Plan Performance Measures for FFY 2018, which are consistent with the performance measures developed by USDOT in collaboration with the Governors Highway Safety Association, including the addition of a

performance measure relative to bicyclist fatalities. However, South Carolina has also added a state-specific performance measure relative to moped operator traffic fatalities. The table on the following page contains data points used to determine appropriate targets for success outlined in the Plan document. Data-driven targets for each performance measure have been established and placed in the corresponding program area within the HSP document. These performance targets allow the OHSJP to track the state's progress toward meeting each target from a specific baseline.

### Process for Setting Targets in the HSP

When setting targets in the HSP for the core performance measures, OHSJPs' Statistical Analysis and Research Section performed an extensive analysis of the data related to each measure. South Carolina utilized a eight-data-point graphical analysis with a five-year rolling average for all but one of the performance measures. The exception was the seatbelt use rate performance measure, which utilizes a year-to-year analysis. For all the measures, after the data points were plotted and the graphs were created, a trend line was added that could be used to predict future values. The trend lines were based on linear and non-linear equations with R-squared (best fit measure) values, the five-year predicted trend being feasible, and 2016 preliminary data.

The statisticians then performed additional data analyses, often examining the data from each year to determine the percent change from year to year. If, for example, the five-year moving average displayed a general downward trend for the total number of fatalities, but an examination of the fatality count by year revealed a significant increase in fatalities from 2014 to 2015 and 2015 to 2016 (preliminary data), the target value from the trend line equation may have proven unfeasible. When this occurred, the statisticians, after consultation with other OHSJP staff, would adjust the target value based on additional data analyses and examination of Highway Safety projects, proposed countermeasures, and other factors unique to South Carolina which could impact the possibility of reaching a lofty target based solely on trend line data. Unique factors examined include vehicle miles traveled, population changes, economic impact, legislative roadblocks, cultural dynamics, and policy issues. South Carolina used a variety of models as part of its trend analyses. Graphical models such as linear, logarithmic, and polynomial were used to determine a best fit, often depending on the normality of data for each performance measure. For example, a linear trend for the total number of fatalities may not have been the best fit due to the large and often unpredictable fluctuation in this figure from year to year.

**South Carolina Highway Safety Plan Performance Measures and Goals**

NHTSA/FHWA Common Core Measures		2005-2009	2006-2010	2007-2011	2008-2012	2009-2013	2010-2014	2011-2015	2014-2018 Goal	Percent Change
C-1	Traffic Fatalities	1,006	949	906	863	832	818	852	970	13.8%
C-2	Serious Injuries	3,860	3,722	3,556	3,415	3,366	3,314	3,241	3,067	-5.4%
C-3	Fatalities/VMT	2.01	1.90	1.83	1.76	1.70	1.67	1.71	1.81	5.8%
NHTSA Core Measures		2005-2009	2006-2010	2007-2011	2008-2012	2009-2013	2010-2014	2011-2015	2018 Goal	
C-3R	Fatalities/VMT - Rural	3.73	3.46	3.32	3.20	3.00	2.78	2.85	2.47	-13.3%
C-3U	Fatalities/VMT - Urban	0.34	0.40	0.39	0.40	0.48	0.66	0.70	0.69	-1.4%
C-4	Unrestrained Passenger Vehicle Occupants	458	411	371	335	301	280	279	278	-0.4%
C-5	Alcohol Impaired Driving Fatalities	419	402	380	357	345	336	326	317	-2.8%
C-6	Speed Related Fatalities	408	370	341	315	306	300	315	314	-0.3%
C-7	MC Fatalities	116	115	118	121	127	129	146	145	-0.7%
C-8	Unhelmeted MC Fatalities	86	85	89	90	93	96	106	105	-0.9%
C-9	Driver Age 20 or Younger Inv in Fatal Crashes	154	142	131	122	114	112	114	113	-0.9%
C-10	Pedestrian Fatalities	105	103	100	103	103	107	113	112	-0.9%

**Additional State Measures**

C-11	Bicyclist Fatalities	16	15	15	13	14	14	15	14	-6.7%
C-12	Moped Fatalities	11	13	17	22	25	28	32	31	-3.1%

A-1	Number Seatbelt Citations*	Unavail.	151,290	195,240	238,775	239,429	231,485	214,720	no goal required
A-2	Number Impaired Driving Arrests*	Unavail.	15,243	19,681	24,357	25,137	24,906	23,902	no goal required
A-3	Number Speeding Citations*	Unavail.	297,964	359,867	434,068	427,708	411,676	400,246	no goal required

\* During grant-funded enforcement activities

Annual Tracking		2010	2011	2012	2013	2014	2015	2016	2018 Goal
B-1	Observed Seatbelt Use	85.4%	86.0%	90.5%	91.7%	90.0%	91.6%	93.9%	94.0%

The performance measures and targets on the previous page are individually referenced by program area throughout South Carolina's FFY 2018 Highway Safety Plan. Each countermeasure strategy and project South Carolina plans to implement to reach the performance targets is described utilizing Section 402 and Section 405 funding streams during the FFY 2018 grant year. The systematic data collection and analysis used in the project selection process supports the successful implementation of an evidence-based traffic safety enforcement program in this state. The performance measures that are common to South Carolina's HSP, Strategic Highway Safety Plan (SHSP), and Highway Safety Improvement Plan (HSIP) are the number of Traffic Fatalities, number of Severe Traffic Injuries, and the Traffic Fatality Rate. The Federal Highway Administration (FHWA) and the South Carolina Department of Transportation (SCDOT) are responsible for the development of the HSIP. The SCDPS, SCDOT, FHWA and other local, state, and federal agencies and safety advocates collaborated on the creation of the SHSP. The state's Highway Safety Plan, though developed by the OHSJP, reflects multiple partnerships among a variety of federal, state, and local agencies. The number of Traffic Fatalities, the number of Severe Traffic Injuries, and the Traffic Fatality Rate performance measures are mutually identified in each plan (HSP, HSIP and SHSP) with evidence-based targets within emphasis areas that were developed through extensive data analysis.

#### FFY 2018 Highway Safety Plan

OHSJP produces an annual Highway Safety Plan (HSP) which serves as a programmatic roadmap for educational and highway safety enforcement initiatives implemented throughout the fiscal year with Section 402 and 405 funds received from the National Highway Traffic Safety Administration (NHTSA). The HSP outlines the strategic approach South Carolina takes to address traffic-related crashes and fatalities during the FFY 2018 year through data-driven, evidence-based performance measures and practices.

On July 6, 2012, the Moving Ahead for Progress in the 21<sup>st</sup> Century Act (MAP-21) was signed into law, substantially restructuring highway safety grant programs administered by NHTSA. MAP-21 required the Highway Safety Plan (HSP) to provide for a data-driven traffic safety enforcement program to prevent traffic violations, crashes, and crash fatalities and injuries in areas of the state most at risk for such incidents. An amendment to Section 402(b) mandated the coordination of the HSP data collection and information systems with the state's Strategic Highway Safety Plan (SHSP). The overall purpose was to promote a unified approach to comprehensive transportation and safety planning and program efficiency with other Department of Transportation (DOT) agencies to align state performance targets where common measurements exist, such as fatalities and serious injuries.

On December 4, 2015, President Obama signed into law the Fixing America's Surface Transportation (FAST) Act (Pub. L. No. 114-94). This is the first federal law in over a decade to provide long-term funding certainty for surface transportation infrastructure planning and investment. The FAST Act authorizes \$305 billion over fiscal years 2016 through 2020 for highway, highway and motor vehicle safety, public transportation, motor carrier safety, hazardous materials safety, rail, research, technology, and statistics programs. The FAST Act

maintains a focus on safety, keeps intact the established structure of the various highway-related programs managed, continues efforts to streamline project delivery and, for the first time, provides a dedicated source of federal dollars for freight projects. Overall, the FAST Act largely maintains the previous program structures and funding shares between highways and transit. It is a down-payment for building a 21st century transportation system. The Interim Final Rule (IFR), 23 CFR Part 1300 for the FAST Act was published by NHTSA on May 23, 2016. FAST Act became effective for FY 2017 (beginning October 1, 2017) with transition to full implementation in FY 2018. NHTSA will publish the Final Rule.

Funding of eligible projects is based on nationally-established priority areas and others, which with additional justification and approval from NHTSA, may be deemed as state-identified “priority areas.” Priority areas for FFY 2018 include impaired driving countermeasures, police traffic services (speed enforcement), adjudication/prosecution, and occupant protection. Other areas eligible for funding in FFY 2018 include motorcycle safety, traffic records (statewide), and pedestrian safety.

The FFY 2018 Highway Safety Plan gives basic information about the state, including demographic information and highway safety-specific statistical information for the state relative to traffic fatalities over a period of time (2011 to 2015), which represents the most recent available final data from the state level and preliminary data from the national level. The basic state information includes data on the state’s highway safety planning process, as well as how the state went about utilizing data and performance measures to establish appropriate goals for traffic safety improvement. The Plan presents information and data about the key emphasis areas identified as critical in improving highway safety in South Carolina. The Plan also includes Section 405 grant application documents for Alcohol-Impaired Driving, Occupant Protection, State Traffic Safety Information System Improvements, and Motorcycle Safety.

The HSP is also coordinated with the state’s Strategic Highway Safety Plan (SHSP). When the transportation reauthorization bill SAFETEA-LU required states to have a Strategic Highway Safety Plan (SHSP) in place by October 1, 2007, or risk losing federal funds, South Carolina was already well on its way toward developing its SHSP, entitled *The Roadmap to Safety*, which served as the state’s SHSP until more recent legislation, in the form of MAP-21, established new requirements for states to update their SHSPs. The FAST Act, signed into law on December 4, 2015, largely maintains MAP-21 program structures and funding shares between highways and transit. South Carolina completed the update of its Strategic Highway Safety Plan (SHSP) in March 2015. The updated plan, titled “*Target Zero*” ([http://www.scdps.gov/docs/Target%20Zero\\_Final\\_w\\_Signatures\\_15APR15.pdf](http://www.scdps.gov/docs/Target%20Zero_Final_w_Signatures_15APR15.pdf)), was developed in consultation and coordination with federal, state, and local safety partners with the goal of eliminating traffic fatalities and reducing serious traffic-related injuries. “*Target Zero*” covers a four-year period (2015-2018) and will be evaluated annually.

The Emphasis Areas for *Target Zero* have been identified using a data-driven process and include performance measures such as the number and rate of fatalities and serious injuries. The major problem areas for SC remain similar to those identified in the 2007 SHSP with only slight

changes in terminology. The nine Emphasis Areas are Roadway Departure; Speed-Related; Occupant Protection; Vulnerable Roadway Users; Intersection and Other High Risk Roadway Locations; Impaired Driving; Young [15-24]/Novice Drivers; Commercial Motor Vehicles/Heavy Trucks; and Safety Data Collection, Access, and Analysis. In an effort to coordinate the SHSP with the HSP, the Highway Safety Grants Administration Manager has been actively involved in many of the SHSP steering committee meetings. Data analyses performed by the SHSP Manager for the purpose of identifying the Emphasis Areas for the updated SHSP were also utilized in the setting of performance measures and targets in the FFY 2018 HSP. The state views the coordination of the HSP with the SHSP as an effort to build a unified state approach to highway safety.

In the *Countermeasures That Work: A Highway Safety Countermeasure Guide for State Highway Safety Offices, Eighth Edition, 2015* (CTW 2015) document produced by the National Highway Traffic Safety Administration (NHTSA), the importance of impaired driving countermeasures is emphasized, and significant strategies to reduce impaired driving (pp.1-4 to 1-6) and appropriate countermeasures to bring about alcohol and drug-impaired driving reductions (pp. 1-7 to 1-74) are outlined. The four basic strategies identified to reduce impaired driving are Deterrence (to include laws; enforcement; prosecution and adjudication; and offender treatment, monitoring, and control); Prevention; Communications and Outreach; and Alcohol treatment (pp. 1-4 to 1-5).

Of the four impaired driving countermeasures strategies identified, the State of South Carolina will continue to effectively implement *Deterrence* of high quality in the areas of Enforcement, with the SC Highway Patrol (SCHP) and law enforcement agencies across the state utilizing high-visibility saturation patrols (pp.1-21 to 1-27), Prosecution, and Adjudication, with the continued Court Monitoring Program (pp.1-29 to 1-34).

In FFY 2016, the OHSJP implemented the MADD SC Court Monitoring Program to provide data on how DUI cases are disposed of and report on the hearing activities. It is believed that court monitoring programs help increase DUI arrests, decrease plea agreements, and increase guilty pleas (CTW, 2015, pp. 1-33). In terms of legislation, South Carolina enacted an amended DUI law in February 2009. Though South Carolina's DUI law was strengthened, it remains problematic for a number of reasons and likely does not function in the state at the deterrence level outlined by the document. However, the state did make strides in harshening penalties for impaired driving and for breath test refusals associated with DUI arrests.

In April 2014, South Carolina amended the ignition interlock portion of the state's DUI statutes in Act 158, which went into effect on October 1, 2014. Ignition interlock devices are required for first-time DUI offenders who are convicted of having had blood alcohol concentrations (BACs) of 0.15% or higher. The law is known as "Emma's Law" and is named after six-year-old Emma Longstreet, who was the state's first traffic fatality of 2012. Young Miss Longstreet was killed by a drunk driver on Sunday morning, January 1, 2012, as she and her family were traveling to church. The ignition interlock device program is a voluntary alternative to hard suspensions for first-time DUI offenders who are convicted of having refused to submit to a breath test. First-time DUI offenders who are convicted of having had blood alcohol

concentrations (BACs) of 0.14% or lower have ignition interlock devices as an alternative to presently existing special driving privileges. Hard suspensions for subsequent DUI offenders were removed, and those persons will immediately be subject to ignition interlock requirements.

For persons mandated to obtain ignition interlock devices, the requirement no longer has a time limit. Under the amended law, the suspension will be indefinite and will only end when ignition interlock requirements have been fulfilled. However, the legislation continued to allow a person who does not own a vehicle to operate an employer's vehicle without an ignition interlock device installed. Some of those statutory provisions resulted in the State of South Carolina being deemed out of compliance with USDOT Section 164 requirements. It should be noted that during the 2015 legislative session of the SC General Assembly, Emma's Law was amended, effective June 1, 2015, to deal with the problem areas that caused the state to fall out of compliance with Section 164. The amended legislation became compliant by amending the employer vehicle sections, S.C. Code § 56-1-400(B), and S.C. Code § 56-5-2941(L).

Another strategy that South Carolina will continue to utilize to reduce impaired driving is *Communication and Outreach*. Each year a statewide high-visibility enforcement and education initiative is utilized (*Sober or Slammer!* campaign, modeled after and conducted with the national *Drive Sober or Get Pulled Over* campaign), which combines enforcement, education, media, and diversity outreach components to attempt to reduce impaired driving crashes, injuries, and fatalities in the state. Participation of state and local law enforcement agencies throughout every judicial circuit in the state is encouraged. With the decline in the number of alcohol-impaired traffic fatalities in the state, communication and outreach strategies have proven to be highly effective for South Carolina (CTW, 2015, pp. 1-46, and 1-49 to 1-50).

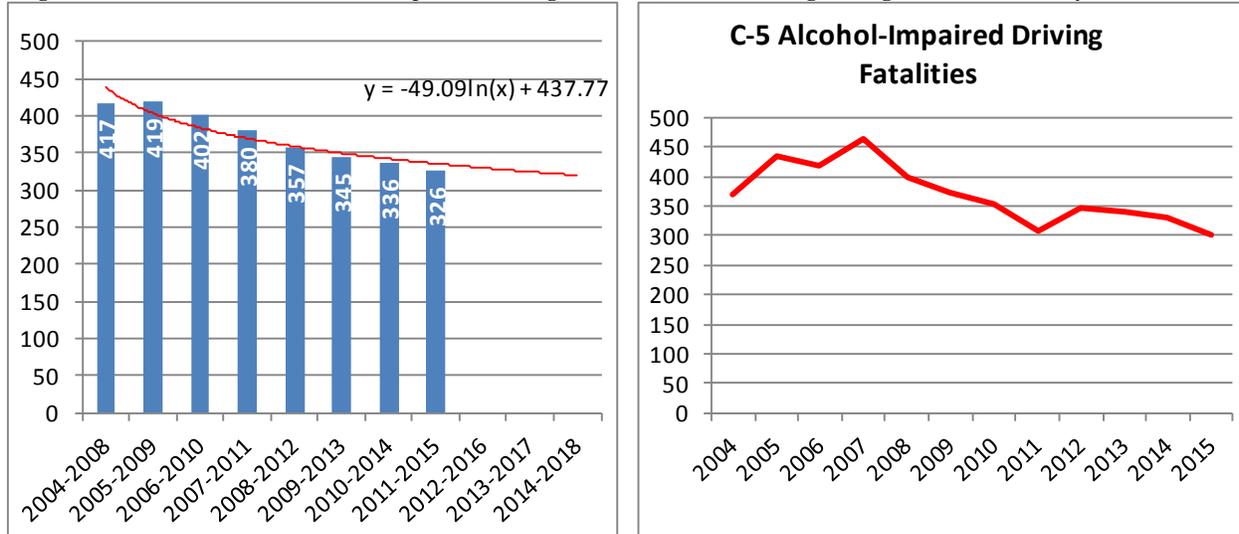
During FFY 2014, the State of South Carolina began a Pilot DUI Court in two judicial circuits, which combine adjudication strategies with *Alcohol Treatment*. In FFY 2015, FFY 2016, and FFY 2017 the OHSJP provided grant funding for the continuation of the DUI Courts in South Carolina, which provide for the monitoring and treatment of offenders convicted of DUI. The overall goal of the DUI Court program is to see a reduction in recidivism and a change in behavior for those who complete the program (CTW, 2015, pp. 1-29 to 1-30, and 1-37).

South Carolina's FFY 2018 Highway Safety Plan sets targets, an activity measure, goals and objectives relative to impaired driving countermeasures. The information below (pp. 39-40) was taken from pages 91-92 of the FFY 2018 Highway Safety Plan. Strategies based on these performance targets will be provided after various appropriate segments of the Impaired Driving Countermeasures Plan.

**Goal:**

To decrease the alcohol-impaired driving fatalities by 2.8%, from the 2011-2015 baseline average of 326 to 317, by December 31, 2018.

**Figure C-5. South Carolina Alcohol-Impaired Driving Fatalities, 5 Year Moving Average with Trend Analysis, 2004-2015.**



Logarithmic Projection =  $-49.09\ln(11) + 437.77 = 320.1$   
2011-2015 Average = 325.8  
2012-2016 Average = 330.6  
2011 = 309  
2012 = 348  
2013 = 340  
2014 = 331  
2015 = 301 (9.1% decrease from 2014)  
2016 = 333 (10.6% increase from 2015, 2016 not FARS finalized)

As shown in Figure C-5 above, the five-year moving average with logarithmic trend analysis projects South Carolina will experience a five-year average number of 320 alcohol-impaired driving fatalities by December 31, 2018. This equates to an estimated 317 annual alcohol-impaired driving fatalities for 2018, which is a 5.3% increase from 2015. Preliminary state data, compiled by the OHSJP Statistical Analysis and Research Section, indicates there were 333 alcohol-impaired driving fatalities in 2016, an increase of 10.6% from 301 in 2015. Based on the state preliminary data and state projections, OHSJP will set a goal of 317 alcohol-impaired driving fatalities by December 31, 2018.

NHTSA uses an imputation method to account for drivers involved in fatal crashes who have missing blood-alcohol content (BAC) results. During an internal review by the state, it was found that the imputed data elements in a large number of cases were being coded as “unknown alcohol involvement by officer determination” should possibly have been coded as “no alcohol involvement by officer determination.” The 2015 data was recoded per NHTSA coding change

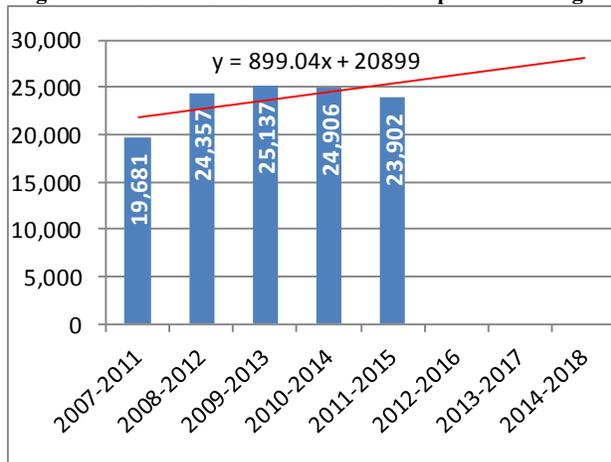
and the new change of how SC coded these cases in FARS is in effect. These cases were imputed as alcohol-involved at a higher rate by the imputation methodology. The state is working to modify its traffic collision report form to provide more accurate data on officer determination of alcohol impairment when paired with missing test results. These cases should be imputed as alcohol-involved much less frequently than those cases with “unknown” or missing test results.

South Carolina faces unique factors such as: the state’s current DUI law, though stronger than previous years, still has major flaws; the expansion of alcoholic beverage sales to Sunday; and annual per capita beer consumption significantly higher than the state’s population rank among the fifty states.

### Activity Measure A-2

Activity Measure A-2 in South Carolina’s FFY 2018 Highway Safety Plan deals with the number of impaired driving arrests made by states over time. The chart below demonstrates that the State of South Carolina has been trending upward in terms of law enforcement activity relative to DUI arrests, but the DUI arrests have started to drop in the past few years. According to NHTSA, there is no target required for this activity measure for the FFY 2018 Highway Safety Plan. Thus, the Figure below is presented as demonstration of enforcement activity over the last four data points relative to this type of citation.

Figure A-2. South Carolina Number of Impaired Driving Arrests, 5 Year Moving Average with Trend Analysis, 2007-2015.



## **Objectives:**

1. To provide at least six statewide trainings to law enforcement officers, prosecutors, and magistrates to increase effective prosecution of highway safety offenses, particularly DUI, by September 30, 2018.
2. To continue the Law Enforcement DUI Challenge as part of the DUI enforcement campaign for FFY 2018 based on high-visibility enforcement and education focusing predominantly on the SC Highway Patrol (SCHP). The SCHP will conduct special DUI enforcement emphases once a month on weekends from December 2017 to September 2018 with an additional saturation patrols and public safety checkpoints during two DUI mobilization crackdowns during the year (Christmas/New Year's and Labor Day). The SCHP will recruit and utilize the assistance of local law enforcement agencies during the weekend and crackdown efforts. Law Enforcement Liaisons, with the OHSJP, will also solicit assistance from local law enforcement agencies through the SC Law Enforcement Network.
3. To conduct, at least, two public information, education, and enforcement campaigns to emphasize impaired driving enforcement initiatives during FFY 2018.
4. To maintain the South Carolina Impaired Driving Prevention Council (SCIDPC) during FFY 2018 and conduct a minimum of two meetings to continue the implementation of NHTSA's recommendations resulting from the South Carolina Impaired Driving Assessment of 2016. The assessment report will continue to be used as a blueprint to guide the SCIDPC toward continued improvement of impaired driving countermeasure programs in South Carolina.
5. To conduct a minimum of 312 public safety checkpoints by September 30, 2018.
6. To conduct a minimum of 282 educational presentations during the grant year to schools, churches, businesses and civic groups on the dangers of DUI and the importance of traffic safety.
7. To have each grant-funded officer attend at least two DUI-related trainings during the grant year.
8. To issue at least 312 press releases to the local media and/or social media outlets detailing the activities of the DUI Units and the police traffic services grant projects.
9. To conduct at least one (1) Drug Recognition Expert (DRE) course during the grant cycle.
10. To conduct at least eight (8) Advance Roadside Impaired Driving Enforcement (A-RIDE) trainings by the end of FFY 2018.
11. To coordinate at least two Standardized Field Sobriety Testing (SFST) Instructor trainings by September 30, 2018.

12. To reduce DUI recidivism, improve the adjudication of DUI offenses, and improve the administration of treatment to DUI offenders through the continuation of the Court Monitoring Program in South Carolina by the end of the FFY 2018 grant cycle.
13. To provide assistance to the South Carolina Highway Patrol (SCHP) in prosecuting DUI cases through a project to continue funding a specialized DUI prosecutor in Berkeley County, in which there have been difficulties in obtaining DUI convictions and in which there exists a backlog of DUI cases.
14. To continue a High School Ticket campaign to provide printed traffic safety messages on the front and back of event tickets (athletic contests, dances, proms, plays, etc.) issued to purchasers at approximately 90% of the state's more than 200 high schools. A portion of the tickets will have anti-DUI messaging. Approximately 5 million tickets will be printed and distributed statewide during the FFY 2018 grant year reaching teens and their parents in attendance at these events.
15. In partnership with the SC Department of Transportation, the SCDPS will continue six Target Zero Enforcement Teams, with four-Troopers in each, in key areas of the state during FFY 2018 to conduct aggressive traffic enforcement focusing on 16 corridors identified as having a high occurrence of fatal and severe-injury traffic crashes. Enforcement activities will include DUI enforcement.

**Performance Indicators:**

**Goal:**

A comparison of FARS and statewide alcohol-impaired fatality and injury data will be used to measure the goal.

**Objectives:**

1. The number of trainings conducted for law enforcement officers, prosecutors, and magistrates will be documented and kept in the grant file.
2. The law enforcement participation in the DUI enforcement campaign for FFY 2018 will be documented and maintained by the OHSJP.
3. Earned and paid media reports on all impaired driving campaign efforts will be maintained by the OHSJP.
4. SCIDPC meeting agendas and sign-in sheets will be maintained by the OHSJP.
5. The number of public safety checkpoints will be documented and maintained in the appropriate grant file.

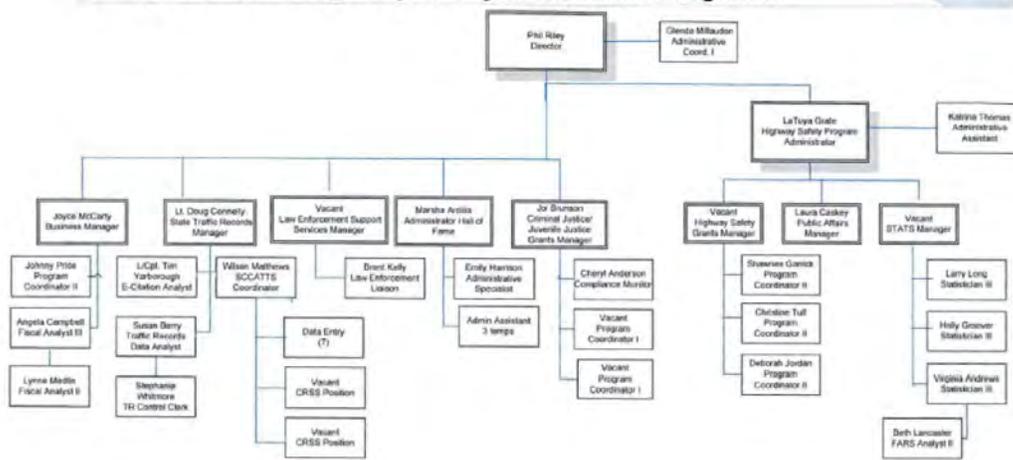
6. The number of educational presentations will be documented and maintained in the appropriate grant file.
7. The number of DUI enforcement trainings attended by the grant-funded officers will be documented and maintained in the appropriate grant file.
8. The number of press releases will be tracked and maintained in the proper grant file.
9. A list of DRE course participants will be documented and placed in the grant file.
10. The number of A-RIDE trainings and a list of training participants will be logged and maintained in the grant file.
11. The number of SFST instructor training courses and a list of course attendees will be documented and maintained in the grant file.
12. The OHSJP will maintain in the grant file a status of the DUI Court Monitoring Program with reports regarding the progress of the judicial process.
13. The OHSJP will maintain the status of cases handled by the Special DUI prosecutor.
14. The SCDPS Contractor will provide information to the OHSJP regarding the success of the High School Ticket campaign.
15. The SCDPS Office of Highway Safety and Justice Programs will monitor enforcement activities of the Target Zero Enforcement Teams, including DUI arrest activity.

- **Program Management**

The Section 402 State and Community Highway Safety Program in South Carolina is administered by the Office of Highway Safety and Justice Programs (OHSJP) of the SC Department of Public Safety (SCDPS). On the following page is a diagram that illustrates the organizational structure of the OHSJP:

## SCDPS/Office of Highway Safety and Justice Programs

July 1, 2017



The mission of the OHSJP is to develop and implement comprehensive strategies aimed at reducing the number and severity of traffic crashes on the state's streets and highways. The OHSJP's Planning and Administration Highway Safety project staff direct the planning, development, coordination, monitoring, evaluating, and auditing of projects under the Section 402 Program. Highway Safety staff are also responsible for coordinating and evaluating highway safety efforts among the various agencies throughout the state. The OHSJP employs two Program Coordinators who manage project activities throughout the state in the priority areas of Impaired Driving Countermeasures, Police Traffic Services, and Occupant Protection/Motorcycle Safety and perform monitoring, evaluation, and auditing of funded projects throughout the state.

The Program Administration area of the OHSJP coordinates highway safety programming focused on public outreach and education, aggressive traffic law enforcement, promotion of new safety technologies, the integration of public health strategies and techniques, collaboration with safety and business organizations, and cooperation with state and local governments. Programming resources are directed to nationally- and state-identified priority areas outlined in the state's annual Highway Safety Plan. The Program Administration area ensures monitoring

of traffic data to develop and coordinate appropriate statewide highway safety messages to all citizens and visitors of the state. Highway Safety staff members conduct a Problem Identification meeting annually to identify highway safety problems. A Funding Guidelines Workshop is conducted to provide information to potential subgrantees and to encourage the development of data-driven, evidence-based projects that will positively impact highway safety. Pre-work Conferences are conducted with all subgrantees, and a Project Management Course is conducted annually with all Project Directors of newly awarded highway safety projects.

Program Administration conducts a high-visibility DUI enforcement and education initiative known as the *Sober or Slammer!* campaign (corresponding to the national *Drive Sober or Get Pulled Over.* campaign) on a statewide level utilizing strategies that have proven to yield results. The campaign runs from December 1 of the federal fiscal year through Labor Day. According to the *Countermeasures That Work* guide (Chapter 1, section 2.2, p. 1-24), publicized saturation patrol programs and sobriety checkpoints are effective in reducing alcohol-related fatal crashes and deterring drunk driving. The state encourages and requires campaign participants to utilize high visibility enforcement and safety checkpoint strategies in their DUI enforcement efforts statewide.

Program Administration also conducts the state's occupant protection enforcement mobilization in the time period leading up to and after the Memorial Day holiday in May each year. The statewide campaign, known as *Buckle up, South Carolina. It's the law and it's enforced.*, mirrors the national *Click it or Ticket* campaign. The campaign focuses on occupant protection enforcement generally and on nighttime safety belt enforcement at the state and local level, which results in, not only increased citations for safety belt violations, but increased opportunity for DUI arrests as well. All major mobilizations include outreach components that focus on the diverse population of our state.

The OHSJP also conducts a statewide motorcycle safety campaign, an annual billboard campaign focusing on a specific priority area (impaired driving, pedestrian issues, other vulnerable roadway users), and a high school ticket campaign to place highway safety messages in the hands of teens and their parents on tickets issued at high school sporting events and other special school activities (dances, proms, plays, etc.) statewide. The state also conducts an annual Memorial Service each year for the families of victims who have died on the state's roadways in the previous calendar year.

The OHSJP provides funding to highway staff and advocates for attendance at significant conferences and training events related to highway safety issues. Highway Safety staff, other SCDPS staff, and partner agencies/groups continue to educate and inform South Carolina's citizens and visitors about the state's primary enforcement safety belt law. Highway Safety staff continue to support and assist in the further development of the Law Enforcement Network (LEN) System in the state. Sixteen (16) LENs are operational corresponding to the sixteen judicial circuits in South Carolina. The OHSJP continues to maintain a strong partnership with the SC Department of Transportation (SCDOT) to enhance traffic safety initiatives through a variety of activities.

The state implements activities in support of national highway safety goals to reduce motor vehicle-related fatalities that also reflect the primary data-related crash factors within the state as identified by the state highway safety planning process, including:

- National law enforcement mobilizations,
- Sustained enforcement of statutes addressing impaired driving, occupant protection, and driving in excess of posted speed limits,
- An annual statewide safety belt use survey in accordance with criteria established by the Secretary for the measurement of state safety belt use rates to ensure that the measurements are accurate and representative,
- Development of statewide data systems to provide timely and effective data analysis to support allocation of highway safety resources.

## • **Resources**

The Office of Highway Safety and Justice Programs (OHSJP) supports impaired driving prevention activities by approving more than \$7 million in grant funding to state and local agencies in FFY 2018. The commitment of funding levels to attack the problem of impaired driving in the state has been consistent over the last seven years. The state will utilize Section 402 funding, Section 405(d) impaired driving funding, and Section 405(b) funding in FFY 2018 to fund a variety of projects to combat DUI, including DUI enforcement teams, police traffic services projects, and major campaign initiatives, such as *Sober or Slammer!*, the state's equivalent to the national *Drive sober or get pulled over*. The SCDPS will also continue with funding provided by SC Department of Transportation (SCDOT) for the continuation of the Target Zero Enforcement Teams.

In addition, state and local agencies provide some funding for DUI countermeasures through their agency budgets. However, it is obvious that without the infusion of available federal dollars from the OHSJP, the level of DUI enforcement, training, prosecution, and mass media outreach would be significantly less than it is currently. It should be noted that the SC General Assembly will continue to appropriate recurring state dollars to the sixteen judicial circuits in the state for FY 2018 to provide a specialized DUI prosecutor in each circuit's Solicitor's Office. This funding was supported by the OHSJP in previous years. The state's significant contribution to the prosecution of DUI offenders has allowed the OHSJP to provide for the funding of additional DUI countermeasures projects. Multi-jurisdictional enforcement activity focusing on checkpoints and saturation patrols is bolstered by funding for each of the sixteen Law Enforcement Networks in the state through the OHSJP. In addition, 33 local alcohol and drug abuse commissions encompassing all forty-six of the state's counties operate Alcohol Enforcement Teams with funding assistance provided by SCDAODAS to conduct compliance checks, underage drinking enforcement, and party dispersal and enforcement activity.

It is obvious that the many and varied impaired driving programs in the state are not completely financed by fines and fees imposed upon convicted DUI offenders. DUI legislation enacted in

2009 made strides in this direction, but has not achieved the self-sufficiency that would be most desirable. It would likely take significant legislative action to achieve program self-sufficiency in the state based on fines and fees levied against those individuals creating the state's impaired driving problems.

The state currently does not have sufficient information to determine the actual costs to the state associated with impaired driving relative to crashes, injuries, fatalities, evaluation, treatment, and care. The calculation of such costs could be instrumental in making legislative changes toward a self-sufficient program of impaired driving countermeasures in the state.

In terms of other potential resources, currently no Federal Highway Administration funding that is available for behavioral highway safety efforts is directed toward impaired driving countermeasures. Alcohol and substance abuse assessment and treatment funding is derived from a variety of sources, including the federal treatment block grant. The state currently does not have a separate fund to reimburse treatment agencies for services provided to indigent clients, with those costs covered by other treatment client fees. There are currently no revenue sources, such as a per-drink alcohol excise tax, specifically dedicated to alcohol or substance abuse treatment.

Pursuant to the availability of federal funds, the OHSJP provides sufficient funding, staffing, and other sources of support to state and local impaired driving programs. While the OHSJP awards federal funding to support impaired driving programs, not all impaired driving programs are supported by those funds. All programs supported by federal funding are expected to be self-sufficient once federal funding is no longer available.

The chart on pages 48-49 outlines the impaired driving countermeasures budget for FFY 2018, as well as general information relative to impaired driving countermeasures funding to be awarded in FFY 2018. Please note that the following chart does not include the amounts spent on police traffic services enforcement projects for FFY 2018 (21 total projects), all of which require grant-funded officers (Section 402-funded) to engage in aggressive DUI enforcement activity. Nor does it include the funding which will be continued by the SC Department of Transportation to fund the six Target Zero Enforcement Teams, from within the SC Highway Patrol, in key areas of the state (Upstate, Midlands, Lowcountry, and the Pee Dee) during FFY 2018 to conduct aggressive traffic enforcement activities to include, DUI enforcement focusing on 16 corridors identified as having a high occurrence of fatal and severe-injury traffic crashes.

Impaired Driving Countermeasures  
Project Budget Summary

Project Number	Subgrantee	Project Title	Budget	Budget Source
M4HVE-2018-HS-25-18	SC Department of Public Safety: Office of Highway Safety and Justice Programs	Impaired Driving Countermeasures	\$168,532	Section 405d Impaired Driving
M4PEM-2018-HS-25-18	SC Department of Public Safety: Office of Highway Safety and Justice Programs	Impaired Driving Countermeasures	\$1,070,000	Section 405d Impaired Driving High/Paid and Earned Media MAP-21
M1*AL-2018-HS-25-18	SC Department of Public Safety: Office of Highway Safety and Justice Programs	Impaired Driving Countermeasures	\$230,000	Section 405b Impaired Driving High MAP-21
M4HVE-2018-HS-37-18	City of Darlington Police Department	DUI Enforcement	\$91,944	Section 405d Impaired Driving High MAP-21
M4HVE-2018-HS-24-18 PT-2018-HS-24-18-Radar	City of North Charleston	North Charleston DUI Team	\$418,481	Section 405d Impaired Driving High MAP-21
M4HVE-2018-HS-28-18	Berkeley County Sheriff's Office	Traffic/DUI Enforcement	\$71,173	Section 405d Impaired Driving High MAP-21
M4HVE-2018-HS-29-18 PT-2018-HS-24-18-Radar	Darlington County Sheriff's Office	County of Darlington-DUI Team	\$113,377	Section 405d Impaired Driving High MAP-21
M4X-2018-HS-23-18	Mothers Against Drunk Driving South Carolina	MADD SC Court Monitoring Program	\$81,540	Section 405d Impaired Driving High MAP-21
M4CS-2018-HS-39-18	Sixth Circuit Solicitor's DUI Office	DUI Prosecutor	\$96,956	Section 405d Impaired Driving High Map-21
M4CS-2018-HS-20-18	SC Department of Public Safety: Highway Patrol	SCHP Berkeley County DUI Prosecutor	\$114,917	Section 405d Impaired Driving High MAP-21

M4TR-2018-HS-26-18	South Carolina Criminal Justice Academy	Impaired Driving Countermeasures Training for Law Enforcement	\$197,602	Section 405d Impaired Driving High MAP-21
M4HVE-2018-HS-30-18	Town of Mount Pleasant	DUI Enforcement and Education	\$171,896	Section 405d Impaired Driving High MAP-21
M4CS-2018-HS-27-18	South Carolina Commission on Prosecution Coordination	Traffic Safety Resource Prosecutor	\$125,182	Section 405d Impaired Driving High MAP-21
<b>Total All Funds</b>			<b>\$2,950,600</b>	
<b>Section 405d Impaired Driving High/Paid and Earned Media MAP-21</b>			<b>\$2,708,705</b>	
<b>Section 405b Occupant Protection High MAP-21</b>			<b>\$230,000</b>	
<b>Section 402 Radar</b>			<b>\$11,895</b>	

- **Data and Records**

The impaired driving program in South Carolina is heavily data dependent and uses the state's crash data and Fatality Analysis Reporting System (FARS) data extensively to address the locations and volume of impaired driving crashes.

Data Sources and Processes

The Statistical Analysis and Research Section for traffic records in South Carolina is located within the Office of Highway Safety and Justice Programs. The Statistical Analysis and Research Section, as part of its responsibilities collects and analyzes information concerning traffic collisions on South Carolina's roadways. OHSJP statisticians perform analysis on traffic data to determine when and where collisions are occurring, the demographics involved in collisions, and the specific causes of collisions. This information can then be used for developing and implementing appropriate countermeasures (e.g., enforcement and education initiatives) to help reduce collisions, injuries, and fatalities. The SAC also houses staff who perform data entry services. Specifically, several fields of information from completed traffic collision reports are input by data entry operators into the Traffic Collision Master File. Responsibilities of this section are far-ranging and encompass programming, consultation,

descriptive analysis, inferential statistical analysis, report preparation, etc. The current databases maintained and used for statistical analysis of traffic issues in South Carolina are:

#### Traffic Collision Master File

Traffic collisions that occur in South Carolina and are investigated by law enforcement agencies are reported to the SC Department of Public Safety (SCDPS) on the Traffic Collision Report Form (TR-310). The OHSJP is responsible for the design and printing of these forms. Data from the TR-310 is either electronically reported or entered by data entry staff into the Traffic Records Master File. Data entered into the Traffic Records Master File are retrieved by OHSJP statisticians and used for performing statistical studies for various users, including law enforcement agencies, governmental units, attorneys, engineers, media representatives, and private users. These studies, conducted upon written request, are primarily descriptive in nature and focus on a specific traffic collision topic. These topics range from collisions at a specific intersection or stretch of road, to collisions during specific months in selected counties, to rankings of specific intersections in a county or jurisdiction.

#### South Carolina Traffic Fatality Register

The OHSJP maintains the Traffic Fatality Register as an up-to-date preliminary process of counting traffic fatalities. Comparisons with previous years through the same date are required as an ongoing assessment of traffic safety programs. Data for this file is received through the Highway Patrol Communications Office and TR-310s received from all investigative agencies. The Traffic Fatality Register is used on a daily basis to record the latest available information concerning persons who die in traffic collisions in South Carolina, including passengers, pedestrians, bicyclists, etc. Through the Traffic Fatality Register, a report is generated on a daily basis and distributed to highway safety committees and program stakeholders, as well as community and constituent groups. The South Carolina Department of Transportation (SCDOT), the South Carolina Law Enforcement Division (SLED), the SC Criminal Justice Academy (SCCJA), the Region 4 office of the National Highway Traffic Safety Administration (NHTSA), and local law enforcement agencies are among the recipients of this critical fatality and seat belt use data distributed through the OHSJP's Statistical Analysis & Research Section.

#### Fatality Analysis Reporting System (FARS)

FARS (Fatality Analysis Reporting System) was established in the 1970s as a uniform system for gathering information on fatal traffic collisions in the United States. The data collected is used by a large number of organizations in government, academia and private industry for analyzing a wide variety of traffic safety issues. FARS is a consolidation of a number of former programs under one umbrella as a means of collecting uniform data from each of the 50 states plus the District of Columbia and Puerto Rico. Participation is required and consists of gathering and transmitting fatal collision information to a central data center in Washington, D.C. Since 2009 FARS applications are accessed through any computer with Microsoft Internet Explorer and a

high speed Internet connection. Analysts can use their state workstations rather than a dedicated FARS computer.

### SAFETYNET

SAFETYNET is an automated information management system designed to support Federal and State Motor Carrier Safety Programs by allowing the safety performance of Interstate and Intrastate commercial motor carriers to be monitored. OHSJP and the State Transport Police work together in maintaining this data. OHSJP uses the crash data from the Traffic Collision Master File to upload information regarding the commercial vehicle activity. This data is uploaded weekly to the Motor Carrier Management Information Systems (MCMIS) carrier's profile nationwide.

### Traffic Records Coordinating Committee (TRCC)

Since 2007, South Carolina has maintained a two-tiered Traffic Records Coordinating Committee (TRCC) governed by a Charter. The two groups of the committee include an Executive Group and a Working Group. South Carolina's TRCC Executive Group held its inaugural meeting on September 17, 2007. This group includes the agency heads of the five state agencies composing the state's current Traffic Records System (TRS). These agencies include the South Carolina Department of Motor Vehicles (SCDMV), South Carolina Department of Public Safety (SCDPS), South Carolina Department of Transportation (SCDOT), South Carolina Judicial Department (SCJD), and the South Carolina Department of Health and Environmental Control (SCDHEC).

The TRCC Working Group includes representatives from these five agencies, appointed by the Executive Group, that are subject matter experts in fields related to components of the Traffic Records System. The Working Group also includes members from local law enforcement selected by the South Carolina Law Enforcement Network and approved by the Executive Group.

The TRCC Working Group is required to meet a minimum of 3 times per year, and an annual meeting of the Executive Group is held to review the accomplishments of the previous year's strategic plan and direct the current year's plan for traffic records improvements. Currently, the state's Working Group is meeting regularly on a bimonthly basis.

In the formation of the TRCC, the TRCC Executive Group charged the TRCC Working Group to develop the state's Traffic Records Strategic Plan (TRSP) and assist in coordination of the annual grant submission. The TRSP is prepared by the TRCC-Working Group and approved by the TRCC-Executive Group each year. These programs and projects included in the TRSP focus on improving the core components of the state's TRS. The projects and programs goals are to increase accuracy, timeliness, completeness, uniformity, and accessibility of data collected by the various agencies and systems utilized.

Every 5 years the state undergoes a required Traffic Records Assessment (TRA), facilitated by NHTSA, in order to obtain the highest quality of traffic records data collection and record keeping process possible. South Carolina is in the process of its latest TRA, which began in January 2017. The findings of this assessment were released April 27, 2017.

### South Carolina Collision and Ticket Tracking System (SCCATTS)

The South Carolina Collision and Ticket Tracking System (SCCATTS) is a collaborative effort among the South Carolina Department of Public Safety (SCDPS), the South Carolina Department of Motor Vehicles (SCDMV), the South Carolina Department of Transportation (SCDOT), the South Carolina Judicial Department (SCJD) and the South Carolina Department of Health and Environmental Control (SCDHEC) Injury Surveillance System (ISS). It was originally created to address the shortcomings of a system that predominantly generated and processed traffic collision reports and traffic citations manually. The goal of SCCATTS is to enhance highway safety through the timely collection, analysis, and response to pertinent data.

SCCATTS is the electronic reporting system used by state and local law enforcement agencies to submit collision reports (TR-310) electronically to SCDPS and SCDMV. When a collision is investigated, each law enforcement officer submits a copy of the completed collision report to the South Carolina Department of Motor Vehicles (SCDMV) via SCDPS's SCCATTS application. The current form, TR-310, is a statewide form that each law enforcement agency uses for traffic crash investigations. SCDPS has deployed the electronic collision report to the South Carolina Highway Patrol (SCHP) and approximately 90 local law enforcement agencies. This equates to approximately 86% of all collision reports being received electronically through SCCATTS. The remaining 14% are keyed into the SCCATTS system by Data Entry clerks of SCDPS' Office of Highway Safety and Justice Programs (OHSJP). The OHSJP uses the data collected from the collision report to provide up-to-date preliminary numbers for highway fatalities across the state. This data is also utilized by law enforcement for traffic safety initiatives.

Annually, the data is compiled into a yearly fact book that provides statistical information regarding crash data statewide. The OHSJP also provides collision experience studies that are defined within a set of parameters provided by the person requesting the information.

SCCATTS is now moving into citation data collection. Currently, there is no statewide citation database that stores all the citation data. The South Carolina General Assembly enacted legislation that requires all citation data to be submitted electronically by January 1, 2018. The TRCC is coordinating the creation of the South Carolina Uniform Traffic Ticket Information Exchange System (SCUTTIES). SCUTTIES will serve as the statewide citation database.

### South Carolina Uniform Traffic Ticket Information Exchange System

In 2015, the State of South Carolina initiated a combined effort between Law Enforcement, the South Carolina Department of Motor Vehicles (SCDMV), South Carolina Department of Public

Safety (SCDPS) and the South Carolina Judicial Department (SCJD) to move the collection of Uniform Traffic Ticket (UTT) records from a manual process to a fully electronic submission process. These agencies combined resources to develop the South Carolina Uniform Traffic Ticket Information Exchange System (SCUTTIES). This system, which combines the processes of SCCATTS and other local electronic reporting systems, collects all UTT data directly from the issuing agency into an e-Citation database housed within the SCDMV Phoenix System. The South Carolina General Assembly passed legislation that requires law enforcement to submit all citations through an electronic process to SCDMV's database within 3 business days of issuance to the violator. Law Enforcement may submit through an approved Records Management System (RMS) process, utilizing SCCATTS, or by using direct entry through SCDMV's web-based portal system. This same legislation then requires the court responsible for adjudication of that case, to report the disposition data to SCDMV's database within 5 business days of adjudication through court proceedings. Similarly, the courts may submit through the state's Case Management System (CMS), approved local RMS or by direct input through a similar web-based system being develop by SCJD. The electronic collection of citation data will enhance the state's ability to track citations with completeness, accuracy, timeliness and allow for more data accessibility between stakeholders. One project for future development after implementation is a Driving Under Influence (DUI)-tracking system. This new system will give the state the ability to track the progress of DUI violations from violation through court proceedings, penalties and driver/substance abuse education/treatment. The program is in initial stages of development and no implementation or target dates for implementation have been created.

#### SC Department of Public Safety and Local Law Enforcement

The South Carolina Department of Public Safety is the largest collision form collection agency within the state. When a collision is investigated, each law enforcement officer submits a copy of the completed report to the South Carolina Department of Motor Vehicles (SCDMV), which is the official agency of record for collision reports. After the SCDMV updates the driver information from the report, the SCDPS Office of Highway Safety and Justice Programs (OHSJP) receives the report and enters the entire document to populate the collision master file.

The OHSJP uses the data collected from the collision report to provide up-to-date preliminary numbers for highway fatalities across the state. This data is also utilized by law enforcement for force deployment. Each year, the data is compiled into a yearly fact book that provides statistical information regarding collisions statewide. The OHSJP also provides collision experience studies that are defined within a set of parameters provided by the person requesting the information.

Despite the state's significant use of data in impaired driving countermeasures efforts, from problem identification to the deployment of resources, gaps remain in statistical information that could prove beneficial in implementing DUI countermeasures statewide. The gaps are most glaring in the securing of BAC tests for surviving drivers of fatal crashes, unless there is reasonable suspicion on the part of an investigating officer of alcohol/drug impairment on the part of the surviving driver, and in the state's current lack of a true DUI-tracking system

following offenders from arrest through conviction and treatment. The lack of BAC test data subjects the state to the mercy of the NHTSA imputation model for calculating the actual alcohol involvement in fatal crashes statewide. Hopefully, during FFY 2018, the foundation of a DUI-tracking system will be laid with the building of interfaces among the SCDMV, the SCDPS, and the SCJD for the sharing of adjudication and disposition information regarding all traffic offenses, including DUI.

- **Communication Program**

The SCDPS OHSJP continues to develop and implement a multi-faceted communications program. The state's communication plan is implemented through a variety of public education and awareness strategies designed to increase the motoring public's knowledge and understanding of impaired driving laws, as well as attempting to modify driver behavior and change culture through alerting the general public to the many and varied consequences of DUI, including societal, financial, and familial costs.

The OHSJP develops and implements its communications plan by adopting a comprehensive marketing strategy, with the assistance of a media contractor, founded on effective, dynamic messaging, diverse advertising strategies, proactive media relations, and outreach to a variety of cultural groups within the state. Communications strategies are consistent with and based upon the state's problem identification process, which identifies high-risk populations, communities, corridors, and target audiences with whom and in which the highest safety benefit may be realized. The OHSJP utilizes a network of public safety professionals in accomplishing its communications goals and implementing its communications plan, including law enforcement liaisons, community relations officers, agency communications staff within the SCDPS, and public relations staff and other representatives from other local and state law enforcement and highway safety stakeholder agencies.

A more thorough and detailed explanation of the elements of the state's communications plan and strategies recommended for implementation by this Plan will be addressed under Item No. **IV. Communication Program** on page 112.

## **Strategies**

In an effort to continue strengthening the Program Management and Strategic Planning aspect of impaired driving countermeasures in the State of South Carolina, the OHSJP will implement the following strategies in FFY 2018:

- 1. Maintain the hire of an Impaired Driving Countermeasures Program Coordinator for the administration of impaired driving countermeasures grant projects, preparation of impaired driving countermeasures sections of strategic highway safety documents**

(Funding Guidelines, Problem Identification, Highway Safety Plan, Annual Report, Grant Project Summaries and Recommendations, Impaired Driving Countermeasures Plan, etc.), and coordination of the meetings and ongoing efforts of the SC Impaired Driving Prevention Council.

2. OHSJP staff will coordinate statewide public information and education efforts to promote compliance with impaired driving laws. All campaign efforts will continue to fall under the umbrella theme of *Target Zero, A Goal We Can All Live With*. The campaign has participation of more than 200 local law enforcement agencies statewide, as well as the SC Highway Patrol and the State Transport Police. Thus, the campaign efforts will reach all citizens of the state in each of the state's forty-six (46) counties.
3. The OHSJP will maintain the statewide SC Impaired Driving Prevention Council (SCIDPC), made up of professionals from various arenas of highway safety, law enforcement, prosecution, adjudication, advocacy groups, and treatment/rehabilitation in an effort to combat the increasing impaired driving problems and issues in the state. The SCIDPC will continue its work toward strengthening DUI laws in the State of South Carolina and will continue review of the 2016 Impaired Driving Assessment Final Report to develop action plans outlining areas which the state should continue to target for improvement. The recommendations of the 2016 Impaired Driving Assessment will be used as a blueprint to strengthen the Impaired Driving Countermeasures Program for South Carolina.
4. The OHSJP will continue to provide grant funding for the Law Enforcement Networks (LEN) to assist them in their ongoing enforcement efforts, particularly in regards to impaired driving enforcement initiatives, and in recruiting additional enforcement agencies to enlist in the network. The OHSJP will continue to provide training to LENs through LEN Coordinator meetings, regularly scheduled LEN meetings, and Traffic Safety Officer Certification courses.
5. OHSJP staff will conduct a Problem Identification meeting to identify highway safety problems in the state and determine where best to utilize available resources to improve highway safety.
6. OHSJP staff will conduct project development to encourage potential subgrantees in identified problem areas to submit grant applications and provide technical assistance.
7. OHSJP staff will continue to provide Law Enforcement Liaison services to both state and local law enforcement agencies.
8. The OHSJP will conduct periodic surveys to track driver attitudes and awareness concerning impaired driving, safety belt use, and speed issues utilizing recommended questions developed by NHTSA and GHSA.

- 9. The SCDPS and the SC Department of Transportation (SCDOT) will continue their strong partnership to enhance traffic safety initiatives through a variety of activities:**
- a. disseminate information to the public regarding highway safety and engineering issues through the use of message signs, radio stations, social websites, and presentations. The SCDOT message signs are used during each enforcement campaign, including statewide impaired driving initiatives, to keep the various safety messages front and center for the target audience. A Target Zero website is maintained focusing on the state's Strategic Highway Safety Plan.**
  - b. maintain a Strategic Highway Safety Plan (SHSP) Manager position funded by the SCDOT to coordinate the implementation of various projects designed to impact goals in the SHSP.**
  - c. continue implementation of the SCCATTS project to create a fully electronic traffic records system and lay the groundwork for a potential DUI-tracking system for the state.**
  - d. continue the implementation of the Safety Improvement Team (SIT), funded by SCDOT, to focus on high-crash corridors.**
  - e. maintain, through funding provided by SCDOT, the six, four-officer Target Zero Enforcement Teams within the SC Highway Patrol that will concentrate on the enforcement of traffic laws, including DUI enforcement, in four key areas of the state and focus on highway corridors that are high-risk for fatal and severe-injury traffic crashes.**
- 10. The OHSJP will seek the assistance of coroners and law enforcement officers statewide to improve the reporting of BAC test results, emphasizing the collection of BAC results for surviving drivers of fatal traffic crashes.**
- 11. The OHSJP will work with the state's Traffic Records Coordinating Committee (TRCC) to continue work on developing and implementing a statewide DUI-tracking system and expanding the membership of the TRCC to include stakeholders of a fully operational DUI-tracking system.**

## **II. PREVENTION**

The South Carolina Department of Alcohol and Other Drug Abuse Services (SCDAODAS) is the single state authority for alcohol and other drug abuse programming as originally authorized by Public Law 91-616 of 1970 and Public Law 92-255 of 1972. SCDAODAS's mission is to ensure the provision of quality services to prevent or reduce the negative consequences of

substance use and addictions. SCDAODAS offers a wide array of prevention, intervention, and treatment services through a community-based system of care. Although services are coordinated at the state level through SCDAODAS, the Department subcontracts with 33 county Alcohol and Other Drug abuse authorities (AOD) commissions to provide direct services to citizens in all 46 counties of the state. ([www.daodas.state.sc.us](http://www.daodas.state.sc.us))

In June 2004, the Governor's Council on Substance Abuse Prevention authorized four action groups to begin work on the State's most pressing substance-related problems, one of which was underage drinking. One of the groups developed, known as the Underage Drinking Action Group (UDAG), is dedicated to the reduction of underage drinking in the state and is composed of a multi-disciplinary team of stakeholders. Participants hail from the following agencies/groups: the SC Department of Public Safety, SCDAODAS, the SC Department of Social Services, the SC Department of Transportation, Mothers Against Drunk Driving, the University of South Carolina, Clemson University, Pacific Institute of Research and Evaluation, the SC Department of Education, the College of Charleston, the SC Law Enforcement Division (SLED), and the SC Petroleum Marketers. The UDAG is divided into several sub-committees, including College Alcohol Policies and Parents Work Group, Beverage Service Training Policy Work Group, Compliance Check Work Group, Model Beverage Service Training Legislation Work Group, Alcohol Sales Enforcement, Public Information, and Impaired Driving.

In the context of a Statewide Impaired Driving Assessment in 2002, a recommendation was made to the state to form a statewide DUI Task Force. In August 2004, the South Carolina Impaired Driving Prevention Council (SCIDPC) was founded to serve as a DUI workgroup and to provide leadership and guidance as the state seeks to reduce the number of collisions, injuries, and deaths caused by impaired drivers. The SCIDPC is divided into four subcommittees: Education/Prevention, Legislative, Enforcement/Prosecution/Adjudication, and Treatment/Rehabilitation/Diversion. Along with the South Carolina Department of Public Safety's Office of Highway Safety and Justice Programs, SC Highway Patrol (SCHP), State Transport Police (STP), and the Director of the Department of Public Safety, there are representatives from the SC Criminal Justice Academy, the state Senate, the Governor's Office, the state Attorney General's Office, the State House of Representatives and additional federal, state, local, and private entities composing the Council's membership.

Mothers Against Drunk Driving South Carolina (MADD SC) is an active partner in the state's efforts to reduce, and ultimately eliminate, drunk driving and to fight drugged driving. MADD SC operated without an Executive Director for many years. MADD SC hired a dedicated staff person to steer the fund-raising efforts, along with all aspects of the organization in 2013. Since the hire of the staff person, MADD has reemerged in South Carolina as an important presence in efforts to reduce drunk and drugged-driving-related fatalities. MADD has a higher capacity and is more active than it has been in many years. MADD's staff and volunteers are actively supportive of law enforcement efforts to deter impaired driving, and they are actively involved in advocating for stronger DUI policies and laws that will reduce DUI-related crimes. The MADD organization in South Carolina demonstrated its ability to be highly effective in the policy arena by its strong push in 2014 for "Emma's Law," an expansion of the state's Ignition Interlock

Device program to high-BAC first offenders. MADD SC, the SCIDPC, and Behavioral Health Services Association (BHSA) are continuing involvement in legislative efforts regarding the videotaping of DUI arrests. MADD's staff and victims are frequently in the media keeping the issues of impaired driving and underage drinking a priority for South Carolina. An expanded victim services department has allowed them to be more active in outreach to victims and serve those who need support with more attention. MADD's new court monitoring effort is funded with Section 405d funds and is anticipated to increase accountability in the courtroom in two of our state's major population areas (Greenville and Columbia). Throughout SC, MADD offers a parent program and a youth presentation aimed at reducing underage drinking, with the desire to reduce future drunk driving. MADD's volunteer base is steadily increasing, improving the likelihood that its state and local activities should continue to grow in coming years. MADD assists OHSJP efforts by serving on the South Carolina Impaired Driving Prevention Council and helping select law enforcement award recipients for the annual DUI enforcement recognition ceremony.

SCDAODAS certifies Alcohol and Drug Safety Action Programs (ADSAP) in South Carolina. The ADSAP is the state's primary prevention and treatment program to address DUI offenders. Currently, all certified ADSAPs are operated by county alcohol and drug abuse authorities. Each agency certified as an ADSAP provider offers a continuum of care in accordance with the American Society of Addiction Medicine Levels of Care. The required minimum services to be provided through the continuum of care are the PRIME FOR LIFE curriculum (Level 0.5); Individual and Group Counseling (Level I); Intensive Outpatient Services (Level II); and referral linkages to higher levels of care. All ADSAP clients are required to receive a DUI risk assessment and/or clinical biopsychosocial assessment for placement in the appropriate level of care. The risk assessment and/or the biopsychosocial assessment provide the basis for diagnostic classification according to the "Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition"; placement in the PRIME FOR LIFE curriculum, Individual and Group Counseling, and/or Intensive Outpatient Services offered by a certified ADSAP provider; or referral to a higher level of care within the network of county alcohol and drug abuse authorities.

Outlined on the following pages are additional elements of comprehensive prevention programs implemented in South Carolina and aimed at reducing impaired driving, reducing recidivism of violators of alcohol control laws, and assisting individuals in breaking addiction cycles. These programs promote communication strategies that highlight and support specific policies and program activities and promote activities that educate the public on the effects of alcohol and other drugs, limit the availability of alcohol and other drugs, and discourage those impaired by alcohol and other drugs from driving.

- **Promote Responsible Alcohol Service**

SCDAODAS has mandated that state-funded Alcohol and Other Drug abuse (AOD) commissions across the state offer a merchant education component as part of their consolidated contract. The class is required only for servers, who have violated the law, and such training has

been required by the court in addition to any fines/fees levied by the judge. The class is also offered to merchants to take on a voluntary basis to reduce liability and as a pro-active measure of training for their staff. During the 2017 legislative session, S 115, Alli's Law: Responsible Beverage Server Training Act, which is supported by the SCIDPC, was proposed. Alli's Law would mandate alcohol server training for on premise establishments beyond the current requirement, which specifies mandated training after a serving violation. The legislation is important to reducing social harms in South Carolina communities. Research has shown the strong effectiveness of merchant education in preventing binge drinking, decreasing underage drinking, and reducing alcohol-impaired driving. Although the South Carolina General Assembly meets annually, it follows a two-year legislative cycle called a "session." The General Assembly convened the 122nd legislative session on Tuesday, January 10, 2017, and this session ends in May 2018.

The AOD commissions utilize a merchant education curriculum known as the Palmetto Retailer Education Program (PREP); the courses are successfully marketed to alcohol retail outlets in the AOD commissions' counties. PREP helps reduce underage access to alcohol and tobacco in the community by educating the participants in "best practices" for preventing alcohol sales to minors, recognizing signs of intoxication, and intervening with patrons who are already intoxicated. In addition, successful completion of the course can lower liability risks for businesses and their employees. The goal of PREP is to provide managers and servers/sellers with the knowledge and skills to comply with state, community, and establishment-level alcohol and tobacco policies and awareness of the potential consequences for failing to comply with such policies. The two-to four- hour session covers many relevant issues including:

- Alcohol and tobacco laws and consequences
- Checking IDs
- Fake IDs
- Keg registration
- Conflict resolution
- Refusing over service
- Reducing liability of employees and businesses

The Outcomes of the program are:

#### **Attitudinal Outcomes**

- Recognize that they have a legal responsibility not to sell alcohol or tobacco to underage persons
- Recognize the value of making choices that fulfill their job responsibilities
- Recognize that avoiding the sale of alcohol or tobacco to underage persons is more important than making a sale

### **Knowledge Outcomes**

- Understand key state laws that govern the sale of alcohol and tobacco in South Carolina
- Understand the importance of their role in refusing to sell to underage persons
- Understand the correct procedure for checking an ID
- Understand they must ID anyone who appears to be under the age of 35
- Understand that if caught making an underage sale, they will be penalized
- Understand how the manager can be a resource for sales staff
- Understand the effects of alcohol use and alcohol absorption rates
- Know when and where to seek help if concerned about their own or another's use
- Understand how to identify intoxicated customers
- Understand how to refuse service to underage youth and intoxicated customers

### **Performance Outcomes**

- State the laws and consequences related to the sale of alcohol and tobacco in South Carolina
- List the responsibilities of sales staff
- State the potential penalties for clerks who sell alcohol or tobacco to underage persons
- Calculate the required date of birth for sales of alcohol and tobacco
- List the three valid forms of identification
- Locate the date of birth on a valid form of identification
- Apply the calculated required date of birth and compare to the customer's date of birth
- Describe how to detect a fake ID
- Explain how to handle difficult situations in refusing sales

Local county agencies provide PREP throughout the state. PREP is approved by the SC Department of Revenue and SCDAODAS. County authorities were each required to implement merchant education programming in SFY 2016 and the local agencies collectively served 1,809 retail staff. Thirty-seven of the 46 counties served at least one retailer in PREP, and Beaufort County served the most (294). There is a standardized PREP post-test used across the system that allows standardization of outcomes. Primarily, the test is graded for pass or fail. Among those who passed in FY16, the average score was 95.1%. (SCDAODAS Prevention Outcomes Annual Report, pp. 31).

South Carolina continues to have an effective underage drinking program by continuing to promote policies and practices to prevent drinking by individuals under age 21. The state passed legislation in an attempt to strengthen underage drinking laws and to further discourage adults from providing alcohol to those under age 21 in any context. In June 2007, legislation was

passed which enacted the *Prevention of Underage Drinking and Access to Alcohol Act of 2007*. The majority of the provisions of this legislation became effective on July 1, 2007. However, two key portions of the legislation became effective on January 1, 2008 (**Attachment 3** contains the current summary of the provisions which became effective on the previously-mentioned dates). These two additional portions involve the creation of a mandatory keg registration system (**Attachment 4** contains a copy of the current Keg Registration legislation) and the creation of mandatory use of ignition interlock devices at the expense of the offenders for second and subsequent DUI offenders of any age. However, as mentioned in a previous section of this Impaired Driving Countermeasures Plan, in April 2014, SC further amended the state's DUI statutes to require the installation of ignition interlock devices on vehicles of convicted first-time DUI offenders with a blood alcohol concentration (BAC) of 0.15 or higher. The law is known as "Emma's Law" and is named after six-year-old Emma Longstreet, who was the state's first traffic fatality of 2012. Young Miss Longstreet was killed by a drunk driver on Sunday morning, January 1, 2012, as she and her family were traveling to church. Emma's Law also made the Program mandatory for drivers with second and subsequent DUI convictions, meaning they may no longer avoid the Program requirement by sitting out a suspension. Currently, only those convicted of their first DUI with a BAC under .015% have the option of sitting out the suspension to avoid the Program. The legislation also removed the one-year hard suspension for repeat-offender convicted DUI drivers who choose to receive a restricted license from the SCDMV allowing them to drive with the ignition interlock device(s) installed. The legislation also allowed those who receive the restricted license and have the device(s) installed in personal vehicles to continue to operate employer vehicles without the device(s) installed. The passing of this legislation placed the State of South Carolina out of compliance with USDOT Section 164 requirements. However, it should be noted that during the 2015 legislative session of the SC General Assembly, Emma's Law was amended, effective June 1, 2015, to deal with the problem areas that caused the state to fall out of compliance with Section 164. The amended legislation became compliant by amending the employer vehicle sections, S.C. Code § 56-1-400(B), and S.C. Code § 56-5-2941(L).

According to data provided by the South Carolina Department of Probation, Parole, and Pardon Services, the agency in charge of administering the IIDP, there are currently about 17,300 individuals eligible for the ignition interlock program with approximately 1,200 participating. South Carolina's Zero Tolerance Law is also presented as **Attachment 5**.

In terms of preventing underage drinking while driving, South Carolina driver's licenses are tamper resistant and are designed to prevent persons under 21 from obtaining alcoholic beverages and to prevent persons of any age from making alcoholic beverages available to persons under the age of 21. In February 2011, the South Carolina Department of Motor Vehicles began the process of phasing in a vertical driver's license format for those under the age of 21, making the license more distinguishable from those held by drivers over 21.

- **Promote Transportation Alternatives**

Transportation alternative programs provide a challenge for the State of South Carolina, since the state is predominantly a rural state. The metropolitan areas that do exist are considerably smaller than other major metropolitan areas of the country, and public transportation options are somewhat scarce. There are currently no statewide designated-driver or safe-ride programs. However, in December 2015, a partnership between the SC Attorney General, Uber Technologies, and MADD SC was announced called SC: Smart Choice. According to MADD, this partnership hopes to build awareness about the high rate of drunk driving in the state and safe alternatives to getting behind the wheel; ensure access to safe rides and reliable transportation options for all SC residents within the Uber service area; and mobilize local community members to join in a coordinated effort towards making South Carolina's roadways safer. There are some individual programs that provide safe-ride services in cooperation with local drinking establishments and a few college prevention programs in the state offer safe-ride services as well.

The OHSJP implemented a designated driver program known as *Be a S.A.N.T.A. (Sober All Night Totally Awesome) Designated Driver*, which operated during the month of December prior to the Christmas/New Year's holiday season. The campaign promoted transportation alternatives by encouraging patrons of retail establishments serving alcohol to designate a sober driver rather than getting behind the wheel of a motor vehicle while impaired. The campaign was operative in designated metropolitan areas of the state during its five years of implementation from 2011 through 2015. The campaign featured television and billboard advertising each year. The first year of the program involved a partnership with the SC Hospitality Association (currently the SC Restaurant and Lodging Association), which assisted the OHSJP in securing free non-alcoholic beverages to designated drivers at participating restaurants and alcohol retailers. The campaign expended \$50,000 in Section 402 funding for the first year and \$70,000 in Section 402 funding each subsequent year.

- **Conduct Community-Based Programs**

The State of South Carolina has a variety of community-based programs which address prevention strategies at the local level in a variety of settings and utilize a variety of resources. The state incorporates school-based program initiatives, including the State Department of Education environmental strategies; local school district educational standards; associational educational opportunities, such as "Alive at 25"; programs sponsored and implemented by the state's alcohol and other drug abuse agencies and commissions; and a variety of traffic safety efforts to reach the community at large and school/college-aged young people with significant messaging about the dangers of alcohol use and impaired driving.

## ○ Schools

South Carolina continues to benefit from comprehensive and coordinated alcohol and other drug abuse prevention, including evidence-based school and community programs and strategies. SCDAODAS administers its programs statewide through thirty-two (32) certified, local Alcohol and Drug Abuse Commissions serving all forty-six (46) counties in the state, providing prevention and treatment services and serving as coordinating bodies in partnership with law enforcement to conduct compliance checks, party dispersals, underage drinking enforcement, and other prevention activities.

The 2015 South Carolina Youth Risk Behavior Survey (YRBS) indicated that:

- 55.8% of high school students had at least one drink of alcohol on at least one day during their lifetime;
- 24.6% of high school students had at least one drink of alcohol on at least one day during the 30 days before the survey;
- 11.5% of high school students drank five or more drinks of alcohol in a row within a couple of hours on at least one day during the 30 days before the survey;
- 18% of high school students rode in a vehicle driven by someone who had been drinking alcohol; and
- 4.5% of high school students drove a vehicle in the past thirty days after drinking alcohol.

The YRBS has been conducted in South Carolina in high schools every other year since 1991 and in middle schools since 2005. The survey is conducted in the spring of odd-numbered years by SC Healthy Schools at the SC Department of Education and is part of a national effort to monitor priority health risk behaviors that contribute markedly to the leading causes of death, disability, and social problems among youth and adults in the United States. The 2017 YRBS data will be available in the fall of 2018 for review.

These and other risk behavior rates represented substantial decreases from previous surveys. The decreases are consistent with the expected impact of numerous prevention strategies implemented in schools in the state. SCDAODAS's Prevention Outcomes Annual Report, prepared by the Pacific Institute for Research and Evaluation (PIRE), describes numerous evidence-based prevention strategies that have been implemented in schools in South Carolina. The report also documents positive changes in alcohol use, as well as risk factors that predict alcohol use and high-risk behavior, including impaired driving.

The State of South Carolina does not mandate an impaired-driving, substance abuse or other related curriculum in schools; however, the state has defined educational standards in the area of impaired-driving and other drug abuse. Content Area IV of the mandated educational standards, known as "Alcohol, Tobacco and Other Drugs," specifies a variety of learning objectives for all grades. These objectives address knowledge about alcohol and other substances and their negative effects, and call for developing competency in resisting media messages promoting use

of alcohol. However, currently there are no standards that directly include impaired-driving or other specific highway safety issues.

Although there is no longer federal financial support for Drug Free Schools programs, the South Carolina Department of Education (SCDOE) implements the “South Carolina School Climate Initiative” (SCSCI), which is intended to improve school learning environments and reduce behavior that may be detrimental to students by developing a School Climate Index which schools, districts, and the state will use to measure a school’s learning environment and to identify and implement effective, research-based interventions to address identified, targeted student needs. By way of the SCSCI initiative, evidence-based prevention strategies are employed, such as Life Skills Training, Olweus Bullying Prevention, and the Positive Behavior Interventions and Supports (PBIS) programs. These intervention programs have been proven and documented to reduce alcohol and other substance abuse, as well as other negative student behaviors. The lack of this federal funding has significantly impacted 301 agencies and created a struggle to maintain and respond to the growing need to provide evidence-based prevention programs in schools. On the state level, since funding was depleted the 301 agencies have seen an overall decrease in the number of youth able to receive services from 2009 to 2016 as reported in the SCDAODAS *Prevention Outcomes Annual Report*, pp. 10.

In State Fiscal Year (SFY) 2016 the local county agencies served 1,650 school-aged youth between the ages of 10-14 using nine different curriculum-based evidence-based programs. DAODAS requires the use of a standard survey that is composed of SAMSHA’s National Outcome Measures and other measures from SAMSHA’s Core Measures Initiative. The counties are required to use the standard survey at the beginning of the multi-session program and at the end. In FY16, there was a statistically significant ( $p < .05$ ) positive change from pre-to post-test for four of the five measures (perceived risk, decision making, disapproval of use and peer norms). In FY16 there were three statistically significant changes in substance use-reductions in cigarettes, alcohol, and marijuana. (SCDAODAS *Prevention Outcomes Annual Report*, pp. 9-20).

There is currently no statewide student organization addressing impaired driving or traffic safety, and, unfortunately, Students Against Destructive Decisions (SADD) does not have a state coordinator in South Carolina to assist in strengthening chapters. In the past few years approximately 15 schools have renewed SADD chapter registration, though South Carolina has approximately 200 public high schools. However, many schools in the state have implemented the National Safety Council’s (SCNSC) “Alive at 25” program, with many school districts requiring successful completion of this program by students to secure campus parking privileges. Based on data provided by the local chapter of the SCNSC, currently 128 high schools in South Carolina are involved with the “Alive at 25” Program. As of March 17, 2017, 136,293 students have completed the program, and 87 have since been involved in a fatal collision which equates to .06%. “Alive at 25” is also required for young people convicted of underage alcohol possession who opt for the Alcohol Diversion Program. The course is a highly interactive 4.5-hour program encouraging young drivers between the ages of 15 and 24 to take responsibility for their driving behavior. Skill practices and on-the-spot defensive driving techniques help increase

driver confidence levels. Instructors (law enforcement professionals) use workbook exercises, interactive media segments, group discussions, role-playing, and short lectures to assist young drivers in developing attitudes and strategies that will keep them safer on the roadways. A significant component of the training deals with the issue of impaired operation of a motor vehicle.

The South Carolina Highway Patrol (SCHP), a division of the South Carolina Department of Public Safety, operates a Community Relations Program that includes significant emphasis on underage drinking and impaired driving. The SCHP's cadre of Community Relations Officers (CROs—one for each of the seven SCHP Troops statewide) incorporates the issue of DUI in every school, community, and faith-based organization presentation. Each year this group of officers schedules presentations in high schools statewide. During the 2016 calendar year, these officers conducted 70 presentations in the state's high schools reaching approximately 46,000 students with highway safety messaging, including information on impaired driving issues and the importance of wearing safety belts, a driver's only defense against an impaired driver. In addition, the OHSJP previously maintained a program called *Families of Highway Fatalities*, which has established a group of family members statewide who have lost a family member or members in a traffic crash. This program was relocated in early 2017 to be maintained by the SCHP. These family members serve as spokespersons about traffic safety, including the issue of DUI, in a variety of contexts, and they conduct additional presentations in schools throughout the state.

The state also has trained personnel in "Drug Impairment Training for Educational Professionals" (DITEP). This program, however, is not widely used in the state, with very few teachers and/or other educators trained in the program. The expansion of this program has the potential to be effective in the fight against impaired driving, particularly among younger drivers.

Several colleges and universities in South Carolina have alcohol and substance abuse prevention efforts that address impaired driving issues among students. Existing programs utilize a variety of strategies, including provision of information, interactive demonstrations, and environmental changes. Colleges recently have expanded their prevention efforts to include law enforcement participation in surrounding communities. College programs generally subscribe to a harm-reduction model rather than directly preventing alcohol consumption. Programs such as those that promote designated drivers or provide safe rides for alcohol-impaired students are intended to prevent impaired driving. This presents a challenge for colleges that have become accustomed to a culture of tolerance for alcohol use.

Several colleges in South Carolina utilize the AlcoholEdu survey and online curriculum. The survey has been used as a source of vital needs assessment data for developing prevention strategies.

Major campuses do not prohibit alcohol use, and tailgating and other drinking events are generally tolerated, though measures are taken to reduce consequences such as driving after

drinking. However, alcohol is not sold in campus sports venues.

The OHSJP, in conjunction with the SCDPS agency contractor, has made significant efforts to gear its anti-impaired driving messaging to reach the major offending age-group in the state, males aged 18 to 34. Television and radio advertising, particularly relative to major campaign blitzes for the statewide *Sober or Slammer!* effort (corresponding to the national Drive sober or get pulled over. campaign), reaches a variety of age groups, but focuses on the 18-to-34 year-old male. The OHSJP incorporates into its diversity outreach strategies information gleaned from quantitative research conducted by Apter International during the FFY 2007 grant year. The Apter research sought to find answers as to why people, particularly teens, African Americans, Hispanics, and rural residents are more likely not to use appropriate occupant restraints and attempted to gain clues as to why drivers take specific risks on the highways relative to drinking and driving. The somewhat startling results obtained by the research have been and will continue to be used to develop strategies to encourage behavioral change. The information has been utilized in all efforts of the OHSJP relative to enforcement mobilization strategies, particularly in terms of media outreach.

The OHSJP continues to utilize paid advertising of highway safety messages at high school sports venues in the state, including advertising on printed tickets for sporting and other special events, as well as public address announcements and program advertising. About 5 million tickets are printed each year and used by more than 90% of the high schools across South Carolina. The tickets to be distributed during the 2017-2018 school year will contain messages that focus on issues related to teenage drivers, including impaired driving, distracted driving, speeding, and occupant protection. The tickets place these highway safety messages not only in the hands of student attendees for the events, but also of parents who attend athletic and arts events to support their children. This creates the potential for strategic conversations between parents and children regarding highway safety issues, particularly impaired driving.

Campaign media efforts, including television and radio advertising, as well as alternative messaging (billboards, ice box wraps, gas pump handles, commercial truck wraps, etc.), are also utilized by the OHSJP to encourage citizen involvement in reporting drunk drivers to law enforcement by calling \*HP (\*47).

### ○ **Employers**

Currently in South Carolina, there are no statewide traffic safety employer programs that provide information and technical assistance to employers and encourage them to offer programs to reduce underage drinking and impaired driving by employees and their families. There are some strategies in place that provide related services and could serve as mechanisms for delivering timely and effective information relative to impaired driving and other traffic safety issues to employees of large businesses and small companies in the state. Employers utilizing Employee Assistance Programs (EAP) from private providers to implement screening and intervention services could conceivably provide information on impaired driving issues as well.

South Carolina has Drug Free Workplace legislation consistent with federal legislation. Employers are able to receive substantial discounts on workers' compensation insurance for using programs such as those offered by the Council on Alcohol and Drugs. These programs are designed to educate employers, employees, and the public at large about (1) the dangers of substance abuse, especially the abuse of illicit drugs; (2) the impact of such abuse on the workplace; (3) the most appropriate, effective, and legally accepted means for employers to address their problems with substance abuse in the workplace; (4) the rights and responsibilities of employers and employees; (5) the status of legislative, regulatory, and legal developments at the state level; and (6) the role of employers in national efforts to combat drug abuse. These programs could benefit from adding current, accurate, and South Carolina-specific information about impaired driving.

The SCIDPC advocated against the legalization of the Medical Marijuana Program Act. According to the U.S. Drug Enforcement Administration, marijuana is an illegal drug categorized under Schedule I of the Controlled Substances Act. Studies have linked workers' marijuana smoking with increased absences, tardiness, accidents, workers compensation claims, and job turnover. According to the Journal of the American Medical Association (JAMA), there is a 78% increase in absenteeism among marijuana users; 85% more workplace injuries occur with marijuana users; and there are 64% more disciplinary problems for those who use marijuana as opposed to those who do not.

The OHSJP has considered in the past developing a quarterly information piece on highway safety issues to be sent electronically to employers statewide. This document, if implemented on a regular basis, could be used to disseminate strategic information regarding impaired driving issues in the state in a variety of employment contexts.

### ○ **Community Coalitions and Traffic Safety Programs**

In addition to participating in the efforts of the SCIDPC, the SC Department of Alcohol and Other Drug Abuse Services (SCDAODAS) is responsible for the administration of the state's Underage Drinking Action Group (UDAG). UDAG is a subcommittee of the Governor's Council on Substance Abuse Prevention and Treatment. UDAG is dedicated to the reduction of underage drinking in the state and is composed of a multi-disciplinary team of stakeholders. Participants hail from the following agencies and groups: the SC Department of Public Safety, SCDAODAS, the SC Department of Social Services, the SC Department of Transportation, Mothers Against Drunk Driving SC, the University of South Carolina, Clemson University, the Pacific Institute for Research and Evaluation, the SC Department of Education, the College of Charleston, the Behavioral Health Services Association, the SC Association of Prevention Professions and Advocates, the SC Law Enforcement Division (SLED), and the SC Petroleum Marketers. The UDAG has launched a successful media campaign to ensure that parents in the state are aware of the liabilities associated with social hosting and the legal implications of providing alcohol to minors in any context. The campaign, which has utilized television, radio, and billboard advertising, is known as *Parents Who Host Lose the Most*. The campaign encourages parents and the community to send a unified message that teen alcohol consumption

is unhealthy, unsafe, and unacceptable. The campaign has been implemented at state and local levels during celebratory times when underage drinking parties are prevalent, such as the homecoming, holiday, prom, and graduation seasons.

The UDAG has also funded an enforcement initiative known as *Out of Their Hands*, a program based on a three-stage process incorporating merchant education, public awareness, and an enforcement component. The initiative enlists the support of Alcohol Enforcement Teams (AET) from local law enforcement agencies in each of the state's sixteen judicial circuits to enforce underage drinking laws, enact controlled party dispersal enforcement activity, conduct public safety checkpoints, perform ID checks, and conduct compliance checks of retail establishments serving alcohol. Local prevention specialists complement the enforcement tactics with widespread community outreach and awareness-raising. The AET model went statewide in July 2007 and remains operational. The AET model specifies a multi- or single-jurisdictional alcohol law enforcement approach (depending on the needs and participation of law enforcement within the target area) in a community to:

- reduce youth access to alcohol utilizing various strategies (social and retail access);
- measure, track, and improve merchant compliance with alcohol laws;
- provide research-based merchant education;
- build community support for enforcement of underage drinking laws through media advocacy and community coalition maintenance and development; and
- develop local law enforcement support for underage drinking prevention and enforcement efforts.

Through the Alcohol Enforcement Teams, in SFY 2016 (July 1, 2015 to June 30, 2016), underage drinking law enforcement operations were conducted, which included 66 party patrols (383 cases made), 232 saturation patrols (7,682 cases made), 8,176 alcohol compliance checks (980 cases made), 19 shoulder taps/third-party transfers (9 cases made), 297 on-premises bar checks (232 cases made), and 715 public safety checkpoints (a total of 59,039 cars checked, and 1,591 cases made). Another 121 parties were prevented as a result of AETs working from advance information. AET awareness activities include holding town hall meetings, doing educational sessions for youth and/or adults, conducting local media campaigns and casual contacts (law enforcement officers making community contacts with youth or merchants to keep a high visibility presence in the community). In FY16 AETs reported 367 media placements (articles, TV stories, etc.) and 222 presentations and casual contacts. In FY16, there were 30 training sessions on underage drinking environmental strategies conducted in 13 counties in SC. These sessions were attended by 439 individuals, including 357 law enforcement officers (SCDAODAS Prevention Outcomes Annual Report, pp. 21-33).

Several county authorities also offer programming as part of the solicitor's Alcohol Education Program (AEP), a program for many first-time offenders in lieu of a conviction for an alcohol-related offense. In FY16, 510 youth were served in AEP. The bulk of the youth served came from Pickens (246) and Charleston (117) (SCDAODAS Prevention Outcomes Annual Report, pp. 32).

SCDAODAS has also completed a Community Action for a Safer Tomorrow (CAST) project in the state through a five-year cooperative agreement between the Substance Abuse and Mental Health Services Administration's (SAMHSA) Center for Substance Abuse Prevention (CSAP) and the Office of the Governor. During the five-year period, July 1, 2009 to September 30, 2014, the project placed more than \$2 million per year in the state to implement CAST using SAMHSA's Strategic Prevention Framework State Incentive Grant (SPF SIG) model. The model uses the findings from public health research along with evidence-based prevention programs to build capacity within states and the prevention field, thus promoting resilience and decreasing risk factors in individuals, families, and communities. The SPF SIG is a five-step process that requires states and communities to systematically (1) assess their prevention needs based on epidemiological data; (2) build their prevention capacity; (3) develop a strategic plan; (4) implement effective community prevention programs, policies, and practices; and (5) evaluate their efforts for outcomes. Two cross-cutting components of the SPF SIG model are cultural competence and sustainability. CAST coalitions were developed in 18 counties in the state, including Abbeville, Berkeley, Cherokee, Colleton, Darlington, Edgefield, Florence, Greenville, Greenwood, Horry, Kershaw, Lancaster, Laurens, Lexington, Newberry, Richland, Sumter, and Williamsburg to address underage possession and consumption issues, as well as DUI crashes in some designated county locations. The CAST coalitions utilized evidence-based environmental and enforcement strategies to address the root causes of these issues in their counties. Nine of the 18 counties (Cherokee, Darlington, Edgefield, Greenville, Horry, Kershaw, Lexington, Richland, and Williamsburg) were identified as priority counties for DUI traffic fatalities by raw number or population-based alcohol-impaired traffic fatality rates.

#### Evaluation Results Summary:

With respect to underage drinking prevention, the findings in this report are compelling. Whereas prevalence rates of both, alcohol use and binge drinking among high school students increased in comparison communities, both measures decreased in the SPF SIG funded communities that targeted underage drinking (using the adjusted prevalence rates). The differences between funded and comparison communities in the changes over time for both measures were statistically significant. Furthermore, three additional outcomes related to underage drinking (regular drinking by age 13, disapproval of alcohol use, and parental disapproval of alcohol use) all exhibited changes that were more favorable in the SPF SIG communities and attained at least marginal ( $p < .10$ ) levels of statistical significance. (South Carolina Strategic Prevention Framework State Incentive Grant: Final Evaluation Report May, 2015)

Purely based on the descriptive data analysis, in which monthly motor vehicle crash data were aggregated into pre- and post-intervention phases, no consistent and compelling evidence for SPF SIG effects on DUI crashes emerged from the findings. Although decreases were observed among funded communities in either one or both cohorts for all three outcome measures examined, the decreases were either not statistically significant (as in the case of ARMVCs), or they were significant but not notably greater (and sometimes less) than the decreases experienced

in either or both of the comparison groups (as in the case of both ARMVCDs and SVNCs). Based on these descriptive findings only, it would be unwarranted to conclude that SPF 34 SIG funding contributed to decreases in any of the three outcome measures used to reflect DUI crashes. (South Carolina Strategic Prevention Framework State Incentive Grant: Final Evaluation Report May, 2015)

SCDAODAS received a new federal grant as of October 1, 2015. This five-year grant, Empowering Communities for Healthy Outcomes (ECHO), is a multi-layered approach to bolstering prevention infrastructure for data-driven decision-making. While ECHO will specifically address prescription drug abuse/misuse and impaired driving, the resulting increase in capacity will benefit communities' ability to address a wide range of local concerns.

ECHO is addressing the two priorities mentioned above by funding high-need counties in order to reduce their rates of prescription drug abuse/misuse among people between the ages of 12 and 25 and impaired driving. The counties receiving funding to address impaired driving are: Barnwell, Chester, Jasper, Marlboro and Orangeburg. The counties receiving funding for prescription drug misuse/abuse are: Berkeley, Darlington, Dorchester and Greenville.

ECHO is built upon the foundation of past and present SAMHSA grants, including the Substance Abuse Prevention and Treatment Block Grant, State Incentive Grant (SIG), and the CAST grant (which was a Strategic Prevention Framework [SPF]-SIG).

The overall goals of the evaluation are to assess (a) the implementation of the ECHO project at the State and community levels, including their adherence to the 5-step SPF process, (b) coordination of funding streams between the state and funded counties that support prevention efforts at both levels, (c) changes in non-medical use of prescription drugs and related indicators (with an emphasis on 12 – 25 year olds) in four funded counties, and (d) changes in impaired driving and related indicators in five funded counties.

At the state level, ECHO will create a clear vision for prevention that will drive the development of multi-agency strategic planning, unite prevention systems across the state, and set a measurable course for state and local efforts. At the local level, ECHO will impact thousands of citizens by funding nine counties (Barnwell, Berkeley, Chester, Darlington, Dorchester, Greenville, Jasper, Marlboro, and Orangeburg) to implement evidence-based policies and practices through the SPF process. This will ensure true collaboration is achieved at all levels so that community-level change is realized, and the capacity to address local concerns is strengthened.

The Governor's Council on Substance Abuse Prevention and Treatment, led by the Director of the SC Department of Alcohol and Other Drug Abuse Services (SCDAODAS) and including all key state agencies, will continue as a strong advisory group providing guidance and assistance. We now propose to proceed from cooperation to collaboration and achieve a fully integrated, comprehensive, and cost-effective statewide prevention system that has one overarching aim – to

greatly improve South Carolinians' quality of life by reducing the consumption and consequences of alcohol, tobacco, and other drugs.

Federal prevention funds, as well as most states' prevention programs, have increasingly been restricted to coalition building. In some cases community coalitions generate some prevention strategies, but the majority of resources are often dedicated to maintaining or expanding coalitions. The Alcohol and Drug Abuse Commissions in South Carolina are unique in their ability to provide comprehensive prevention services, environmental strategies, interventions, and treatment without diverting critical resources to coalition building at the expense of providing services.

Within the OHSJP is housed the Law Enforcement Support Services (LESS) division. This division is managed by a South Carolina Highway Patrol (SCHP) Captain assigned to the OHSJP and staffed by one Law Enforcement Liaison (LEL). The staff has oversight over the state's Law Enforcement Network (LEN) system, which was formed in 2003. The LESS staff works to establish and maintain relationships between the OHSJP and law enforcement agencies around the state, and to garner law enforcement support of and participation in statewide enforcement mobilization campaigns, including the two DUI annual mobilization crackdowns, known as *Sober or Slammer!*. LELs also encourage Law Enforcement Network agencies to engage in multi-jurisdictional enforcement activity to include checkpoints and saturation patrols. Law Enforcement Network support grants are provided to those established networks around the state. The sixteen (16) networks correspond to the sixteen (16) judicial circuits in the state. The networks have been established to coordinate and promote law enforcement efforts in the state, disseminate information among agencies, and provide needed training for the more than 300 law enforcement agencies within the state. The support grants are provided to assist the networks with meeting room costs, recognition awards, the costs to attend training and/or conferences, and educational materials. The networks traditionally have been a key component of the *Sober or Slammer! (SOS)/Drive Sober or Get Pulled Over* sustained enforcement initiative and the *Buckle up, South Carolina. It's the law and it's enforced.* effort (mirroring the national *Click it or Ticket.* campaign).

Agencies participating in the Law Enforcement Network will be encouraged to participate in the state's high-visibility DUI Challenge enforcement campaign for FFY 2018. The campaign will include enforcement and educational strategies in an effort to reduce DUI traffic crashes, injuries, and fatalities in FFY 2018. The OHSJP has altered its strategy for the DUI Challenge enforcement campaign to focus predominantly on the SC Highway Patrol (SCHP) for the enforcement component of the campaign, while still making every effort to recruit and partner with local law enforcement agencies statewide. The SCHP is the premier traffic enforcement agency in the state and covers the entire geographic and population areas of South Carolina. The SCHP will conduct DUI enforcement activity (checkpoints and saturation patrols) over two crackdown periods (Christmas/New Year's 2017-2018 holidays and the Labor Day 2018 holiday). Additionally, the SCHP will conduct monthly specialized DUI enforcement activity (saturation patrols and checkpoints) from December 2017 through September 2018 supported by radio advertising announcing the enforcement strategy. The campaign is supported by radio,

television, and alternative media advertising announcing the enforcement strategy. Both the SCHP and Law Enforcement Liaisons of the OHSJP will attempt to recruit local law enforcement participation in these efforts.

## **Strategies**

In order to assist in strengthening the prevention aspect of the state's impaired driving countermeasures program, the OHSJP adopts the following strategies for FFY 2018:

- 1. The OHSJP will continue to provide grant funding for the Law Enforcement Networks (LEN) to assist them in their ongoing enforcement efforts and in recruiting additional enforcement agencies to enlist in the system. The OHSJP will continue to provide training to LENs through LEN Coordinator meetings, regularly scheduled LEN meetings, and Traffic Safety Officer Certification courses.**
- 2. OHSJP staff will continue to provide Law Enforcement Liaison services to both state and local law enforcement agencies.**
- 3. The public will be educated about the dangers of drinking and driving through the statewide distribution of educational materials, health and safety fairs, and statewide impaired driving campaigns.**
- 4. OHSJP staff will continue to be involved with the SC Department of Alcohol and Other Drug Abuse Services' (SCDAODAS) Underage Drinking Action Group (UDAG).**
- 5. The OHSJP will continue to support SCDAODAS's underage drinking campaign, "*Parents Who Host, Lose the Most.*" The campaign encourages parents and the community to send a unified message that teen alcohol consumption is unhealthy, unsafe, and unacceptable.**
- 6. The OHSJP will continue to support the National Safety Council's "Alive at 25" initiative.**
- 7. The OHSJP will work with Law Enforcement Liaison staff to disseminate information to Law Enforcement Networks that contain the counties identified as having the highest population-based alcohol-impaired fatality rates in 2015 (Lee, Colleton, Barnwell, Clarendon, and Chesterfield) in an effort to determine education and enforcement strategies which may be implemented through the Networks to assist in resolving the problems.**
- 8. Highway Safety staff will coordinate statewide public information and education efforts to promote compliance with impaired-driving laws. An overarching theme of all campaign efforts will be utilized by the OHSJP and the SCDPS. The theme will continue to be *Target Zero*, with the tagline, "*A goal we can all live with.*"**

9. **The SCDPS will continue to implement a statewide Law Enforcement DUI Challenge, which has been very successful over the last decade; DUI-related traffic fatalities reduced by almost 35%, from 464 in 2007 to 301 in 2015, and participation was provided from the vast majority of law enforcement agencies in the State in statewide campaign blitzes and crackdown efforts. The Law Enforcement DUI Challenge will continue to incorporate *Sober or Slammer!* (the state's version of the national *Drive Sober or Get Pulled Over* initiative), which consists of a high-visibility enforcement and education campaign effort to reduce DUI traffic crashes, injuries, and fatalities. Due to Guidance issued by the National Highway Traffic Safety Administration's legal counsel on May 18, 2016, regarding the purchase and use of equipment, the State of South Carolina modified the way that the Law Enforcement DUI Challenge is conducted. The FFY 2018 strategy for the DUI enforcement campaign was altered to focus predominantly on the SC Highway Patrol (SCHP) for the enforcement component of the campaign, while still making every effort to recruit and partner with local law enforcement agencies statewide. The SCHP is the premier traffic enforcement agency in the state and covers the entire geographic and population areas of South Carolina. The SCHP will conduct special DUI enforcement emphases once a month on weekends from December 2017 to September 2018. The weekend enforcement efforts will be supported by radio and possibly television advertising announcing the enforcement beginning on Wednesday of each week preceding the scheduled enforcement weekends.**

**The SCHP will recruit and utilize the assistance of local law enforcement agencies during the weekend and crackdown efforts. Those agencies agreeing to participate will be awarded a recognition plaque for their efforts. This recognition is consistent with the NHTSA Guidance and recommendations received by the OHSJP from the NHTSA Region 4 Office. Law Enforcement Liaisons will encourage agencies within the Law Enforcement Network system in the state to participate in these enforcement events.**

**Educational efforts will again utilize media (television, radio, and alternative advertising) to support campaign efforts. Educational efforts will focus on the twenty priority counties (Greenville, Horry, Richland, Lexington, Anderson, Spartanburg, Berkeley, Charleston, York, Aiken, Florence, Laurens, Orangeburg, Pickens, Lancaster, Dorchester, Beaufort, Darlington, Greenwood, and Sumter) designated within the state's Highway Safety and Performance Plan and the Impaired Driving Countermeasures Plan.**

10. **All major mobilization emphases of the OHSJP will include messages to reach the diverse population of the state. The OHSJP will incorporate into its diversity outreach strategies information gleaned from quantitative research conducted by Apter International during the FFY 2007 grant year. The Apter research sought to find answers as to why people, particularly teens, African Americans, Hispanics, and rural residents are more likely not to use appropriate occupant restraints. The research also attempted to gain clues as to why drivers take specific risks on the highways relative to**

**drinking and driving. The somewhat startling results obtained by the research have been and will continue to be used to develop strategies to encourage behavioral change. The information will be utilized in all efforts of the OHSJP relative to enforcement mobilization strategies, particularly in terms of media outreach.**

- 11. The OHSJP will utilize paid advertising of highway safety messages at high school sports venues in the state, to include advertising on printed tickets for sporting and other special events, as well as public address announcements and program advertising. About 5 million tickets are expected to be printed and used by most high schools across South Carolina. The tickets to be distributed during the 2017-2018 school year will contain messages that focus on issues related to teenage drivers, including impaired driving, occupant protection, distracted driving, and speeding.**
- 12. The OHSJP will work with the SC Department of Education (SCDOE) through the SCIDPC to determine the efficacy of expanding the DITEP program into local school districts to increase the number of educational professionals (school counselors, teachers, and administrators) trained in this discipline.**
- 13. The OHSJP will work with the SCDOE through the SCIDPC to determine the possibility of adding impaired driving and other traffic safety learning objectives to the SC Health and Safety Education Standards.**

### **III. Criminal Justice System**

The Criminal Justice System in South Carolina, though not perfect, has sought to reduce recidivism in terms of alcohol-related crimes using collaborative efforts among law enforcement, prosecution, adjudication, criminal and administrative sanctions, and communications. Close coordination at the state, county, and municipal levels within the context of multi-disciplinary efforts has made some strides in increasing deterrence and the perception that impaired drivers will face severe consequences if caught committing the crime of DUI.

#### **A. Laws**

South Carolina amended its DUI law in February 2009. Though South Carolina's DUI law was strengthened, it remains problematic for a number of reasons and likely does not function in the state at the deterrence level outlined by the NHTSA-produced *Countermeasures That Work document*, or at deterrence levels desired by the average South Carolinian. However, the new legislation did allow the state to move forward in harshening penalties for impaired driving and for breath test refusals associated with DUI arrests, which are outlined throughout this section. The following is a summary of where the current DUI law stands in the state as compared to the model elements of a DUI law outlined in NHTSA's "Uniform Guidelines for State Highway

Safety Programs – Highway Safety Program Guideline No.8 – Impaired Driving.” The document states that DUI laws should define offenses to include:

***- Driving while impaired by alcohol or other drugs (whether illegal, prescription or over-the-counter) and treating both offenses similarly.***

In the State of South Carolina, it is unlawful for a person to drive a motor vehicle while under the influence of alcohol to the extent that the person's faculties to drive a motor vehicle are materially and appreciably impaired, under the influence of any other drug or a combination of other drugs or substances which cause impairment to the extent that the person's faculties to drive a motor vehicle are materially and appreciably impaired, or under the combined influence of alcohol and any other drug or drugs or substances which cause impairment to the extent that the person's faculties to drive a motor vehicle are materially and appreciably impaired (SC Code of Laws §56-5-2930). Attached is a copy of South Carolina's DUI law (**Attachment 6**).

***- Driving with a blood alcohol concentration (BAC) limit of .08 grams per deciliter, making it illegal “per se” to operate a vehicle at or above this level without having to prove impairment.***

According to South Carolina Code of Laws §56-5-2933, driving with an unlawful alcohol concentration (DUAC), it is unlawful for a person to drive a motor vehicle within the state while his blood alcohol concentration is .08 or more. A person who violates the provisions of this section is guilty of the offense of DUAC.

***- Driving with a high BAC (i.e., .15 BAC or greater) with enhanced sanctions above the standard impaired driving offense.***

In South Carolina there are enhanced sanctions for driving a motor vehicle with a high BAC (i.e., .15 BAC or greater). DUI offenders with a BAC level of .15 or above at the time of arrest are subject to pre-DUI conviction licensing actions. On a first offense, the license is suspended for 30 days, and on a second offense it is suspended for 60 days. Restricted driver's licenses are granted for employment or education purposes and temporary driving privileges are available for offenders who enroll in an Alcohol and Drug Safety Action Program and request a hearing within 10 days. The hearing fee is \$200 and the license fee is \$100. In April 2014, South Carolina amended the ignition interlock portion of the state's DUI statutes in Act 158 which took effect October 1, 2014. Ignition interlock devices are required for first-time DUI offenders who are convicted of having had blood alcohol concentrations (BACs) of 0.15% or higher. The law is known as “Emma's Law” and is named after six-year-old Emma Longstreet, who was the state's first traffic fatality of 2012. Young Miss Longstreet was killed by a drunk driver on Sunday morning, January 1, 2012, as she and her family were traveling to church. The ignition interlock device program is a voluntary alternative to hard suspensions for first-time DUI offenders who are convicted of having refused to submit to breath tests. First-time DUI offenders who are convicted of having had blood alcohol concentrations (BACs) of 0.14% or lower will have ignition interlock devices as an alternative to presently-existing special driving privileges. Hard

suspensions for subsequent DUI offenders were removed, and those persons are immediately subjected to ignition interlock requirements.

For persons mandated to obtain ignition interlock devices, the requirement no longer has a time limit. The previous law allowed a person the option to stay suspended for three years, after which the ignition interlock requirement would go away. Under the amended law, the suspension is indefinite and will only end when ignition interlock requirements have been fulfilled. The legislation continued to allow a person who does not own a vehicle to operate an employer's vehicle without an ignition interlock device installed. These statutory provisions placed the State of South Carolina out of compliance with USDOT Section 164 requirements. However, it should be noted that during the 2015 legislative session of the SC General Assembly, Emma's Law was amended, effective June 1, 2015, to deal with the problem areas that caused the state to fall out of compliance with Section 164. The amended legislation became compliant by amending the employer vehicle sections, S.C. Code § 56-1-400(B), and S.C. Code § 56-5-2941(L).

***- Zero Tolerance for underage drivers, making it illegal "per se" for people under age 21 to drive with any measurable amount of alcohol in their system (i.e., .02 BAC or greater).***

The State of South Carolina implements a Zero Tolerance Law for underage drivers, making it illegal "per se" for people under age 21 to drive with any measurable amount of alcohol in their system. SC Code of Laws §56-1-286 (A) states "The Department of Motor Vehicles must suspend the driver's license, permit, or nonresident operating privilege of, or deny the issuance of a license or permit to a person under the age of twenty-one who drives a motor vehicle and has an alcohol concentration of two one-hundredths of one percent or more..."

***- Repeat offender with increasing sanctions for each subsequent offense.***

According to the South Carolina Code of Laws §56-5-2930 and §56-5-2933, there are increased sanctions for repeat DUI offenders. The criminal fines and jail time increase with each subsequent offense. The fines for driving under the influence are provided below:

(A) It is unlawful for a person to drive a motor vehicle within this state while under the influence of alcohol to the extent that the person's faculties to drive a motor vehicle are materially and appreciably impaired, under the influence of any other drug or a combination of other drugs or substances which cause impairment to the extent that the person's faculties to drive a motor vehicle are materially and appreciably impaired, or under the combined influence of alcohol and any other drug or drugs or substances which cause impairment to the extent that the person's faculties to drive a motor vehicle are materially and appreciably impaired. A person who violates the provisions of this section is guilty of the offense of driving under the influence, and upon conviction; entry of a plea of guilty or of nolo contendere, or forfeiture of bail must be punished as follows:

(1) for a first offense, by a fine of four hundred dollars or imprisonment for not less than forty-eight hours nor more than thirty days. However, in lieu of the forty-eight hour minimum

imprisonment, the court may provide for forty-eight hours of public service employment. The minimum forty-eight hour imprisonment or public service employment must be served at a time when the person is not working and does not interfere with his regular employment under terms and conditions the court considers proper. However, the court may not compel an offender to perform public service employment in lieu of the minimum forty-eight hour sentence. If the person's alcohol concentration is at least ten one-hundredths of one percent but less than sixteen one-hundredths of one percent, then the person must be punished by a fine of five hundred dollars or imprisonment for not less than seventy-two hours nor more than thirty days. However, in lieu of the seventy-two hour minimum imprisonment, the court may provide for seventy-two hours of public service employment. The minimum seventy-two hour imprisonment or public service employment must be served at a time when the person is not working and does not interfere with his regular employment under terms and conditions as the court considers proper. However, the court may not compel an offender to perform public service employment in lieu of the minimum sentence. If the person's alcohol concentration is sixteen one-hundredths of one percent or more, then the person must be punished by a fine of one thousand dollars or imprisonment for not less than thirty days nor more than ninety days. However, in lieu of the thirty-day minimum imprisonment, the court may provide for thirty days of public service employment. The minimum thirty days imprisonment or public service employment must be served at a time when the person is not working and does not interfere with his regular employment under terms and conditions as the court considers proper. However, the court may not compel an offender to perform public service employment instead of the thirty-day minimum sentence. Notwithstanding the provisions of Sections 22-3-540, 22-3-545, and 22-3-550, a first offense charged for this item may be tried in magistrates court;

(2) for a second offense, by a fine of not less than two thousand one hundred dollars nor more than five thousand one hundred dollars, and imprisonment for not less than five days nor more than one year. However, the fine imposed by this item must not be suspended in an amount less than one thousand one hundred dollars. If the person's alcohol concentration is at least ten one-hundredths of one percent but less than sixteen one-hundredths of one percent, then the person must be punished by a fine of not less than two thousand five hundred dollars nor more than five thousand five hundred dollars and imprisonment for not less than thirty days nor more than two years. However, the fine imposed by this item must not be suspended in an amount less than one thousand one hundred dollars. If the person's alcohol concentration is sixteen one-hundredths of one percent or more, then the person must be punished by a fine of not less than three thousand five hundred dollars nor more than six thousand five hundred dollars and imprisonment for not less than ninety days nor more than three years. However, the fine imposed by this item must not be suspended in an amount less than one thousand one hundred dollars;

(3) for a third offense, by a fine of not less than three thousand eight hundred dollars nor more than six thousand three hundred dollars, and imprisonment for not less than sixty days nor more than three years. If the person's alcohol concentration is at least ten one-hundredths of one percent but less than sixteen one-hundredths of one percent, then the person must be punished by a fine of not less than five thousand dollars nor more than seven thousand five hundred dollars and imprisonment for not less than ninety days nor more than four years. If the person's alcohol concentration is sixteen one-hundredths of one percent or more, then the person must be

punished by a fine of not less than seven thousand five hundred dollars nor more than ten thousand dollars and imprisonment for not less than six months nor more than five years; or

(4) for a fourth or subsequent offense, by imprisonment for not less than one year nor more than five years. If the person's alcohol concentration is at least ten one-hundredths of one percent but less than sixteen one-hundredths of one percent, then the person must be punished by imprisonment for not less than two years nor more than six years. If the person's alcohol concentration is sixteen one-hundredths of one percent or more, then the person must be punished by imprisonment for not less than three years nor more than seven years.

Punishments under South Carolina's DUAC law (56-5-2933) are as follows:

(A) It is unlawful for a person to drive a motor vehicle within this state while his alcohol concentration is eight one-hundredths of one percent or more. A person who violates the provisions of this section is guilty of the offense of driving with an unlawful alcohol concentration and, upon conviction, entry of a plea of guilty or of nolo contendere, or forfeiture of bail must be punished as follows:

(1) for a first offense, by a fine of four hundred dollars or imprisonment for not less than forty-eight hours nor more than thirty days. However, in lieu of the forty-eight hour minimum imprisonment, the court may provide for forty-eight hours of public service employment. The minimum forty-eight hour imprisonment or public service employment must be served at a time when the person is not working and does not interfere with his regular employment under terms and conditions the court considers proper. However, the court may not compel an offender to perform public service employment in lieu of the minimum forty-eight hour sentence. If the person's alcohol concentration is at least ten one-hundredths of one percent but less than sixteen one-hundredths of one percent, then the person must be punished by a fine of five hundred dollars or imprisonment for not less than seventy-two hours nor more than thirty days. However, in lieu of the seventy-two hour minimum imprisonment, the court may provide for seventy-two hours of public service employment. The minimum seventy-two hour imprisonment or public service employment must be served at a time when the person is not working and does not interfere with his regular employment under terms and conditions as the court considers proper. However, the court may not compel an offender to perform public service employment in lieu of the minimum sentence. If the person's alcohol concentration is sixteen one-hundredths of one percent or more, then the person must be punished by a fine of one thousand dollars or imprisonment for not less than thirty days nor more than ninety days. However, in lieu of the thirty-day minimum imprisonment, the court may provide for thirty days of public service employment. The minimum thirty days imprisonment or public service employment must be served at a time when the person is not working and does not interfere with his regular employment under terms and conditions as the court considers proper. However, the court may not compel an offender to perform public service employment instead of the thirty-day minimum sentence. Notwithstanding the provisions of Sections 22-3-540, 22-3-545, and 22-3-550, a first offense charged for this item may be tried in magistrates court;

(2) for a second offense, by a fine of not less than two thousand one hundred dollars nor more than five thousand one hundred dollars, and imprisonment for not less than five days nor more than one year. However, the fine imposed by this item must not be suspended in an

amount less than one thousand one hundred dollars. If the person's alcohol concentration is at least ten one-hundredths of one percent but less than sixteen one-hundredths of one percent, then the person must be punished by a fine of not less than two thousand five hundred dollars nor more than five thousand five hundred dollars and imprisonment for not less than thirty days nor more than two years. However, the fine imposed by this item must not be suspended in an amount less than one thousand one hundred dollars. If the person's alcohol concentration is sixteen one-hundredths of one percent or more, then the person must be punished by a fine of not less than three thousand five hundred dollars nor more than six thousand five hundred dollars and imprisonment for not less than ninety days nor more than three years. However, the fine imposed by this item must not be suspended in an amount less than one thousand one hundred dollars;

(3) for a third offense, by a fine of not less than three thousand eight hundred dollars nor more than six thousand three hundred dollars, and imprisonment for not less than sixty days nor more than three years. If the person's alcohol concentration is at least ten one-hundredths of one percent but less than sixteen one-hundredths of one percent, then the person must be punished by a fine of not less than five thousand dollars nor more than seven thousand five hundred dollars and imprisonment for not less than ninety days nor more than four years. If the person's alcohol concentration is sixteen one-hundredths of one percent or more, then the person must be punished by a fine of not less than seven thousand five hundred dollars nor more than ten thousand dollars and imprisonment for not less than six months nor more than five years; or

(4) for a fourth or subsequent offense, by imprisonment for not less than one year nor more than five years. If the person's alcohol concentration is at least ten one-hundredths of one percent but less than sixteen one-hundredths of one percent, then the person must be punished by imprisonment for not less than two years nor more than six years. If the person's alcohol concentration is sixteen one-hundredths of one percent or more, then the person must be punished by imprisonment for not less than three years nor more than seven years.

In the State of South Carolina, the following criminal sanctions may be ordered by the court:

**Mandatory minimum fines:**

- 1st Offense\***: Refusal and BACs below .10% = \$400  
BACs from .10% through .15% = \$500  
BACs of .16% and above= \$1000
- 2nd Offense†**: Refusal and BACs below .10% = \$2,100  
BACs from .10% through .15% = \$2,500  
BACs of .16% and above= \$3,500
- 3rd Offense‡**: Refusal and BACs below .10% = \$3,800  
BACs from .10% through .15% = \$5,000  
BACs of .16% and above= \$7,500
- 4th Offense**: Refusal and BACs below .10% = No suspension of fine below that of the next preceding minimum fine  
BACs from .10% through .15% = No suspension of fine below that of the next preceding minimum fine  
BACs of .16% and above= No suspension of fine below that of the next preceding minimum fine

**Incarceration — Mandatory minimums:**

- 1st Offense**: Refusal and BACs below .10% = 48 hours in jail or public service  
BACs from .10% through .15% = 72 hours in jail or public service  
BACs of .16% and above= 30 days in jail or public service
- 2nd Offense**: Refusal and BACs below .10% = 5 days  
BACs from .10% through .15% = 30 days  
BACs of .16% and above= 90 days
- 3rd Offense**: Refusal and BACs below .10% = 60 days  
BACs from .10% through .15% = 90 days  
BACs of .16% and above= 6 months
- 4th Offense**: Refusal and BACs below .10% = 1 Year  
BACs from .10% through .15% = 2 Years  
BACs of .16% and above= 3 Years

\*: 1<sup>st</sup> offense allows for a fine (which cannot be suspended) or incarceration/public service sentencing

†: 2<sup>nd</sup> offense fines may be suspended, but not below \$1,100

‡: 3<sup>rd</sup> offense fines may not be suspended below those defined for 2<sup>nd</sup> offense

The chart below demonstrates even more graphically that fines, incarceration, and license suspensions increase with each subsequent DUI conviction. All convictions carry some license suspension and second and subsequent convictions require installation of ignition interlock devices.

<b>DUI 1st</b>	<b>Refusal up to BAC of .09</b>	<b>BAC .10-.15</b>	<b>BAC .16 and above</b>
	\$400 Fine	\$500 Fine	\$1000 Fine
	Or 48 hrs. to 30 Days in Jail	72 hrs. to 30 Days in Jail	30-90 Days in Jail
	6 Mo. DL Suspension	6 Mo. DL Suspension	6 Mo. DL Suspension
<b>DUI 2nd</b>	<b>Refusal up to BAC of .09</b>	<b>BAC .10-.15</b>	<b>BAC .16 and above</b>
	\$2100-\$4100 Fine	\$2500-\$5500 Fine	\$3500-\$6500 Fine
	5 Days up to 1 Year in Jail	30 Days up to 2 Years in Jail	90 Days up to 3 Years in jail
	1 year DL Suspension	1 year DL Suspension	1 year DL Suspension
<b>DUI 3rd</b>	<b>Refusal up to BAC of .09</b>	<b>BAC .10-.15</b>	<b>BAC .16 and above</b>
	\$3800-\$6300 Fine	\$5000-\$7500 Fine	\$7500-\$10,000 Fine
	60 Days up to 3 Years in Jail	90 Days up to 4 Years in Jail	120 Days up to 5 Years
	2-4 year DL Suspension	2-4 year DL Suspension	2-4 year DL Suspension
<b>DUI 4th</b>	<b>Refusal up to BAC of .09</b>	<b>BAC .10-.15</b>	<b>BAC .16 and above</b>
	1-5 Years in Jail	2-6 Years in Jail	3-7 Years in Jail
	2-4 year DL Suspension	2-4 year DL Suspension	2-4 year DL Suspension
<b>Great Bodily Injury</b>	\$5,100-\$10,100	<b>Causing Death</b>	\$10,100-\$25,100
	30 days – 15 years		1 year – 25 years
	Suspension for term plus 3 years		Suspension for term plus 5 years

In addition to the information above, with the passage of Act 158 (Senate Bill 137), or “Emma’s Law,” which took effect in the state on October 1, 2014, fourth or subsequent DUI offenders must install ignition interlock devices on their vehicles for life.

***- BAC test refusal with sanctions at least as strict or stricter than a high BAC offense.***

The State of South Carolina has an Implied Consent law that imposes stricter sanctions for BAC refusals than a high BAC offense (see §56-5-2950 of the SC Code of Laws). In South Carolina, “a person who drives a motor vehicle in this state is considered to have given consent to chemical tests of his breath, blood, or urine for the purpose of determining the presence of alcohol or drugs or the combination of alcohol and drugs if arrested for an offense arising out of acts alleged to have been committed while the person was driving a motor vehicle while under the influence of alcohol, drugs, or a combination of alcohol and drugs. A breath test must be administered at the direction of a law enforcement officer who has arrested a person for driving a motor vehicle in this State while under the influence of alcohol, drugs, or a combination of alcohol and drugs. At the direction of the arresting officer, the person first must be offered a breath test to determine the person's alcohol concentration.” The person does not have to take the test or give the samples, but his privilege to drive must be suspended or denied for at least six months if he refuses to submit to the test, and his refusal may be used against him in court. A person’s privilege to drive must be suspended for at least one month if he takes the test or gives the samples and has an alcohol concentration of fifteen one-hundredths of one percent or more.

***- Driving with a license suspended or revoked for impaired driving, with vehicular homicide or causing personal injury while driving impaired as separate offenses with additional sanctions.***

DUI Licensing, Punishments, and Fines: In the State of South Carolina the following sanctions may be ordered by the court or by the licensing authority:

**Licensing Action**

- Suspension/Revocation: South Carolina has post-conviction, court-ordered licensing actions. Suspension periods are 6 months for a first offense, 1 year for a second offense within 10 years, 2 years for a third offense within 10 years, 4 years for a third offense within 5 years, and 7 years for a fourth offense within 10 years. An offender’s license is revoked for subsequent offenses. The license reinstatement fee is \$300 - \$600. Under South Carolina law, the licensing agency publishes the names and addresses of the persons who have had their licenses suspended for DUI. A person whose license is permanently revoked for a fourth or subsequent offense may petition the court for reinstatement under the provisions found in SC Code of Laws 56-1-385.
- Driving while suspended: The penalties for driving on a suspended license as a result of a DUI conviction include imprisonment of 10-30 days, a possible fine of \$300, and an extended license suspension period equal to the original suspension time period. Offenders whose licenses were revoked are subject to 1 additional year of license revocation.

- Conditional licensing: Allowed for offenders for employment or education purposes. A route restricted may be issued after the mandatory minimum suspension if an offender participates in an alcohol/drug education/treatment program.

***- Open container laws, prohibiting possession or consumption of any open alcoholic beverage in the passenger area of a motor vehicle located on a public highway or right-of-way (limited exceptions are permitted under 23 U.S.C. 154 and its implementing regulations, 23 CFR Part 1270).***

South Carolina Code of Laws §61-4-110 prohibits the possession and/or consumption of any alcoholic beverage in the passenger area of a motor vehicle located on a public highway. In South Carolina, it is unlawful for a person to have in his possession, except in the trunk or luggage compartment, beer or wine in an open container in a motor vehicle of any kind while located upon the public highways or highway rights of way of this state. This section must not be construed to prohibit the transporting of beer or wine in a closed container, and this section does not apply to vehicles parked in legal parking places during functions such as sporting events where law enforcement officers are on duty to perform traffic control duties. A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than one hundred dollars or imprisoned not more than thirty days. For purposes of this section, beer or wine means any beer or wine containing one-half of one percent or more of alcohol by volume.

***- Primary seat belt provisions that do not require that officers observe or cite a driver for a separate offense other than a seat belt violation.***

Pursuant to SC Code of Laws §56-5-6520, the driver and every occupant of a motor vehicle, when it is being operated on the public streets and highways of this state, must wear a fastened safety belt which complies with all provisions of federal law for its use. The driver is charged with the responsibility of requiring each occupant seventeen years of age or younger to wear a safety belt or be secured in a child restraint system. Drivers are not responsible for occupants seventeen years of age or younger who have a driver's license, special restricted license, or beginner's permit not wearing a seat belt.

Additionally, according to SC Code of Laws §56-5-6540 (E), a law enforcement officer must not stop a driver for a violation of this article except when the officer has probable cause that a violation has occurred based on his clear and unobstructed view of a driver or an occupant of the motor vehicle who is not wearing a safety belt or is not secured in a child restraint system.

The NHTSA "Uniform Guidelines for State Highway Safety Programs – Highway Safety Program Guideline No.8 – Impaired Driving" also state that DUI laws should include provisions to facilitate effective enforcement that:

***- Authorize law enforcement to conduct sobriety checkpoints, (i.e., stop vehicles on a nondiscriminatory basis to determine whether operators are driving while impaired by alcohol or other drugs).***

The State of South Carolina does not have any laws that authorize law enforcement to conduct sobriety checkpoints. However, the state does have a law that places limits on the use of checkpoints or roadblocks. While there is no legislation to authorize the implementation of sobriety checkpoints, there is case law that supports the usage of public safety checkpoints in the state (see **Attachment 7**). Therefore, officers may conduct public safety checkpoints and, in that context, issue citations for DUI. Many such checkpoints are conducted each year by both state and local law enforcement agencies in the state as a deterrent strategy to impaired driving.

***- Authorize law enforcement to use passive alcohol sensors to improve the detection of alcohol in drivers.***

South Carolina currently does not have any provisions that authorize law enforcement to use passive alcohol sensors to improve the detection of alcohol in drivers. However, there are no laws prohibiting their use either. These devices may be used to detect ambient alcohol in the context of a traffic stop and assist an officer in determining reasonable suspicion. However, SC is a one-breath-test state, and officers must be cautious in how they utilize the devices to avoid losing the ability to place the individual on the Datamaster breath testing instrument. While there is no law to support the usage of passive alcohol sensors, the device is often used to enforce underage drinking laws at the discretion of the law enforcement officer.

***- Authorize law enforcement to obtain more than one chemical test from an operator suspected of impaired driving, including preliminary breath tests, evidential breath tests, and screening and confirmatory tests for alcohol or other impairing drugs.***

South Carolina's Implied Consent law (§56-5-2950) authorizes law enforcement to obtain more than one chemical test from an operator suspected of impaired driving, including a preliminary breath test and screening and confirmatory test for alcohol or other impairing drugs if there is reasonable suspicion that the offender is under the influence of an impairing substance other than alcohol. The offender however must first be offered and/or administered a breath test.

***- Require law enforcement to conduct mandatory BAC testing of drivers involved in fatal crashes.***

Law enforcement in South Carolina is not required to conduct mandatory BAC testing of all drivers involved in fatal crashes. However, it should be noted that according to the most recent available FARS data (2013), the BAC reporting rate for dead drivers was 80%, and South Carolina's overall reporting rate was 45%. Under South Carolina's Felony DUI law (§56-5-2945, et. seq.), law enforcement must have probable cause to believe a driver is under the influence of intoxicants when involved in a crash resulting in death in order to require BAC testing. This has created challenges for the state in terms of reporting of BAC results for fatal

crashes and has subjected the state to the mercy of the FARS imputation model to determine the state's level of alcohol-impairment involved in fatal crashes, particularly as this relates to surviving drivers.

The NHTSA "Uniform Guidelines for State Highway Safety Programs – Highway Safety Program Guideline No.8 – Impaired Driving" also state that DUI laws should establish effective penalties that include:

***- Administrative license suspension or revocation for failing or refusing to submit to a BAC or other drug test.***

South Carolina has a law that establishes penalties that include administrative license suspension or revocation for failing or refusing to submit to a BAC test (Reference SC Code of Laws §56-5-2951). The Department of Motor Vehicles must suspend the driver's license, permit, or nonresident operating privilege of or deny the issuance of a license or permit to a person who drives a motor vehicle and refuses to submit to a test provided for in §56-5-2950 or has an alcohol concentration of fifteen one-hundredths of one percent or more. The arresting officer must issue a notice of suspension which is effective beginning on the date of the alleged violation of §56-5-2930, §56-5-2933, or §56-5-2945.

***- Prompt and certain administrative license suspension of at least 90 days for first-time offenders determined by chemical test(s) to have a BAC at or above the state's "per se" level or of at least 15 days followed immediately by a restricted, provisional or conditional license for at least 75 days, if such license restricts the offender to operating only vehicles equipped with an ignition interlock.***

The State of South Carolina currently does not have a law that establishes administrative license suspension penalties of at least 90 days for first-time DUI offenders. If a driver is arrested for driving under the influence and refuses a BAC test, then a driver's license suspension period of six months will apply (SC Code of Laws §56-5-2950). As of October 1, 2014, South Carolina's Implied Consent law (§56-5-2950) mandates that drivers arrested for first-time offenses of Driving Under the Influence, Driving with an Unlawful Alcohol Concentration, or Felony DUI and refuse to provide a breath sample shall have their license suspended for at least six months. A driver arrested for these offenses as a first offense who provides a breath sample of or above .15 shall have his license suspended for at least one month. Drivers may enroll in the Ignition Interlock Device Program for the remainder of the suspension. If the remaining suspension period is less than three months, the offender must still remain enrolled in the program for no less than three months. First-time offenders may apply for a temporary alcohol license pending any hearing contesting the arrest suspension. If the suspension is upheld, drivers may apply for a route-restricted license.

In April 2014, South Carolina amended the ignition interlock portion of the state's DUI statutes in Act 158, which became effective on October 1, 2014. Ignition interlock devices are now required for first-time DUI offenders who are convicted of having had blood alcohol

concentrations (BACs) of 0.15% or higher. The law is known as “Emma’s Law” and is named after six-year-old Emma Longstreet, who was the state’s first traffic fatality of 2012. Young Miss Longstreet was killed by a drunk driver on Sunday morning, January 1, 2012, as she and her family were traveling to church. The ignition interlock device program is a voluntary alternative to hard suspensions for first-time DUI offenders who are convicted of having refused to submit to breath tests. First-time DUI offenders who are convicted of having had blood alcohol concentrations (BACs) of 0.14% or lower have ignition interlock devices as an alternative to presently existing special driving privileges. Hard suspensions for subsequent DUI offenders were removed, and those persons will immediately be subject to ignition interlock requirements.

For persons mandated to obtain ignition interlock devices, the requirement no longer has a time limit. That is, under the old law a person may choose to stay suspended for three years, after which the ignition interlock requirement goes away. Under the amended law, the suspension is indefinite and will only end when ignition interlock requirements have been fulfilled.

The legislation continued to allow a person who does not own a vehicle to operate an employer’s vehicle without an ignition interlock device installed. These statutory provisions placed the State of South Carolina out of compliance with USDOT Section 164 requirements. However, it should be noted that during the 2015 legislative session of the SC General Assembly, Emma’s Law was amended, effective June 1, 2015, to deal with the problem areas that caused the state to fall out of compliance with Section 164. The amended legislation became compliant by amending the employer vehicle sections, S.C. Code § 56-1-400(B), and S.C. Code § 56-5-2941(L).

***- Enhanced penalties for BAC test refusals, high BAC, repeat offenders, driving with a suspended or revoked license, driving impaired with a minor in the vehicle, vehicular homicide, or causing personal injury while driving impaired, including longer license suspension or revocation; installation of ignition interlock devices; license plate confiscation; vehicle impoundment, immobilization or forfeiture; intensive supervision and electronic monitoring; and threat of imprisonment.***

According to SC Code of Laws §56-5-2930; §56-5-2933; §56-5-2945; §56-5-2947; §56-5-2910; §56-5-2941; and §56-5-2942, there are enhanced penalties for BAC test refusals, high BAC, repeat offenders, driving with a suspended or revoked license, driving impaired with a minor in the vehicle, vehicular homicide, or causing personal injury while driving impaired, including longer license suspension or revocation; installation of ignition interlock devices; license plate confiscation; vehicle impoundment, immobilization, or forfeiture; intensive supervision and electronic monitoring; and threat of imprisonment. See comments in previous section.

***- Assessment for alcohol or other drug abuse problems for all impaired driving offenders and, as appropriate, treatment, abstention from use of alcohol and other drugs, and frequent monitoring.***

South Carolina has laws that include penalties to require an assessment for alcohol or other drug abuse problems for all impaired driving offenders and, as appropriate, treatment, abstention from use of alcohol and other drugs, and frequent monitoring. Whether for a first offense or subsequent offense, the offender must enroll in and successfully complete an Alcohol and Drug Safety Action Program certified by the SC Department of Alcohol and Other Drug Abuse Services. An assessment of the extent and nature of the alcohol and drug abuse problem of the applicant must be prepared and a plan of education or treatment, or both, must be developed for the applicant. The Alcohol and Drug Safety Action Program shall determine if the applicant successfully completed the services.

***- Driver license suspension for people under age 21 for any violation of law involving the use or possession of alcohol or illicit drugs.***

(A) Currently, the State of South Carolina does not have a law that establishes the punishment of driver license suspension for people under the age of 21 for any violation of law involving the use or possession of alcohol or illicit drugs. However, it is unlawful for a person under the age of twenty-one to purchase, attempt to purchase, consume, or knowingly possess alcoholic liquors. Possession is prima facie evidence that it was knowingly possessed. It is also unlawful for a person to falsely represent his age for the purpose of procuring alcoholic liquors. Notwithstanding another provision of law, if the law enforcement officer has probable cause to believe that a person is under age twenty-one and has consumed alcohol, the law enforcement officer or the person may request that the person submit to any available alcohol screening test using a device approved by the State Law Enforcement Division.

(B) A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not less than one hundred dollars nor more than two hundred dollars or must be imprisoned for not more than thirty days, or both.

(C) A person who violates the provisions of this section also is required to successfully complete a DAODAS-approved alcohol prevention education or intervention program. The program must be a minimum of eight hours, and the cost to the person may not exceed one hundred fifty dollars (SC Code of Laws §63-19-2450).

## **B. Enforcement**

The SCDPS will continue to implement a statewide Law Enforcement DUI Challenge (*Sober or Slammer!* comparable to the national *Drive Sober or Get Pulled Over.* campaign). The OHSJP will conduct a high-visibility enforcement and education campaign in an effort to reduce DUI traffic crashes, injuries, and fatalities in FFY 2018. Due to Guidance issued by the National Highway Traffic Safety Administration's legal counsel on May 18, 2016, regarding the purchase and use of equipment, the State of South Carolina modified the way that the Law Enforcement

DUI Challenge is conducted. The DUI Challenge has been very successful over the last decade with DUI-related traffic fatalities reduced by almost 35%, from 464 in 2007 to 301 in 2015, and participation was provided from the vast majority of law enforcement agencies in the State in statewide campaign blitz and crackdown efforts.

The OHSJP altered its strategy for the DUI enforcement campaign to focus predominantly on the SC Highway Patrol (SCHP) for the enforcement component of the campaign, while still making every effort to recruit and partner with local law enforcement agencies statewide. The SCHP is the premier traffic enforcement agency in the state and covers the entire geographic and population areas of South Carolina. The SCHP, during FFY 2018, will conduct special DUI enforcement emphases once a month on weekends from December 2017 to September 2018. The weekend enforcement efforts will be supported by radio and possibly television advertising announcing the enforcement beginning on Wednesday of each week preceding the scheduled enforcement weekends.

The SCHP will recruit and utilize the assistance of local law enforcement agencies during the weekend and crackdown efforts. Based on their contributions, participating agencies will receive either a recognition plaque or certificate for their efforts. This recognition is consistent with the NHTSA Guidance and recommendations received by the OHSJP from the NHTSA Region 4 Office. Law Enforcement Liaisons will encourage agencies within the Law Enforcement Network system in the state to participate in these enforcement events.

Educational efforts will again utilize media (television, radio, and alternative advertising) to support campaign efforts. Educational efforts will focus on the twenty priority counties, (Greenville, Horry, Richland, Lexington, Anderson, Spartanburg, Berkeley, Charleston, York, Aiken, Florence, Laurens, Orangeburg, Pickens, Lancaster, Dorchester, Beaufort, Darlington, Greenwood, and Sumter) which represent 83% of the state's population and approximately 75% of the state's alcohol-impaired driving fatalities over the five-year period 2011 to 2015 and are designated within the state's Highway Safety Plan and the Impaired Driving Countermeasures Plan.

During the five-year period 2011 to 2015, impaired-driving countermeasures enforcement efforts by state and local law enforcement agencies have proven to be productive. When comparing the number of alcohol-impaired driving fatalities in 2011 (309) to those in 2015 (301), the State of South Carolina saw a 2.59% reduction in such fatalities (see **Table 1** on page 4), which is attributed to the DUI enforcement efforts of state and local law enforcement agencies statewide. Multi-jurisdictional enforcement efforts conducted by agencies participating in the South Carolina Law Enforcement Network System (LEN) have produced significant DUI enforcement activity over the six-year period 2010 to 2015. The data below show that from 2010 to 2015, 146,041 DUI-related arrests were made by law enforcement agencies that participated in the LEN and reported DUI enforcement data to the SCDPS. Although there has been a consistent decrease in the number of DUI arrests from 2010 to 2015, the figures on the following page show a substantial number of DUI arrests made in South Carolina over the last six years.

- 2010 – 26,532	- 2012 – 24,998	-2014 – 23,064
- 2011 – 25,958	- 2013 – 23,977	-2015 – 21,512

A high-visibility statewide enforcement and education campaign *Buckle up, SC. It's the law and it's enforced.* is conducted each year around the Memorial Day holiday modeled after the national *Click it or Ticket* mobilization to emphasize the importance of and to increase the use of occupant restraints. The campaign includes paid and earned media, increased enforcement activity by state and local law enforcement agencies, and diversity outreach elements in order to increase safety belt and child restraint use among the state's minority populations. In FFY 2018, campaign efforts will continue to focus on nighttime safety belt enforcement in an attempt to reduce unrestrained traffic fatalities and injuries especially during nighttime hours. The emphasis upon nighttime safety belt enforcement has enhanced and will continue to enhance impaired driving enforcement as well. Statistics have demonstrated in the state that safety belt usage rates go down after dark, and it is obvious that many high-risk drivers who do not use safety belts also drink and drive. Thus, this enforcement strategy should continue to pay dividends in the fight against DUI as well. The SCHP has committed to ongoing nighttime safety belt enforcement activities, beyond the occupant protection enforcement mobilization time frame. A variety of local law enforcement agencies are incorporating this strategy into ongoing enforcement efforts.

The Office of Highway Safety and Justice Programs (OHSJP) has continued the implementation of Data Driven Approaches to Crime and Traffic Safety (DDACTS) since 2012. The OHSJP conducted one DDACTS workshop in the state during FFY 2016. The workshop was conducted in Beaufort, SC, from May 10-12, 2016. The following agencies participated in the DDACTS workshop: Beaufort County Sheriff's Office, Beaufort Police Department, Bluffton Police Department, Colleton County Sheriff's Office, Hardeeville Police Department, Jasper County Sheriff's Office, Port Royal Police Department, and South Carolina Highway Patrol Troop 6 Post C. The OHSJP may conduct a one-day DDACTS training in the fall of FFY 2017. The OHSJP will plan to conduct additional such trainings if the need arises in FFY 2018. The implementation of this enforcement strategy has also enhanced DUI enforcement in jurisdictions of participating law enforcement agencies. It is anticipated that continued successes generated by the DDACTS effort will result in expansion of the strategy to other state law enforcement jurisdictions.

For FFY 2018, the SC Public Safety Coordinating Council has approved twenty-six (26) traffic enforcement projects, the majority of which will be implemented, based on the availability of federal funding, in priority counties in the state.

Of the 26 enforcement projects, five (5) are DUI enforcement projects, which will fund a total of eight (8) DUI enforcement traffic officers in the counties of Darlington (2 projects), Charleston (2 projects), and Berkeley. Of the five projects, two will be implemented in county sheriffs' offices. The projects referenced above include two third-year projects, one second-year project, and two first-year projects. The projects will focus exclusively on DUI enforcement and the enforcement of traffic behaviors that are associated with DUI violators; educating the public

about the dangers of drinking and driving; media contacts regarding enforcement activity and results; and meeting with local judges to provide information about the projects. Project officers will be required to work schedules that are evidence-based, meaning the hours (between 3 PM and 6 AM) which FARS data demonstrates to be those during which the most DUI-related traffic fatalities occur in the state (1,267, or 77.8%, of the 1,628 DUI-related fatalities during the years of 2011-2015). Project officers will also work roadways that have the highest number of DUI-related crashes within their respective jurisdictions.

During the FFY 2018 grant cycle, each DUI enforcement grant will participate in at least 12 public safety checkpoints; have an appropriate, corresponding increase in the number of DUI arrests; conduct a minimum of 6 educational presentations on the dangers of DUI; and issue at least 12 press releases to the local media and/or social media detailing the activities of the grant projects. The 8 DUI enforcement officers funded by the grant are required to be Standardized Field Sobriety Testing (SFST) certified. Below is a list of DUI enforcement projects that will be funded during FFY 2018.

Agency	County	Project Title	Project Number(s)	Budget	Personnel Funded	Public Safety Checkpoints	Educational Presentations
City of North Charleston	Charleston	North Charleston DUI Team	M4HVE-2018-HS-24-18	\$418,481	2	12	6
Berkeley County Sheriff's Office	Berkeley	Traffic/DUI Enforcement	M4HVE-2018-HS-28-18	\$71,173	1	12	6
Darlington County Sheriff's Office	Darlington	County of Darlington-DUI Team	M4HVE-2018-HS-29-18	\$113,377	2	12	6
Town of Mount Pleasant Police Department	Charleston	DUI Enforcement and Education	M4HVE-2018-HS-30-18	\$171,896	2	12	6
City of Darlington Police Department	Darlington	DUI Enforcement	M4HVE-2018-HS-37-18	\$91,944	1	12	6

Additionally, of the 26 approved enforcement projects, twenty-one (21) are police traffic services projects, which will fund a total of thirty-four (34) traffic officers in municipalities located in the priority counties of Richland, Charleston, Lexington, Aiken, York, Greenville, Laurens, Dorchester, Berkeley, and Beaufort, as well as enforcement projects in seven county sheriffs' offices (Charleston, Dorchester, Lancaster, Spartanburg, Florence, Kershaw, and Colleton counties). The projects referenced above include eight third-year projects, four second-year projects, and nine first-year efforts. These projects will also encompass DUI enforcement efforts, however, they will primarily focus on general traffic enforcement to include speeding and occupant restraint violations; the conducting of educational presentations to inform local communities about traffic safety problems and issues; meeting with local judges to instruct them

about the projects; media contacts to share success stories and enforcement strategies with the general public; and required participation in the SC Law Enforcement Network.

The SC Department of Public Safety (SCDPS), utilizing funding from the SC Department of Transportation (SCDOT), will continue a three-year enforcement program running from June 1, 2015, through May 31, 2018, called Target Zero Teams. The project name is derived from the state's "Target Zero Traffic Deaths" umbrella slogan for all highway safety initiatives implemented by SCDPS.

The law enforcement project provides SCDPS with complete funding for six, four-officer teams of SC Highway Patrol Troopers, which devote full-time efforts to the selective, concentrated, and strict enforcement of the state's traffic laws along roadway corridors identified by SCDPS and SCDOT as being highest for the occurrence of fatal and severe-injury collisions within four areas of the state -the Upstate, the Midlands, the Lowcountry, and the PeeDee. Participating Troopers focus on traffic enforcement, to include DUI enforcement, and spend little or no time engaging in crash investigation. Roadways have been identified through statistical analysis following strategies employed successfully by other states around the country.

The partnering agencies meet quarterly to review the lists of roadway corridors to be patrolled and to coordinate enforcement activities. SCDPS provides weekly schedules to SCDOT of enforcement coverage. This allows for shifting and reassignment of enforcement resources and priorities based on statistical information and enforcement successes. The partnering agreement between SCDPS and SCDOT allows for the project to be renewed for an additional year. The project, combining enforcement and statistical analysis, is significantly and positively impacting traffic-related severe injuries and fatalities statewide.

The State of South Carolina also has Alcohol Enforcement Teams (AETs), which are administered by the SCDAODAS. As mentioned in the Community Coalitions and Traffic Safety Programs section of this document, the AETs are designed to enforce underage drinking laws in South Carolina. The program is represented in each of the sixteen (16) judicial circuits in the state, providing more intense and consistent enforcement of underage drinking laws. AETs are local multi-jurisdictional law enforcement partnerships that use best practice enforcement to reduce underage drinking and save lives. One primary focus of the AET units is to address access issues of alcohol to underage persons through the use of the three-stage enforcement/education/awareness component. The three-stage process incorporates merchant education, public awareness, and a variety of enforcement operations. AETs implement compliance checks, controlled party dispersals, public safety checkpoints, and ID checks. Local prevention specialists complement the enforcement tactics with widespread community outreach and awareness-raising. The AETs remain very active in their enforcement efforts.

Law enforcement training in DUI has also significantly improved in South Carolina. In terms of DUI-related trainings, the South Carolina Criminal Justice Academy (SCCJA) provides basic training for all law enforcement, detention, and telecommunications officers in the state. The SCCJA is the only authorized law enforcement training facility in South Carolina. During FFY

2018, the OHSJP will provide a grant to the SCCJA (See chart below), that will allow for the administration of DUI training courses such as Standardized Field Sobriety Tests (SFST) training, Drug Recognition Expert training (DRE), DUI Detection and Interrogation, and Advance Roadside Impaired Driving Enforcement (A-RIDE). The trainings are provided for State Troopers and local law enforcement officials. In 2007, DUI training in the Basic Academy was 5 hours (breath testing was a separate course). A Director after that time period at the SCCJA correctly perceived the DUI problem as epidemic and expanded the curriculum to 44 hours in the Basic Academy.

The 24-hour NHTSA/IACP Standardized Field Sobriety Testing (SFST), including 2 wet-lab alcohol workshops, introduction to drug-impaired driving, and breath testing is taught during the 44 hours. Since South Carolina is unique compared to other states in that the arresting officers prosecute their own DUI cases, prosecution is also a part of the 44-hour curriculum. In addition to the SFST training received in the Basic Academy, officers must be recertified every two years. This is accomplished with an online recertification course, followed by meeting with an SFST instructor and a practical examination.

The Drug Evaluation and Classification (DEC) Program continues to grow and mature since the last assessment. The SCCJA took over the DEC Program in 2009. At that time there were 50 certified Drug Recognition Experts (DRE) in South Carolina. Currently, the number of certified DREs in South Carolina stands at 158. Two DRE Pre-Schools are conducted regionally each year and two DRE Certification Schools held annually. The DRE candidates complete their field certification requirements out-of-state to expedite the certification process. The DREs in South Carolina are very active, with over 1,318 drug influence evaluations being entered into the National DRE Tracking System during the most recent two-year period. One future initiative for the South Carolina DRE Program is an attempt to build a steering committee to assist with the ongoing direction of the program, to include a selection process for attending the DRE School and minimizing costs. The Impaired Driving Countermeasures Training Coordinator (IDCTC) is also working to certify more enforcement officers in A.R.I.D.E which will directly impact the number of officers trained to recognize initial signs of drug impairment in drivers, in turn increasing the number of D.R.E evaluations being performed throughout the state.

Agency	Location	Project Title	Project Number	Budget	Personnel Funded	Number of Trainings
South Carolina Criminal Justice Academy	Statewide	ID Countermeasures Training for Law Enforcement	M4TR-2018-HS-26-18	\$197,602	1	20

**References:** *South Carolina's Strategic Highway Safety Plan, 2015; pp. 79-83*  
*Countermeasures That Work: Eighth Edition, 2015; Chapter 1: Sections 7.1; 7.2; and 7.3*

## **C. Publicizing High-Visibility Enforcement**

The Public Information, Outreach and Training (PIOT) section of the Office of Highway Safety and Justice Programs (OHSJP) coordinates with the SCDPS contractor to develop and implement media components of the OHSJP's *Sober or Slammer!* campaign and a variety of other major campaigns and emphases. The contractor assists with efforts such as media buying, creative production, and evaluation of campaigns. Additionally, diversity outreach components are incorporated within each campaign. The OHSJP will continue efforts to reach out to underserved audiences and hard-to-reach populations in the upcoming year.

The OHSJP continues to utilize earned media significantly throughout the year to publicize campaign enforcement mobilizations through press events, media advisories, op-ed columns, and various local media events. Utilizing the vehicle of earned media, South Carolina has received media coverage statewide, which not only provides information to the general public, but garners support for highway safety initiatives as well.

The South Carolina Department of Public Safety's OHSJP is utilizing MAP-21 Section 405d Impaired Driving Countermeasures and FAST Act funds in FFY 2017 and FFY 2018 for paid media efforts for DUI countermeasures. The state continues to use the Strategic Evaluation States (SES) model to implement a sustained DUI enforcement effort (*Sober or Slammer!/Drive Sober or Get Pulled Over.*), which includes monthly specialized DUI enforcement activities (checkpoints and saturation patrols) by participating state and local law enforcement agencies, as well as two DUI law enforcement crackdowns occurring during the Christmas/New Year's holidays and during the days leading up to and including the Labor Day holiday. *Sober or Slammer!* is a high-visibility enforcement crackdown on impaired driving combining paid/earned media with increased DUI enforcement activity in an effort to attack the problem of impaired driving in the state.

By the end of the FFY 2017 grant year, South Carolina will have spent approximately \$1.0 million for paid media efforts for the FFY 2017 *Sober or Slammer! (SOS)* campaign. The OHSJP worked with the SCDPS agency contractor to develop commercial spots and secure airtime for the development and implementation of the 2016-2017 Christmas/New Year's *SOS* campaign, and will do the same for the 2017 Labor Day *SOS* campaign. The commercial spots for the 2016-2017 Christmas/New Year's *SOS* campaign featured the South Carolina Department of Public Safety's message, "Report Drunk Drivers. Call \*HP." During the 2017 Labor Day *SOS!* campaign, the agency contractor will purchase airtime for a new enforcement television ad and will utilize donated or bonus spots to air a previously-produced commercial spot. The new commercial spot will be tagged with the state's DUI campaign slogan/logo (*SOS!*), as well as the national slogan *Drive Sober or Get Pulled Over.*, and South Carolina's *Target Zero* logo. The 2017 campaign also utilizes radio advertising to support the SC Highway Patrol's designated DUI enforcement weekends running from December through September of the 2017 campaign year. Additionally, the campaign utilizes a variety of alternative media, such as billboard advertising, ice box wraps, commercial truck wraps, and gas pump handle advertising to support the on-air advertising messaging of the campaign.

From 2011 to 2015, the OHSJP implemented a designated driver campaign known as “Be a S.A.N.T.A. – A Sober All Night Totally Awesome Designated Driver.” During most of the years, the campaign was conducted in two different areas of the state in the month of December leading up to the Christmas holidays, but in 2015 it was focused only in the Charleston area. The effort featured television advertising and billboard promotion. The first year of the campaign also featured a partnership with food establishments in the Columbia, SC area, which offered a free soda to a group’s designated driver. The campaign expended \$50,000 in Section 402 funding for the first year and \$70,000 in Section 402 funding for the following four years.

During FFY 2018, paid and earned media activities will be utilized to promote campaign messages, enforcement activities, and to increase awareness by the general public of the dangers involved in impaired driving. These activities will encompass radio and television advertising, as well as outdoor and other alternative advertising. The agency contractor will be used by the OHSJP to secure radio and television placement during the two major mobilization crackdowns and radio airtime for strategic points in time during high risk for impaired driving violations. Those times will coincide with monthly enforcement weekends designated by the South Carolina Highway Patrol, which, in 2018, will expand from December 2017 through September 2018. Local law enforcement agencies will be highly encouraged to participate in the designated special enforcement weekends. Specific media buy plans for each component of the process will be developed by the agency contractor concentrating on major media markets which will reach the campaign’s focus counties and other counties throughout the state. The media buy plans will be approved by the OHSJP prior to implementation of the effort. NHTSA promotes the importance of combining high-visibility enforcement with high-visibility public awareness as the best way to approach key problem areas and produce behavioral change. Therefore, the OHSJP will continue to offer a media mix for enforcement-based and non-enforcement-based campaigns to meet stated goals. The OHSJP will employ key strategies to promote its mission and core message of public safety.

It should be noted, however, that with the implementation of MAP-21 in 2013, the amount of funding available to the State of South Carolina for impaired driving countermeasures efforts was greatly reduced. Under SAFETEA-LU, the State of South Carolina qualified for Programmatic and High Fatality Rate State funding. Since MAP-21 includes no funding provisions for High Fatality Rate States, for which the state qualified from 2006-2012, South Carolina’s available funding for impaired driving countermeasures has been reduced by more than 50%. Thus, the state continues to find itself in a challenging position in terms of maintaining the gains made in impaired-driving severe-injury and fatal collisions since 2007 with fewer resources available for creating awareness on the part of the general public regarding impaired driving issues.

#### **D. Prosecution**

The primary responsibility for prosecuting criminal cases in South Carolina lies with the office of the solicitor. There are 16 Judicial Circuits in South Carolina, and each has an elected

solicitor. Solicitors employ assistant or deputy solicitors to assist in the prosecution of cases. In some municipal jurisdictions, cities have also hired city attorneys to assist in the prosecution of cases in municipal courts.

Most first-offense driving under the influence (DUI) cases are tried in magistrate or municipal courts. While some municipal courts have attorney prosecutors, most prosecutions at the first-offense level are done by the arresting law enforcement officer. Some assistance is also given in the magistrate courts by solicitors in some judicial circuits; however, for the majority of the DUI cases, the arresting officer continues to be responsible for the prosecution of his/her own DUI case(s).

Subsequent cases are filed in the state's Circuit Courts. At this level, solicitors, or their assistants, are responsible for representing the State of South Carolina in the prosecution of DUI offenses.

Currently, funding has been made available from the South Carolina Office of Highway Safety and Justice Programs for a Traffic Safety Resource Prosecutor (TSRP) who operates through the South Carolina Commission on Prosecution Coordination (SCCPC). The TSRP is a vital resource for DUI prosecution and education. The TSRP is providing seminars, newsletters, and technical assistance to solicitors, law enforcement, and the judiciary, as well as local prosecutors. The TSRP is a strong link in the effort to prosecute impaired drivers at all levels. The TSRP program in the state reduces the use of diversion programs through its educational efforts. The training provided by the TSRP is entitled "Prosecuting the Impaired Driver." Attached is a syllabus of the training and a description of the topics covered (**Attachment 8**). The training is conducted at least 4 times each year. Also included is an example of a newsletter, *Behind the Wheel* (**Attachment 9**), published by the grant project and distributed to approximately 1,300 recipients on a bi-annual basis from the SCCPC offering basic DUI prosecution information, as well as information regarding impaired driving countermeasures training.

Another important component in the prosecution of impaired drivers is the placement of a DUI prosecutor in each circuit. These assistant solicitors are specially trained to handle and effectively prosecute driving under the influence cases. These positions were funded by the state, one in each judicial circuit (\$100,000 per circuit), until funding was discontinued in 2009. At that point, the OHSJP picked up the funding for these positions at a reduced level (\$75,000 per circuit), utilizing Section 410 SAFETEA-LU funding and focusing on backlogs of DUI cases made by the SCHP in local magistrate courts. In SFY 2013, the State of South Carolina once again appropriated recurring funding for a specialized DUI prosecutor in each circuit at the level of \$73,690 per circuit, with funding which began July 1, 2013 and has continued. The OHSJP ended its funding of these positions with federal grant dollars on June 30, 2013. However, the OHSJP has provided funding for a dedicated DUI Prosecutor to prosecute DUI-related cases made by the South Carolina Highway Patrol (SCHP) in Berkeley County since FFY 2015. It is projected that the OHSJP will continue to fund the Berkeley County DUI Prosecutor in FFY 2018. The OHSJP will fund in FFY 2018 a DUI Prosecutor in the Sixth Circuit Solicitor's Office, which includes Chester, Fairfield, and Lancaster counties. The Assistant Solicitor will

dedicate 100% of his/her time to the prosecution of DUI cases. These prosecutorial projects will decrease the amount of time a Law Enforcement Officer will spend off of the road preparing DUI cases for court and will hopefully assist in reversing a current trend of DUI case dismissals.

One emerging program in some jurisdictions is a dedicated DUI docket. Under this plan, a prosecutor is responsible for processing cases and meeting deadlines in the preparation of cases for trial. A dedicated magistrate, who has received additional training in the handling of DUI cases, presides over the dockets. The dedicated DUI dockets are finding significant success in the timely adjudication and disposition of DUI cases.

On the other end of the spectrum is the unorthodox practice common in South Carolina that requires arresting officers to serve as prosecutors in DUI cases. While some of these officers reportedly are effective advocates, they are often facing much more skilled defense attorneys and are faced with legal arguments that they are unprepared to answer. DUI litigation can also be very complex, resulting in dismissals and “not guilty” findings in cases in which skilled prosecutors are unavailable. Some members of law enforcement are also not comfortable with stepping into the role of prosecuting cases. This practice could result in a hesitancy to make arrests on the part of law enforcement. This practice of law enforcement serving as the prosecution in DUI cases is a challenging problem which is likely a hindrance to reducing impaired driving.

Plea bargaining is a common occurrence in South Carolina DUI prosecutions at all levels. Solicitors’ available time, the intricacy of the DUI law, and the possibility of undesirable results often push prosecution into offering or accepting reduced charges. In addition, law enforcement officers are often asked to participate in plea discussions in summary magistrate or municipal courts, although SCHP does not condone the plea bargaining practice. Once again, this is an inappropriate role for law enforcement and does not serve justice. Judges may also not participate in plea negotiations without violating certain Canons of Ethics. This is a further demonstration of the need for professional prosecutors in all courts handling DUI litigation.

There is no pre-trial diversion of DUI cases in South Carolina.

Even when prosecutors are available, it is commonplace for attorneys with less experience to be assigned to the prosecution of DUI cases. It can be normal practice for these attorneys to gain experience and quickly move to other aspects of legal practice, including felony prosecution or private practice. This leaves a recurring problem of the newer, less skilled attorneys left trying DUI cases. To compound the problem, a defense attorney is usually much more experienced in DUI law and trial techniques. However, efforts are being made by the SCCPC to assist these prosecutors through the use of the Traffic Safety Resource Prosecutor.

As mentioned, some of the deputy solicitors assigned are usually less experienced members of their respective solicitors’ offices. However, simply having a prosecutor available for DUI prosecution appears to be a large challenge in South Carolina. While some solicitors are able to

assign sufficient prosecutors to handle DUI caseloads, others report that other felony prosecutions tax the time of prosecutors. Consequently, DUI litigation may suffer.

Law enforcement appears to be generally satisfied with prosecution of DUI cases by available prosecutors. However, the most obvious and significant problem is the lack of available prosecutors for all cases and especially those being adjudicated in magistrate and municipal courts.

The chart below contains the three significant DUI training and prosecution projects that provide assistance to a variety of professionals from law enforcement to the judiciary, which will be funded in FFY 2018 through OHSJP highway safety grants. These projects provide the necessary tools for the detection, apprehension, and successful prosecution of impaired drivers. The training programs will provide knowledge and training on the DUI law and proper roadside procedures for prosecutors, judges, and law enforcement officers that will assist in making quality DUI cases that will result in an increased number of DUI convictions statewide. The increased number of stakeholders educated in appropriate impaired driving countermeasures can result in a larger number of impaired drivers taken off the roadways, higher conviction rates for impaired drivers, and a decrease in the number of impaired driving crashes, injuries, and fatalities.

Agency	Location	Project Title	Project Number	Budget	Personnel Funded	Number of Trainings
South Carolina Commission on Prosecution Coordination	Statewide	Traffic Safety Resource Prosecutor	M4CS-2018-HS-27-18	\$125,182	1	4
South Carolina Department of Public Safety: Highway Patrol	Berkeley County	SCHP Berkeley County DUI Prosecutor	M4CS-2018-HS-20-18	\$114,917	1	N/A
Sixth Circuit Solicitor's DUI Office	Chester, Fairfield, and Lancaster	DUI Prosecutor	M4CS-2018-HS-39-18	\$96,956	1	N/A

*References: South Carolina's Strategic Highway Safety Plan, 2015; pp. 79-83  
Countermeasures That Work: Eighth Edition, 2015; Chapter 1: Sections 1; 2; and 3*

## **E. Adjudication**

There are generally two “tiers” of criminal trial courts in South Carolina: Summary Courts, which consist of magistrate courts and municipal courts, and the Circuit Courts, also called the General Sessions Courts. Summary Courts hear first-offense DUI cases, and Circuit Courts hear second and subsequent cases. Appellate Courts and the South Carolina Supreme Court hear criminal appeals, including DUI cases. Other courts in South Carolina are the Family Courts,

Probate Courts, and Masters in Equity. The South Carolina Supreme Court is the state's highest appellate court.

There are approximately 300 magistrates in South Carolina, each serving the county for which he or she is appointed. They are appointed to four-year terms by the Governor upon the advice and consent of the Senate. Magistrates generally have criminal trial jurisdiction over all offenses subject to the penalty of a fine, as set by statute, but generally not exceeding \$500, or imprisonment not exceeding 30 days, or both. In addition, they are responsible for setting bail, conducting preliminary hearings, and issuing arrest and search warrants. Magistrates have civil jurisdiction when the amount in controversy does not exceed \$7,500.

The council of each South Carolina municipality may establish a municipal court to hear and determine all cases within its jurisdiction. Municipal courts have jurisdiction over cases arising under ordinances of the municipality and criminal jurisdiction equal to magistrates' courts. Municipal courts have no civil jurisdiction. The term of a municipal judge is set by the council of the municipality, but cannot exceed four years. Approximately 200 municipalities in South Carolina have chosen to create municipal courts. All municipal judges and magistrates must pass a certification examination within one year of their appointment. Each municipal judge must pass a recertification examination within eight years after passing the initial certification examination and at least once every eight years thereafter. Magistrates and municipal court judges must also attend 20 hours of judicial training each year.

The State of South Carolina is divided into 16 judicial circuits. Each circuit has at least one resident circuit judge who maintains an office in the judge's home county within the circuit. There are 46 circuit judges who serve the sixteen circuits on a rotating basis, with court terms and assignments determined by the Chief Justice of the Supreme Court. Circuit court judges are elected by the General Assembly to staggered terms of six years. Circuit courts have limited appellate jurisdiction over appeals from magistrates' courts and municipal courts. Circuit judges are required to complete 18 hours of annual training.

Magistrate and municipal courts are not courts of record, so transcripts are not prepared for appeals. Circuit courts are record courts, and any appeals from circuit courts will be based on the record made at trial.

As earlier mentioned, first-offense DUI cases are handled by magistrate courts and municipal courts. A solicitor or prosecutor often does not appear on behalf of the state when a case is tried at this level. Some municipal courts in more populated jurisdictions have prosecutors, and some solicitors' offices are making efforts to provide prosecutors to magistrate courts. When no assistant solicitor or city attorney is available, the arresting officer is responsible for prosecuting DUI arrests that he or she made. Solicitors or assistant solicitors represent the state in circuit courts.

The practice in South Carolina of law enforcement officers serving as prosecutors in magistrate and municipal courts continues to prove challenging for the state and creates problems for law

enforcement officers who best serve their respective communities engaging in law enforcement as opposed to the judiciary process. Officers are considered reasonably effective by some, but it is clear that there should be a concern with a system which may require an officer to serve as both witness and advocate. It is apparent that justice could be better served by staffing courts with licensed and trained attorneys to represent the state.

Another challenge for South Carolina involves lower level courts being responsible for the disposition of DUI cases. In South Carolina, magistrate court judges are not required to be attorneys. This creates an ever more critical need for summary court judges to receive considerable annual education on legal issues which arise in DUI adjudication. They currently must receive 18 hours per year in continuing legal education, but none is required to be designated for driving-under-the-influence case processing or law. There is also no current prohibition in the state for part-time summary court judges, who are attorneys, to practice DUI law in jurisdictions other than their own.

Courts in South Carolina appear to be backlogged with DUI cases, with some cases pending for as long as a decade. Increased numbers of DUI arrests by law enforcement over time have likely contributed to this. However, the defense strategy of seeking numerous continuances for DUI cases has significantly contributed to this problem as well.

Some advances have taken place in South Carolina trial courts in respect to DUI adjudication. An emerging program in some jurisdictions is a dedicated DUI docket. Under the plan, a prosecutor is responsible for processing cases and meeting deadlines in the preparation of cases for trial. In addition, a dedicated magistrate, who has received additional training in the handling of DUI cases, presides over the dockets. The dedicated DUI dockets are finding significant success in the timely adjudication and disposition of DUI cases.

Another successful component in the adjudication of impaired drivers is the placement of a DUI prosecutor in each circuit. These assistant solicitors are specially trained to handle and effectively prosecute driving under the influence cases. There has been significant evidence that these prosecutors have been able to assist in moving dockets and impacting the disposition of DUI cases.

During FFY 2014-2017, the OHSJP utilized grant funding to support the implementation of dedicated DUI problem-solving courts. These courts are based on the drug court model and heavily weighted in the treatment of repeat offenders. The DUI Courts are structured on a “post-adjudication track” which involves the defendant pleading guilty and the judge allowing the defendant to complete the program while the sentence is held in “abeyance,” allowing the defendant an opportunity to complete a treatment program. An offender is eligible to participate in the DUI court if he/she meets the following criteria: the defendant (1) is a resident of one of the counties that makes up the Judicial Circuit; (2) is charged with a DUI second offense or above and, in some cases, Felony DUI; (3) is willing to comply with the DUI Court Program rules; (4) is found, through use of a screening tool, to be a person who is addicted to alcohol; (5) is able to physically participate in treatment activities (within the guidelines of the Americans

with Disabilities Act); and (6) has no prior violent felony convictions disclosed as part of his/her criminal record. If the defendant graduates from the DUI Court after completing one year to eighteen months of treatment, the judge may terminate the sentence, and the defendant may not serve any jail time. The DUI Court program will seek to integrate alcohol and drug treatment to break the cycle of addiction and the criminal activity that follows in its wake. The court will also ensure the delivery of other services, such as mental health services, vocational/employment services, education services, housing services, and family counseling to sustain and enhance primary therapeutic interventions and reduce recidivism.

During FFY 2016 and FFY 2017, the OHSJP utilized grant funding to support MADD’s new court monitoring effort, which is anticipated to increase accountability in the courtroom in two of our state’s major population areas (Greenville and Columbia). The 5<sup>th</sup> and 13<sup>th</sup> Circuits are the locations for this grant project, which make up Richland, Kershaw, Greenville, and Pickens counties. The Court monitoring provides data on how many cases are dismissed or pled down to lesser offenses, how many result in convictions, what sanctions are imposed, and how these results compare across different judges and different courts. MADD South Carolina will continue its court monitoring program utilizing volunteers to record data on DUI court cases to gather relevant statistics, so that areas of improvement within the court system and laws can be identified. Below is a chart referencing the grant project the OHSJP will continue to fund in FFY 2018.

Agency	Location	Project Title	Project Number	Budget	Personnel Funded
Mothers Against Drunk Driving South Carolina	5 <sup>th</sup> and 13 <sup>th</sup> Circuits	MADD SC Court Monitoring Program	M4X-2018-HS-23-18	\$81,540	1

*References: South Carolina’s Strategic Highway Safety Plan, 2015; pp. 79-83  
Countermeasures That Work: Eighth Edition, 2015; Chapter 1: Sections 3.3*

## **F. Administrative Sanctions and Driver Licensing Programs**

The South Carolina Department of Motor Vehicles (SCDMV) has authority to suspend the driver license or privilege and to deny issuance of licenses to drivers who have been convicted of driving under the influence of alcohol and/or drugs. The Department also has the authority to administratively suspend persons who refuse to submit to a test to determine the blood alcohol content (BAC) pursuant to a lawful contact by law enforcement officers, and those who were tested by law enforcement and whose blood or breath alcohol content equaled or exceeded 0.15 percent. Other administrative suspensions include, but are not limited to, driving while suspended, operating uninsured, and failure to pay a traffic ticket.

## ○ **Administrative License Revocation and Vehicle Sanctions**

The administrative sanctions are addressed in South Carolina Code of Laws §56-5-2950—Implied Consent, which calls for drivers suspected to be under the influence of alcohol to be advised of the following:

- that they have the right to refuse a test,
- that refusal will result in at least a six-month driver license suspension,
- that the person's refusal to test may be used against the person in court,
- that additional tests may be conducted by a qualified person of the driver's choosing, and at the driver's expense,
- that they have the right to an administrative hearing, if requested within 30 days, and
- that if no hearing is requested, or the suspension is upheld at an administrative hearing, the driver must enroll in the Alcohol and Drug Safety Action Program (ADSAP).

Upon arrest, drivers who refuse testing, or whose test results are in excess of legal blood alcohol limits, are issued a notice of suspension. Within thirty days of the suspension, if the person requests an Office of Motor Vehicles Hearing (OMVH) within thirty days, the person may apply to the SCDMV for a temporary alcohol license. This temporary license costs \$100, which goes to defray expenses of the SCDMV and the SCDPS, and allows the holder to drive unrestricted pending the outcome of the administrative hearing. This unrestricted driving privilege can continue, even if the suspension is upheld, until the driver receives written notice of the outcome of the OMVH by the SCDMV. If the suspension is overturned, the original license or privilege is returned. Absent a request for hearing, the suspension takes effect.

An administrative hearing is held pursuant to the state's Administrative Procedures Act, and is limited in scope, to determine, as follows:

- Was the arrest lawful?, and
- Were the driver's rights, as enumerated in South Carolina Code of Laws §56-5-2950, given both verbally and in writing?, and
- Did the driver refuse a test?, or
- If a test was taken, was the blood alcohol content shown to be 0.15 or higher?
- Was the person administering the test qualified to do so?
- Was the test administered pursuant to statute?, and
- Was the breath test machine working properly?

The burden of proof is on the SCDMV and the arresting officer. Evidence presented by the defense may include information about breath test accuracy. Upon conclusion of the hearing, a written order must be issued. Since the hearing is held pursuant to the Administrative Procedures Act, any appeal of the finding must be made to the Administrative Law Court, pursuant to its appellate rules and all rules of evidence must be followed. The suspension is stayed if an appeal is filed.

If the suspension is upheld, the driver may apply for a route restricted license. The determining factors are whether the person is employed or is a college student. If so, the restrictions allow for driving to work, school, ADSAP or any other court-ordered drug program. In order to qualify for the route restricted license, the person must live more than one mile from work or classes and there must be no viable public transportation available. The SCDMV determines the restrictions and must be notified of changes related to employment or school enrollment.

Periods of suspension are statutory, as follows:

Offense	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>	4 <sup>th</sup> or subsequent
Refusal	6 months	9 months	12 months	15 months
Test result of 0.15 or more	1 month	2 months	3 months	4 months

\* All priors must be within 10 years (based on the offense date and include under 21 violations)

After Emma’s Law went into effect on October 1, 2014, drivers suspended for implied consent violations also have the option to lift the suspension by participating in the Ignition Interlock Device Program (IIDP). Drivers who choose to do so must participate in the Program for the remainder of time left in the administrative suspension, but once a driver opts into the Program they must participate for at least three months, even if less time than that remains in the suspension period. Note that participation in the IIDP for implied consent violations is purely optional, and if the driver does not opt in, no obligation to participate in the IIDP survives the suspension period.

Essentially, with the immediate availability of temporary alcohol licenses, in order to accommodate due process through a hearing, followed by the near immediate availability of route or IIDP restricted licenses, the impact on the violator is limited to fines that may be imposed by the criminal prosecution with typically no period of hard suspension actually imposed on the violator. Further, participation in the IIDP for these drivers is optional and not required. With penalties minimized during this first experience with administrative sanction, the violator’s behavior is even less likely to be impacted or modified.

Vehicle restrictions and sanctions are incorporated into the impaired driving statutes for South Carolina. Upon a second DUI conviction, the SCDMV is to suspend the registration of all vehicles registered to the violator, and the violator must surrender the vehicles’ plates. The vehicle(s) are to be immobilized for thirty days. The vehicle owner and family can appeal to the SCDMV for the continued use of the vehicle, if it is generally used by another family member. If the SCDMV refuses to release the vehicle to a co-owner or a regular driver other than the owner, the owner can request a contested case hearing.

For felony DUI convictions, the SCDMV must suspend the license for the period of incarceration plus three years when Great Bodily Injury was caused by the DUI driver. If a fatality resulted, the suspension is for the period of incarceration plus 5 years. Drivers suspended

for DUI must enroll in ADSAP before their licenses will be reinstated, but drivers convicted of felony DUI offenses must complete ADSAP before a license will be reissued.

Pursuant to the Breath Alcohol Ignition Interlock Device program, in April 2014, the Governor of the State of South Carolina signed into law a bill that requires first-time convicted DUI offenders with a blood alcohol concentration (BAC) of 0.15 or higher at the time of offense to have an ignition interlock device (IID) installed on any and all vehicles that person intends to drive. The law was Senate Bill 137, and is known as “Emma’s Law,” which went into effect on October 1, 2014. The law is named after six-year-old Emma Longstreet who was the state’s first traffic fatality of 2012. Young Miss Longstreet was killed by a drunk driver on Sunday morning, January 1, 2012, as she and her family were traveling to church. After the passage of Emma’s Law, the Ignition Interlock Device Program (IIDP) remains “voluntary” only in that convicted drivers subject to the requirement are not forced to drive. However, their licenses will remain suspended indefinitely until they participate in the IIDP for the required term. Such drivers may no longer “sit out” a suspension. Installation of the device(s) is required for six months for a first offense with a BAC of .015% or higher, two years for a second offense, three years after a third offense conviction, and for the remainder of the driver’s life for fourth and subsequent offenses. Note that the first offenders with a BAC lower than .015% have the option to participate in the IIDP, but it is not mandatory. Currently, these are the only convicted DUI offenders who may avoid the IIDP by sitting out the suspension. The number of offenses is based on SCDMV records, and the offenses may include substantially similar offenses which occurred in another state. The legislation also removed the one-year hard suspension required for all second and subsequent DUI convictions. The legislation also allows those who receive the restricted license and have the device(s) installed in personal vehicles to continue to operate employer vehicles without the device(s) installed. This placed the State of South Carolina out of compliance with USDOT Section 164 requirements. However, it should be noted that during the 2015 legislative session of the SC General Assembly, Emma’s Law was amended, effective June 1, 2015, to deal with the problem areas that caused the state to fall out of compliance with Section 164. The amended legislation became compliant by amending the employer vehicle sections, S.C. Code § 56-1-400(B), and S.C. Code § 56-5-2941(L). The IID program is administered by the SC Department of Probation, Parole and Pardon Services (SCDPPPS), and has shared responsibilities with the SCDMV and the SC Department of Alcohol and Other Drug Abuse Services (SCDAODAS).

The Ignition Interlock Restricted licenses issued by the SCDMV indicate the interlock requirement on the front and back of the licenses. The letters “II” appear in the restrictions section on the front, and “ignition interlock” is spelled out on the reverse. The interlock restriction should be immediately obvious to law enforcement officers, so long as they know what they are looking at. Officers should be periodically reminded to check for the restriction until it becomes second nature for them to do so.

The data recorded by the IIDs must be downloaded at least once every sixty days. S.C. Code § 56-5-2941(E) establishes that drivers in the IIDP are subject to a point system, and sets the penalties for point assessments caused by violations of the Program’s rules. Point accumulations

can be penalized by extensions of time in the Program, substance abuse assessments, suspension of the driver's license, or a combination of these measures. The penalties assessed are as follows:

1. An accumulation of 2 Points and 2.5 points will cause a two-month extension of the required Program term.
2. An accumulation of 3 Points and 3.5 Points will cause a four-month extension of the required Program term, a mandatory substance abuse assessment, and substance abuse treatment if necessary.
3. An accumulation of four points or more will cause a six-month extension of the driver's Ignition Interlock Restricted license, a mandatory substance abuse assessment, and substance abuse treatment if necessary.

Points are assessed for the following violations. Note that "BrAC" stands for "Breath Alcohol Concentration":

- Failure to have the IID inspected every 60 days: 1 point
- Each rolling re-test with a BrAC reading between 0.02% and 0.039%: ½ point
- Each rolling re-test with a BrAC reading between 0.04% and 0.15%: 1 point
- Each rolling re-test with a BrAC reading over 0.15%: 2 points
- Each instance when the driver tampers with the IID to limit its effectiveness: 1.5 points
- Each instance when a third party blows into the device for the driver: 1.5 points

As long as the total number of points remains below four points, the driver may appeal point assessments to administrative hearing officers employed by SCDPPPS. However, drivers who accumulate four or more points must appeal the point assessment and suspension by requesting a contested case hearing at the Office of Motor Vehicles Hearing.

The SCDPPPS reports that from 2009 to the present, 3,744 total drivers have participated in the IIDP. The number of drivers currently participating in the Program is approximately 1,200 drivers. The total number of currently active drivers will vary from day to day, as drivers finish their terms in the Program or begin participating, but the average daily total of drivers in the IIDP has steadily increased since October 1, 2014, when Emma's Law went into effect.

Currently first-time DUI offenders with a BAC under .015% are eligible for the IIDP, but it is an optional requirement. Many of these drivers do not opt into the Program. The SCDPPPS notes that if the participation of first-time DUI offenders with a BAC under .015% became mandatory, at the time of this report and assuming that most of the drivers entered the Program, the numbers of drivers currently in the Program (about 1,200) might be higher by as many as 2,100 drivers.

SCDPPPS also reports that at the time of this report there are about 17,300 drivers who are eligible to participate in the Program but have not done so. This is a more accurate number than the Department was able to provide for last year's report, and is substantially less than the previous number. It should be noted that this number will include drivers eligible for the Program for convictions before and after Emma's Law went into effect. Drivers prosecuted for DUI offenses that occurred prior to October 2014 are still able to sit out a suspension and avoid the Program altogether. Many do so. Also, Emma's Law increased the total number of cases when drivers are eligible for the Program by extending it to the implied consent violations. However, participation in the Program is not mandatory in those cases. Lastly, the number includes people who might participate in the Program but cannot because they are also currently suspended for reasons that are not alcohol-related. For example, a driver may be eligible to participate in the IIDP due to a 3rd DUI conviction, but cannot do so because the driver is currently suspended as a habitual offender.

Statistically, the interlock device is known to be an effective deterrent to drinking and driving while it is installed on the vehicle. In fact, recidivism drops by almost two-thirds for interlock-restricted drivers who install the devices on their vehicles. A number of thorough evaluations of interlock programs have revealed reductions in recidivism rates from 35 percent to 90 percent, with an average reduction of 64 percent. This information has been aggregated by the Traffic Injury Research Foundation of Canada, which has developed a short publication entitled *Understanding Behavioral Patterns of Interlocked Offenders to Inform the Efficient and Effective Implementation of Interlock Programs* (Vanlaar, W., Robertson, R., Schaap, D. and Vissers, J.; Sept. 2010). While there are a small percentage of violators who do not come into compliance during their interlock-mandated sanctions, the use of interlock devices does provide an opportunity to subject violators to two critical factors: offender monitoring and offender accountability. South Carolina may have an unintended disincentive to comply with the interlock provisions by virtue of the ready and *almost* immediate availability of the Temporary Alcohol License, followed by the route-restricted license to those drivers whose licenses have been suspended for impaired driving, if they are employed or are college students. While the ability to travel to work, school, or alcohol classes may be important for violators, immediate removal of the most restrictive sanctions does little to change behavior patterns in the long term.

Even if the only benefit gained from an interlock program is reduction in driving after drinking, it has the potential to reduce alcohol-related crashes, injuries, and fatalities. However, a program without participants is difficult to manage, evaluate, and defend. The goals of administrative sanctions are swift and sure consequences for misuse of the driver license and the immediate ability to remove the privilege afforded by the license when dangerous behavior is established. Immediate replacement of the regular license with a temporary or route-restricted license is not having the desired effect of facilitating behavior modification. If continued driving is important for South Carolinians due to the lack of public transportation, the more effective approach is to remove the option to obtain a restricted license for both first and repeat DUI offenders. DUI offenders who wish to continue to drive during their suspension period should have no other option for restricted driving except with the ignition interlock. This solution benefits all road users.

Research has demonstrated over time that 75 to 80 percent of drivers with suspended, revoked, cancelled, or denied licenses continue to drive. Anecdotally, this unlawful behavior is presumed to have the benefit of ensuring that these violators drive more carefully due to their lack of legal driving status. Unfortunately, the statistics do not bear out that presumption. A publication that was sponsored by the AAA Foundation for Traffic Safety in 1999, *Unlicensed to Kill*, and its sequel published several years later, both showed that drivers who did not have valid license status were much more likely than valid license-holders to be involved in a fatal crash. In fact, one in five drivers in fatal crashes does not have a valid license. The Foundation updated the statistics and repeated the study in 2008 and found almost identical results. Drivers without valid license status continue to be substantially over-represented in fatal crashes. Thus, the necessity to our culture of driving is outweighed by the dangerous and often disastrous effects of the failure to seriously restrict the driving behavior of offenders without valid licenses through interlock devices and monitoring of the offender.

The involvement of SCDAODAS with the Ignition Interlock Device Program provides an opportunity for a treatment mechanism to be added to the drinking and driving prevention that is the interlock's ultimate benefit. Adding treatment and monitoring provides the opportunity to effect a meaningful change in behavior patterns for drinking drivers, while still affording them the ability to attend work, school, or alcohol/drug treatment sessions. Many interlock programs do not involve the addition of the alcohol assessment and treatment. The current coalition of the SCDMV, SCDPPPS, and SCDAODAS provides a forum for the discussion of the development of a DUI-tracking system, which could help the state to determine the extent of its impaired driving problem, the impact of various interventions, sanctions, and treatments on offenders whose violations showed varied levels of impairment, and the likelihood of recidivism. It could also provide a centralized database to ensure that violators are effectively monitored from their detection throughout their sanctions and the review of post-sanction violations. It should be noted that the OHSJP and the South Carolina's Traffic Records Coordinating Committee (TRCC) has made progress in the development of a "Citation Data Interface" project that will serve as the foundation for the state's DUI tracking system. This project requires modifications to SCDPS, SCDMV, and SCJD systems; however, the enactment of legislation requiring all citations to be electronically processed has been a crucial step in this process. This process is currently underway in South Carolina and is expected to be completed in FFY 2018.

Persons who have a lifetime IID requirement may, after five years, apply to SCDPPPS to have the restriction removed. If not granted, additional hearings may be requested at five-year increments thereafter. While the SCDPPPS has responsibility for oversight of violators of many types, the nature of dangerous and risky driving behaviors is a matter of daily review and expertise for the administrators of the SCDMV. Such determinations should not be based solely on legislatively-set time frames, but should be made in collaboration with the licensing authority based on the totality of the driving behavior of the violator, including driver license sanctions that are non-driving related, but which show likelihood of future violations through a continued tendency toward non-compliance.

## ○ Programs

South Carolina has a number of programs for individuals under 21 years of age that are meant to address prevention of underage alcohol consumption and risky behaviors. Some of these programs relate directly to driving, while others are more general in nature and address an overall healthier lifestyle. One example, Power of Parents, is a research-based program geared toward prevention of underage drinking by actively involving parents.

Driver education through the public high schools has not been as widely offered recently as it was in the past due to budget cuts, and, thus, there are fewer opportunities to address behavioral issues and driving in a behind-the-wheel forum. Most driver education is now provided by independent businesses. It should be noted that the Network of Employers for Traffic Safety (NETS) has recently been offering its very successful and informative *Novice Driver's Roadmap* in electronic format as a free download. The document is a coaching guide for parents who are teaching their teenagers to drive. There are, however, a number of complementary programs and efforts underway by prevention advocates to curb underage drinking and to address the social norms related to youth and alcohol and other drugs.

The Graduated Driver License (GDL) program in South Carolina provides for application for a beginner's permit at age 15. The beginner's permit must be held for six months, which allows for practice driving with an adult in the vehicle. The driving practice must total 40 hours, of which ten must be nighttime driving.

At 15½ years of age, the permit holder is eligible to apply for a conditional license. The conditions which apply to this stage of licensure are meant to provide more learning time with less risk and distraction. Nighttime driving is restricted from 6 p.m. to 6 a.m. EST and 8 p.m. to 6 a.m. EDT. Passenger restrictions require the conditional license holder to transport no more than two passengers under 21 years of age. This restriction, however, is lifted if the conditional driver is transporting students to and from school, or the passengers are members of the driver's family. However, neither of these circumstances has been demonstrated to mitigate distraction. There is yet to be an evaluation on the impact of these more lenient restrictions. However, it should be noted that the State of South Carolina passed legislation in 2014 to ban texting while driving for all drivers.

Both nighttime and passenger restrictions may be lifted at age 16½. At age 17, drivers are eligible for a regular driver's license. The documents for each license phase are easily recognizable.

A new license format was introduced in 2010, and the previous format will not be completely phased out until 2021. The current licenses have two photographs of the driver—one on the left and a smaller copy on the lower right-hand side of the document. Documents for persons under age 21 are distinguished by their vertical formats. The larger photo is at the top of this document with the notation on the right side of the document that the driver is under 21 years of age. The date upon which the driver/permit holder turns 21 is shown in green at the bottom. The old-

format licenses have the minor driver indicator along the top of the license. The SC Department of Motor Vehicles provides its examiners with fraudulent document recognition training.

A Zero Tolerance law for persons under age 21 is in place, which provides that driving with a BAC of 0.02 or above results in administrative license suspension. The Alcohol and Drug Safety Action Program (ADSAP) administered by SCDAODAS is also required for impaired minor drivers. Immediate ability to assess and address alcohol usage for these young drivers provides an avenue to address the core causes of alcohol misuse and abuse at a time when behaviors may be more easily and readily impacted. The state has a primary enforcement seatbelt law in place.

The Alcoholic Beverage Control (ABC) Act does not require server or seller training for employees of liquor retailers. Enforcement of laws regulating liquor licenses is the purview of the South Carolina Law Enforcement Division (SLED). Under previous leadership, the number of agents assigned to that task had dwindled to two statewide. However, under the leadership of SLED's current Chief, the number of agents has increased to thirty-one with four positions currently vacant. These agents work in conjunction with other law enforcement to address issues such as sales to minors and over-service of alcoholic beverages in on-premises establishments. Additionally, funding has recently been appropriated for several additional liquor enforcement agents. In order to prevent the sale of alcohol to minors and over-service of alcohol, SCDAODAS has sponsored and teaches the Palmetto Retailers Education Program (PREP). This training includes information regarding fraudulent document recognition in order to prevent use of fraudulent or altered identity documents. Unfortunately, the class is required only for servers who have violated the law, and such training has been required by the court in lieu of a fine.

Other well-known national training programs are available within the state as well. Server training for all retail employees should be a prerequisite for alcohol sales to prevent dangerous violations of the liquor code, rather than as a sanction for non-compliance. Resources often limit the availability of enforcement personnel to administratively sanction the license holders when their employees violate the ABC Act or related regulations. As a result, little incentive exists for retailers to ensure that their employees are well-trained and operating within the statutory framework.

Improved driver license security and training of examiners have helped to prevent counterfeiting of driver license and identification cards, as well as to prevent minors from applying for and receiving authentic documents based on fraudulent information and identity.

## Strategies

In order to assist in strengthening the criminal justice component of South Carolina's Impaired Driving Countermeasures Program, the OHSJP will implement the following strategies during FFY 2018:

- 1. The SCDPS will continue to implement a statewide Law Enforcement DUI Challenge, which has been very successful over the last decade; DUI-related traffic fatalities reduced by almost 35%, from 464 in 2007 to 301 in 2015, and participation was provided from the vast majority of law enforcement agencies in the State in statewide campaign blitzes and crackdown efforts. The Law Enforcement DUI Challenge will continue to incorporate *Sober or Slammer!* comparable to the national *Drive Sober or Get Pulled Over*. initiative, which consists of a high-visibility enforcement and education campaign effort to reduce impaired driving crashes, injuries, and fatalities in the state. The campaign will focus predominantly on the SC Highway Patrol (SCHP) and the SC Law Enforcement Network (SCLLEN) system to encourage participation from law enforcement agencies and will feature enforcement crackdowns during the Christmas/New Year's holidays of 2017-2018 and the Labor Day holiday of 2018 utilizing saturation patrols and sobriety checkpoints as key enforcement strategies. The campaign will also designate monthly DUI enforcement weekend emphases by the SCHP from December through September. The SCHP will recruit and utilize the assistance of local law enforcement agencies during the weekend and crackdown efforts. Those agencies agreeing to participate will be awarded a recognition plaque or certificate for their efforts. This recognition is consistent with the NHTSA Guidance and recommendations received by the OHSJP from the NHTSA Region 4 Office. Law Enforcement Liaisons will encourage agencies within the Law Enforcement Network system in the state to participate in these enforcement events. The campaign will encourage citizens, through television, radio and alternative messaging to report drunk drivers by calling \*HP (\*47) to contact law enforcement about observed impaired drivers. The campaign, though implemented statewide, will focus on the priority counties which have been identified by NHTSA FARS data and South Carolina state data as having significant problems with DUI-related crashes, injuries, and fatalities. The twenty (20) targeted counties are Greenville, Horry, Richland, Lexington, Anderson, Spartanburg, Berkeley, Charleston, York, Aiken, Florence, Laurens, Orangeburg, Pickens, Lancaster, Dorchester, Beaufort, Darlington, Greenwood, and Sumter. These counties represent 83% of the state's population and approximately 75% of the state's alcohol-impaired driving fatalities over the five-year period 2011-2015.**
- 2. DUI-enforcement projects will be funded in the following counties: Charleston, Berkeley, and Darlington. The projects will establish or add to existing Traffic Units in county sheriff's offices and municipal law enforcement agencies to increase DUI enforcement in areas that are high-risk for DUI-related crashes. The OHSJP will provide each grant project with location information to assist in identifying the**

roadways within the respective jurisdictions on which the majority of DUI collisions are occurring. During the FFY 2018 grant cycle, each DUI enforcement grant will participate in at least 12 public safety checkpoints, have an appropriate, corresponding increase in the number of DUI arrests, conduct a minimum of 6 educational presentations on the dangers of DUI and other traffic-related problems, and issue at least 12 press releases to the local media and/or social media detailing the activities of the grant projects. The DUI-enforcement grants will fund a total of 8 grant-funded DUI enforcement officers.

Additionally, police traffic services (PTS) projects will be funded in the following counties: Richland, Charleston, Spartanburg, Aiken, York, Greenville, Beaufort, Laurens, Dorchester, Lancaster, Lexington, Florence, Berkeley, Kershaw, and Colleton counties. The projects will also establish or add to existing Traffic Units in county sheriff's offices and municipal law enforcement agencies to increase traffic enforcement that will also emphasize DUI enforcement in areas that are high-risk for overall crashes and DUI-related crashes. During the FFY 2018 grant period, each PTS enforcement project will participate in at least 12 public safety checkpoints, have an appropriate, corresponding increase in the number of DUI arrests, conduct a minimum of 12 educational presentations on the dangers of DUI and other traffic-related problems, and issue at least 12 press releases to the local media and/or social media detailing the activities of the grant projects. The PTS enforcement grants will fund a total of 34 grant-funded enforcement officers.

3. The SC Department of Public Safety (SCDPS), utilizing funding from the SC Department of Transportation (SCDOT), will continue a three-year enforcement program running from June 1, 2015, through May 31, 2018, called *Target Zero Teams*. The project name is derived from the state's "Target Zero Traffic Deaths" umbrella slogan for all highway safety initiatives implemented by SCDPS. There are six Target Zero Enforcement Teams, with four-Troopers in each, in key areas of the state during FFY 2018 to conduct aggressive traffic enforcement focusing on 16 corridors identified as having a high occurrence of fatal and severe-injury traffic crashes. Enforcement activities will include DUI enforcement.
4. DUI training courses such as SFST, A-RIDE, DRE, and DUI Detection and Interrogation will continue to be provided for state troopers and local law enforcement officials.
5. The state's Traffic Safety Resource Prosecutor will coordinate at least four training programs for prosecutors, law enforcement officers, judges, and other traffic safety professionals with an emphasis on the effective prosecution of impaired driving cases.
6. The State of South Carolina resumed funding effective July 1, 2013 for a specialized DUI prosecutor in each of the 16 judicial circuits in the state. In SFY 2018, the state will continue this funding. Additional funding will be provided by the OHSJP during

**FFY 2018 to support a DUI prosecutor for the South Carolina Highway Patrol in Berkeley County and in the Sixth Judicial Circuit to prosecute DUI-related traffic cases in an effort to increase DUI convictions within these counties and reduce the number of DUI case dismissals.**

- 7. South Carolina Law Enforcement Division (SLED) will provide technical support to local law enforcement on BAC testing procedures and use of the equipment, and to prosecutors through courtroom testimony.**
- 8. The OHSJP will provide funding for the continuation of a DUI Court Monitoring Program in the 5<sup>th</sup> and 13<sup>th</sup> Judicial Circuits, composed of Kershaw, Richland Greenville, and Pickens Counties, designed to monitor DUI cases and essentially reduce DUI recidivism through accountability of the judicial system in the State.**
- 9. The OHSJP will hold a DUI Recognition Ceremony honoring those law enforcement agencies and officers who have excelled in DUI enforcement during CY 2017.**
- 10. BAC reports from Coroners and SLED will continue to be entered into a database to track BAC testing results.**
- 11. The OHSJP will work through the Legislative Subcommittee of the SCIDPC to explore possible legislative recommendations to improve impaired driving countermeasures enforcement and adjudication to include allowing a second admissible breath test for DUI cases and addressing the issue of law enforcement officers serving as witnesses and advocates in DUI trials at the magistrate court level.**
- 12. The OHSJP will continue to provide grant funding for the Law Enforcement Networks (LEN) to assist them in their ongoing enforcement efforts and in recruiting additional enforcement agencies to enlist in the system. The OHSJP will continue to provide training to LENs through LEN Coordinator meetings, regularly scheduled LEN meetings, and Traffic Safety Officer Certification courses.**
- 13. A high-visibility statewide enforcement and education campaign (*Buckle up, SC. It's the law and it's enforced.*) will be conducted around the Memorial Day holiday of 2018 modeled after the national *Click it or Ticket* mobilization to emphasize the importance of and to increase the use of occupant restraints. The campaign will include paid and earned media, increased enforcement activity by state and local law enforcement agencies, diversity outreach elements in order to increase safety belt and child restraint use among the state's minority populations, and it will focus on nighttime safety belt enforcement to attempt to reduce unrestrained traffic fatalities and injuries especially during nighttime hours, and increase the potential apprehension of impaired drivers.**
- 14. The OHSJP will continue to support the SCDAODAS AET project focusing on educational and enforcement strategies to reduce underage alcohol consumption and underage DUI.**

- 15. More than 312 public safety checkpoints will be scheduled and more than 282 safety presentations will be conducted by impaired driving countermeasures and police traffic services subgrantees in the following counties: Aiken, Beaufort, Berkeley, Charleston, Colleton, Dorchester, Greenville, Kershaw, Lancaster, Laurens, Lexington, Richland, Spartanburg, Florence, Darlington, and York.**
- 16. A continuation grant project will focus on the Traffic Safety Officer curriculum in the state and continue a Traffic Safety Instructor program, which will include providing instruction in the following classes: Detection and Standardized Field Sobriety Testing (SFST), DUI Detection and SFST Instructor; SFST Recertification; Speed Measurement Device Instructor, RADAR/LIDAR; Speed Measurement Device Operator, RADAR/LIDAR; Speed Measurement Device Instructor, LIDAR; Speed Measurement Device Operator, LIDAR; Speed Measurement Device Recertification, RADAR and/or LIDAR; At-Scene Traffic Collision Investigation; Technical Traffic Collision Investigation; Traffic Collision Reconstruction; Motorcycle Collision Investigation; Pedestrian and Bicycle Collision Reconstruction; Safe And Legal Traffic Stops (SALTS); Courtroom Preparation and Testifying in Traffic Cases; Data Master DMT Operator Certification; and Data Master DMT Operator Recertification.**
- 17. The OHSJP will continue the Data-Driven Approaches to Crime and Traffic Safety (DDACTS) initiative in select jurisdictions around the state during FFY 2018.**

#### **IV. Communication Program**

South Carolina has adopted and implemented a comprehensive approach that coordinates marketing, media relations, and advocacy to address a variety of traffic safety issues in the state. Advertising efforts are based on research from traffic data analysis and market research. The Office of Highway Safety and Justice Programs (OHSJP) uses a full-service marketing firm to assist with such efforts as media buying, creative production, and evaluation of campaigns. Additionally, the OHSJP, with the help of the agency's Communications Office and SC Highway Patrol (SCHP) Community Relations Officers, oversees earned media efforts, such as issuing news releases, conducting a variety of press events, and coordinating media interviews. South Carolina has developed a year-round communication plan to support policies and programs that address the state's many and varied traffic safety issues.

Primary among the state's highway safety challenges is the problem of DUI. The SCDCPS's OHSJP will continue to conduct a high-visibility enforcement and education campaign in FFY 2018 utilizing the *Sober or Slammer! (SOS)/Drive Sober or Get Pulled Over*. initiative. The campaign effort runs from December 1 through Labor Day of each federal fiscal year. The campaign entails enforcement mobilization, public information/education, and evaluation components, to include paid and earned media. The OHSJP has altered its strategy for the DUI enforcement campaign for FFY 2018 to focus predominantly on the SC Highway Patrol (SCHP)

for the enforcement component of the campaign, while still making every effort to recruit and partner with local law enforcement agencies statewide. The SChP is the premier traffic enforcement agency in the state and covers the entire geographic and population areas of South Carolina. The campaign mobilization crackdowns will be conducted during the Christmas/New Year's holiday season and the Labor Day holiday time period. In addition to monthly specialized DUI enforcement weekends conducted from December 2017 through September 2018, the SChP will conduct two DUI mobilization crackdowns. The SChP will be encouraged to recruit and utilize the assistance of local law enforcement agencies during the weekend and crackdown efforts. The State Transport Police will also participate in the campaign initiatives.

Paid and earned media components are used to support the enforcement effort. To assess the public's awareness of and reaction to campaign messages prior to and after the campaigns each year, the SCDPS agency contractor works with a selected firm to develop and conduct pre- and post-campaign telephone surveys. The results from these campaigns are used to help shape future strategies for messaging. Paid media components used to support the enforcement effort will include radio, television, and alternative media (billboards, gas pump toppers, ice box wraps, etc.). A series (one spot per month) of radio spots with a strong anti-impaired driving enforcement message will be aired from December through September in support of designated SChP DUI enforcement weekends. These spots are produced in English and Spanish to appeal to five separate audiences (general, youth, African American, Hispanic, and rural male). The commercials prominently feature the "Report Drunk Drivers. Call \*HP" message and the state's *Target Zero* emphasis. The spots target male drivers aged 18-34. Media buys for both radio and television advertising include purchased airtime and matched donated airtime.

Strong 30-second and 60-second DUI enforcement television ads are aired during the Christmas/New Year's and Labor Day DUI mobilization crackdowns. The spots include closed captioning and translation into Spanish. The commercials prominently feature the "Report Drunk Drivers. Call \*HP" message. Additionally, the state's DUI campaign slogan/logo, *Sober or Slammer!*, as well as the national slogan *Drive Sober or Get Pulled Over* and SCDPS's *Target Zero* logo appear as taglines in the TV spots. The agency contractor also secures maximum possible donated thirty-second spots in its media buy.

An additional enforcement strategy which improves the detection of impaired drivers has been utilized for the last couple of years during the state's occupant protection mobilization (*Buckle up, SC. It's the law and it's enforced*, corresponding to the national *Click it or Ticket!* Campaign) in and around the Memorial Day holiday. The strategy involves the conducting of nighttime safety belt enforcement. The State of South Carolina has had a primary enforcement seat belt law in place since 2005. However, statistical data in SC shows that safety belt usage rates go down in fatal crashes occurring after dark. The 2017 campaign not only emphasized the strategy on the part of participating law enforcement agencies, but the communication strategy for the initiative included the production and airing of a commercial spot depicting nighttime safety belt enforcement. This increased public awareness of the strategy supported law enforcement in its efforts and increased DUI detection and enforcement at the same time. This same strategy will be put in place in FFY 2018.

The SCDPS's communication strategies are based on research using traffic-related data and market research. The OHSJP Statistical Analysis and Research Section maintains the South Carolina traffic collision database and is the core of data analysis within the agency. The support functions provided by the staff serve as the basis for the majority of traffic safety programs in the state. The agency contractor works with a selected firm to develop and conduct pre- and post-campaign telephone surveys to assess the public's awareness of and reaction to campaign messages prior to and after the campaign. A minimum of 400 respondents are reached statewide for each of the two surveys. Survey results contain proper analysis that is used to help develop future campaign efforts. The survey contents are developed by the market research firm with the written approval of SCDPS staff.

In addition to the campaign efforts above, the state's communication program annually conducts the following initiatives:

- The OHSJP will utilize paid advertising of highway safety messages at high school sports venues in the state, to include advertising on printed tickets for sporting and other special events, as well as public address announcements and program advertising. About 5 million tickets are expected to be printed and used by most high schools across South Carolina. The tickets to be distributed during the 2017-2018 school year will contain images that complement the state's emphases and focus on issues related to teenage drivers, as illustrated below.



- The OHSJP will conduct a School Zone Safety Week emphasis during the late summer of 2018. The emphasis will involve highway safety stakeholders statewide in an effort to call the attention of the motoring public to the importance of safety in school zones. Law enforcement agencies and schools are provided information to conduct activities

for School Zone Safety Week, which is to be observed during the first full week of the school calendar. The goal is to educate young children about safe walking techniques, to inform parents and caregivers about their role in ensuring that children get to school safely, and to encourage local law enforcement agencies to patrol in and around schools.

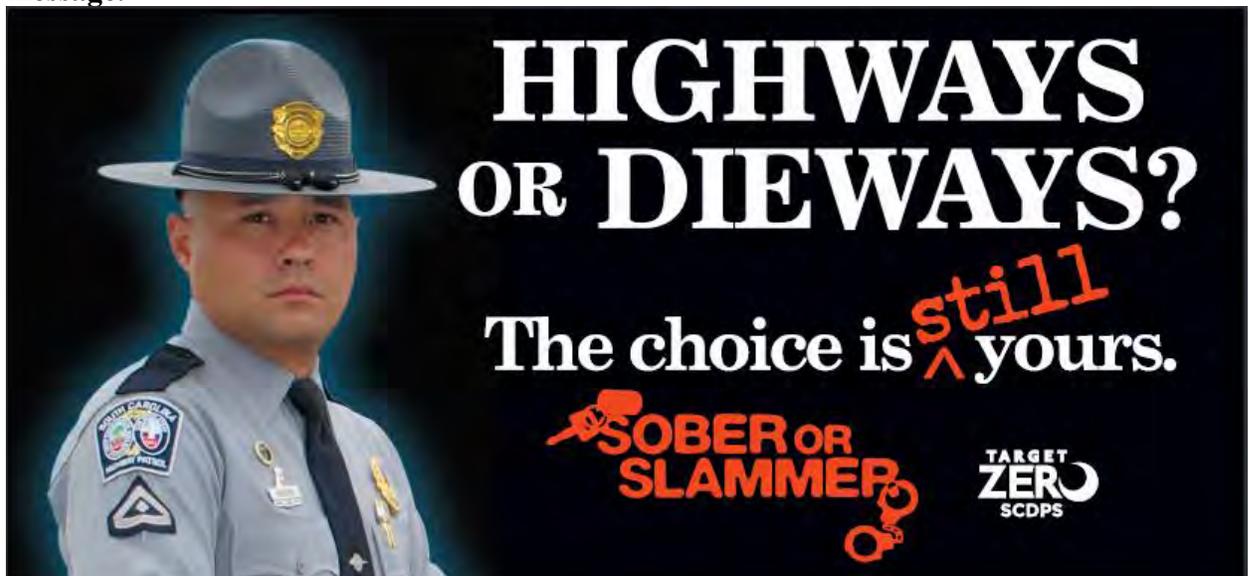
- The OHSJP annually conducts in the spring a Memorial Service for Highway Fatality Victims of the preceding calendar year. Family members are invited to participate in a service conducted at a local church in remembrance of their lost loved ones.

Each of these ongoing initiatives gives the OHSJP the opportunity to inject impaired driving countermeasures messaging for the benefit of the general motoring public.

## Strategies

In order to maintain the high-quality communications component of the state's impaired driving countermeasures effort in FFY 2018, the OHSJP will implement the following strategies:

1. Highway Safety staff will continue statewide public information and education efforts to promote compliance with occupant protection laws and impaired driving laws. An overarching theme of all campaign efforts will be continued by the OHSJP and the SCDPS. The theme will continue to be *Target Zero*, as seen here on this billboard message.



2. OHSJP staff also will continue a high-visibility enforcement and education campaign initiative by utilizing strategies similar to those utilized in FFY 2017. The campaign is known as *Sober or Slammer!* and represents the state's version of the national *Drive Sober or Get Pulled Over.* initiative. As referenced in the Impaired Driving Program

Area section of the state's HSP, the NHTSA-produced *Countermeasures That Work* document stresses the importance of the Impaired Driving emphasis area and outlines significant strategies and appropriate countermeasures utilizing high-visibility enforcement. The campaign will run from December 2017 through September 2018, and will continue to feature high visibility enforcement and earned media statewide, but will focus on twenty (20) targeted counties (Greenville, Richland, Lexington, Charleston, Horry, Spartanburg, Anderson, Orangeburg, Berkeley, Aiken, York, Florence, Sumter, Beaufort, Lancaster, Greenwood, Darlington, Dorchester, Pickens, and Laurens) that represent 83% of the state's population and approximately 75% of the state's alcohol-impaired driving fatalities over the five-year period 2011 to 2015. The campaign will once again feature two major DUI enforcement crackdowns during the Christmas/New Year's 2017-2018 and Labor Day 2018 holiday periods. The OHSJP has altered its strategy for the DUI enforcement campaign for FFY 2018 to focus predominantly on the SC Highway Patrol (SCHP) for the enforcement component of the campaign, while still making every effort to recruit and partner with local law enforcement agencies statewide. The SCHP is the premier traffic enforcement agency in the state and covers the entire geographic and population areas of South Carolina. SCHP will engage in monthly specialized impaired driving enforcement activity (saturation patrols and sobriety checkpoints) from December 2017 through September 2018. The SCHP will recruit and utilize the assistance of local law enforcement agencies during the weekend and crackdown efforts. The enforcement efforts will also be supported by paid and earned media, as well as messaging on the SCDPS website and social media platforms. Billboard and alternative messaging images for FFY 2018 will build on the presentation of the *Target Zero* campaign, but will focus more on enforcement and encouraging motorists to "Report Drunk Drivers – Call \*HP (\*47)".

3. All major mobilization emphases of the OHSJP will include messages to reach the diverse population of the state. The OHSJP will incorporate into its diversity outreach strategies information gleaned from quantitative research conducted by Apter International during the FFY 2007 grant year. The Apter research sought to find answers as to why people, particularly teens, African Americans, Hispanics, and rural residents are more likely not to use appropriate occupant restraints. The research also attempted to gain clues as to why drivers take specific risks on the highways relative to drinking and driving. The somewhat startling results obtained by the research have been and will continue to be used to develop strategies to encourage behavioral change. The information will be utilized in all efforts of the OHSJP relative to enforcement mobilization strategies, particularly in terms of media outreach.
4. The OHSJP will conduct a Memorial Service for Highway Fatality Victims of 2017 during the spring of 2018. The service will be held at a church or other appropriate venue in or near Columbia. Invitations will be sent to families of highway fatality victims killed in 2017. Law enforcement officers also will be invited to attend.

5. **The OHSJP will utilize paid advertising of highway safety messages at high school sports venues in the state, to include advertising on printed tickets for sporting and other special events, as well as public address announcements and program advertising. About 5 million tickets are expected to be printed and used by most high schools across South Carolina. The tickets to be distributed during the 2017-2018 school year will contain images that focus on issues related to teenage drivers.**
6. **OHSJP staff will explore the possibility of producing an electronic newsletter/flyer to be sent to employers, school districts and other interested stakeholders statewide containing strategic traffic safety information, including impaired driving data, for distribution to employees and students alerting them to the DUI problems in the state and proposing appropriate countermeasures that could be implemented at school or in the workplace.**
7. **OHSJP staff will explore the possibility of increasing partnerships with agencies, such as the SC Department of Education, local school districts, and colleges/universities to get information regarding DUI issues and countermeasures presented before student populations in the state.**
8. **The OHSJP will work with its agency contractor in FFY 2018 to conduct television advertising in the months of May, July, and October focusing on DUI enforcement in the state. These three months experienced the highest number of DUI-related traffic deaths in South Carolina during the time period 2011-2015.**

## **V. Alcohol and Other Drug Misuse: Screening, Assessment, Treatment and Rehabilitation**

The State of South Carolina has a variety of venues available for the provision of proper screening, assessment, treatment, and rehabilitation services for DUI offenders.

- **Screening and Assessment**

South Carolina has established the Alcohol and Drug Safety Action Program (ADSAP), a screening, referral, and treatment system for DUI offenders that provides levels of treatment matched to the needs of individual offenders and ensures compliance through monitoring. ADSAP is conducted by 33 local agencies/commissions certified by SCDAODAS. ADSAP is mandated upon administrative license suspension and upon conviction as a component of sentencing rather than being tied only to driver license reinstatement. Treatment is mandatory for all offenders. Courts are notified when offenders fail to enroll in a certified ADSAP program within 30 days of conviction or upon failure to participate in the plan of education or treatment. The courts *may* hold the individuals in contempt of court if they cannot show cause as to why no

enrollment occurred within the 30 days or why no progress had been made in the plan of education or treatment. However, because of demands on the court systems and significant backlogs of court cases, non-compliant offenders are rarely charged with contempt.

Offenders are screened using the Behavioral Health Screen review of their driving records and clinical interviews, and then are consequently assigned to appropriate levels of intervention. Since all offenders are screened through the ADSAP system and completion of ADSAP is required as a condition of all DUI sentences, pre-sentence screening by probation or other agencies is not available and is not necessary.

Currently, all certified ADSAPs are operated by county alcohol and drug abuse authorities. Each agency certified as an ADSAP provider offers a continuum of care in accordance with the American Society of Addiction Medicine Levels of Care. The required minimum services to be provided through the continuum of care are the PRIME FOR LIFE curriculum (Level 0.5); Individual and Group Counseling (Level I); Intensive Outpatient Services (Level II); and referral linkages to higher levels of care. All ADSAP clients are required to receive a DUI risk assessment and/or clinical biopsychosocial assessment for placement in the appropriate level of care. The risk assessment and/or the biopsychosocial assessment provide(s) the basis for diagnostic classification, according to the "Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition", placement in the PRIME FOR LIFE curriculum, Individual and Group Counseling, and/or Intensive Outpatient Services offered by a certified ADSAP provider, or referral to a higher level of care within the network of county alcohol and drug abuse authorities.

### ○ **Criminal Justice System**

A person convicted of DUI in South Carolina, whether for a first offense or subsequent offense, must enroll in and successfully complete the ADSAP certified by SCDAODAS. As indicated above, ADSAP is mandated upon conviction as a component of sentencing rather than being tied only to driver license reinstatement. Treatment is mandatory for all offenders. Courts are notified when offenders fail to enroll in a certified ADSAP program within 30 days of conviction or upon failure to participate in the plan of education or treatment. The courts *may* hold the individuals in contempt of court if they cannot show cause as to why no enrollment occurred within the 30 days or why no progress had been made in the plan of education or treatment. However, because of demands on the court systems and significant backlogs of court cases, non-compliant offenders are rarely charged with contempt.

An assessment of the extent and nature of the alcohol and drug abuse problem of the applicant must be prepared and a plan of education or treatment, or both, must be developed for the applicant. The ADSAP shall determine if the applicant has successfully completed the services. The applicant must attend the first ADSAP available after the date of enrollment. SCDAODAS shall determine the cost of services provided by each certified ADSAP. Each applicant shall bear the cost of services recommended in the applicant's plan of education or treatment. The cost may not exceed five hundred dollars for education services, two thousand dollars for treatment services, and two thousand five hundred dollars in total for all services. An applicant may not be

denied services due to an inability to pay. Inability to pay for services may not be used as a factor in determining if the applicant has successfully completed services. An applicant who is unable to pay for services shall perform fifty hours of community service as arranged by the ADSAP, which may use the completion of this community service as a factor in determining if the applicant has successfully completed services. The court must be notified whether an offender failed to enroll in a certified program within thirty days or failed to participate in the plan of education or treatment. As indicated above, the court *may* hold the individual in contempt of court if the individual cannot show cause as to why no enrollment occurred within the mandated thirty days or why no progress has been made on the plan of education or treatment.

- **Medical and Health Care Settings**

The Palmetto Health-Richland ACS Level 1 Trauma Center in South Carolina has implemented Screening, Brief Intervention and Referral to Treatment (SBIRT) in its hospital. Patient data indicated that in 2016, of 3,087 total trauma patients, 990 were either Motor Vehicle Crash (MVC), MotorCycle Crash (MCC), or Moped related and of the 990, 268 (27.1%) of injured drivers (MVC/MCC/Moped) tested for blood alcohol content and had blood alcohol concentrations greater than .08 percent, and 23 (8.6%) of impaired injured drivers were younger than 21 years of age. All trauma patients are tested for BAC and have to complete the SBIRT process. Hospital staff, such as nurses, physicians, or residents, conduct the Alcohol Use Disorders Identification Test (AUDIT). Patients that are determined to display alcohol abuse are referred to the trauma psychiatrist for intervention. Currently, all Level 1 Trauma Centers in the state utilize the SBIRT.

SCDAODAS, the South Carolina Department of Health and Human Services (SCDHHS), and the Medical Homes Network (MHN) have developed a SBIRT program for Medicaid-eligible pregnant women in South Carolina. This initiative is intended to increase the possibility of healthy births and save money by helping clients access treatment services earlier in their disease, thereby increasing their chances of recovery. The role of the state's 33 county alcohol and drug abuse authorities is to accept referrals from MHN member organizations and primary care providers (including obstetricians/gynecologists) and to provide any treatment services needed. The ideal goal is for SBIRT protocols to be embedded into every primary care and health setting in South Carolina; however, the necessary resources are not available at this time to assist every health care site in the state in achieving this. It should be noted that the SCDAODAS has been awarded a cooperative agreement from SAMHSA to implement SBIRT in health care sites. The funding period is from August 1, 2013 – July 31, 2018. Formal SBIRT protocols have been implemented in sixteen health care sites to date: Barnwell County (Southern Palmetto Hospital ED, Southern Palmetto Hospital Barnwell clinic, and Healthwise Family Medicine); Georgetown County (St. James Santee Family Health Center: Georgetown, Sampit, and Choppee sites); Greenville County (New Horizon Family Health Services, and Greenville Health System Internal Medicine); Horry County (Little River Medical Center: Little River, Loris, Health Access, South Strand, Carolina Forest, and Myrtle Beach sites, along with Grand Strand Regional Medical Center ED); and York County (North Central Family Medical Center).

Though each site receives varying amounts of funding, all sites receive ongoing training and technical assistance from the SCDAODAS SC SBIRT state team. SCDAODAS is considering expanding this program concept to other settings and has applied for funding to provide training and to expand the program to all healthcare providers.

Through RPTIF grants from DHHS, Clarendon County has implemented SBIRT in its ED and outpatient clinic, and Spartanburg County has implemented SBIRT in its county jail.

In addition to identifying injured drivers, as well as problem drinkers who are potential impaired drivers, trauma centers are potential sources of identification of impaired drivers. The data cited above indicates a substantial proportion (29.4%) of injured drivers that were tested for BAC within the Palmetto Health Richland Trauma Center had BACs above the legal limit. Many of these drivers are not identified by law enforcement, or charged with DUI. Currently, South Carolina law prohibits healthcare providers from reporting impaired injured drivers to law enforcement. At least two states have enacted laws that not only allow such reporting but classify impaired driving as a mandatory reportable condition like gunshot wounds.

South Carolina is one of approximately 27 states that still have alcohol exclusion statutes. Under this insurance law, car insurance providers may refuse to pay medical and other expenses incurred by injured drivers who are impaired. This creates a disincentive to test and/or record the presence of alcohol in the medical record of an injured driver.

- **Treatment and Rehabilitation**

As indicated above, South Carolina has established the ADSAP, a screening, referral, and treatment system for DUI offenders that provides levels of treatment matched to the needs of individual offenders and ensures compliance through monitoring. ADSAP is conducted by local agencies certified by SCDAODAS.

To satisfy the requirements of H3496, ADSAP referral forms were developed with collaboration among the South Carolina Judicial Department; the South Carolina Commission on Prosecution Coordination; the South Carolina Department of Motor Vehicles; the SC Department of Probation, Parole and Pardon Services (SCDPPPS); SCDAODAS; and local Alcohol and Drug Abuse certified ADSAP providers. The ADSAP referral forms are designed to enable communication among the Court, ADSAP provider, and SCDPPPS (if appropriate) as required in H3496.

ADSAP is mandated upon administrative suspension. In addition, ADSAP is mandated upon conviction as a component of sentencing, rather than being tied only to driver license reinstatement. Treatment is mandatory for all offenders. Courts are notified when offenders fail to enroll in a certified ADSAP program within 30 days of conviction or upon failure to participate in the plan of education or treatment.

Under SC Code of Laws §56-5-2930, courts *may* hold the individuals in contempt of court if they cannot show cause as to why no enrollment occurred within the 30 days, or why no progress had been made in the plan of education or treatment. The section wording does not mandate a contempt charge, thus non-compliant offenders are rarely charged with contempt. It is not clear the extent to which this reflects judicial attitudes or demands on court systems already having significant backlogs of court cases. However, despite this apparent lack of consequences, ADSAP completion rates are reported to be over 85 percent.

Offenders are screened using the Behavioral Health Screen, review of driving record and clinical interview. Clients are referred to levels of treatment based on American Society of Addiction Medicine (ASAM) criteria.

In Calendar Year (CY) 2015, there were 14,110 ADSAP program enrollments offered to 11,374 unduplicated clients across the state. A unique client is defined as any DUI-involved client that enrolled in at least one ADSAP-related program during CY 2015. Of the 14,110 ADSAP programs offered, 7,945 (56.3%) were education level programs. At this level, ADSAP uses the PRIME FOR LIFE curriculum developed by the Prevention Research Institute (PRI). The PRI program has been extensively evaluated and is used in many states. Offenders referred to ADSAP are subject to being admitted to a higher level of treatment if behaviors or additional information indicate a problem. During CY 2015, 6,151 (43.5%) of the programs offered were offered through outpatient or intensive outpatient treatment services. Translating program entries into service utilization at the client level indicates that 48.2% of the 11,374 unduplicated clients served during CY 2015 were experiencing substance use disorder symptomology severe enough to warrant participation in an outpatient or intensive outpatient setting. According to the ADSAP client database, approximately 40 percent of offenders are determined to be at level 0.5 or greater on the ASAM patient placement criteria. These offenders were referred to outpatient, residential or, in some cases, detoxification services.

According to the recently implemented Electronic Health Record System, in Fiscal Year (FY) 2016, DAODAS served 11,127 ADSAP clients, which is a decrease from the clients served in FY 2015. In FY 2015 and FY 2016 combined, 76.5% of ADSAP clients were males and 23.5 % females. In FY 2015 and FY 2016, 0.4% of the total clients were under the age of 18, 13.6% of clients were between the ages of 18 and 24. The highest percentage of clients (30.8%) were between the ages of 25 to 34, followed closely by the 45-64 age group (30.1%). Those between the ages of 35 and 44 made up 22.6% of the clients served by ADSAP during FY 2015 and FY 2016, and those aged 65 years and older made up 2.5% of the total clients served during the combined Fiscal years. In FY 2015 and FY 2016 combined, 60.5% of ADSAP clients were Caucasian, 30.1% were African American, and 4.9% identified with another racial/ethnic group. The number of Hispanic clients admitted to ADSAP has fluctuated over the past three years from 3.9% in FY 2014 to 5 % in FY 2015 and FY 2016 combined.

Offenders are expected to pay for all ADSAP services either through insurance or self-pay. Provisions are made for clients that can demonstrate indigence. Providers make special efforts to inform offenders of availability of financial options so that no offender avoids treatment because

of financial concerns.

Responsibility for monitoring impaired drivers falls primarily with the ADSAP programs, which are certified by SCDAODAS. Thirty-two (32) local drug and alcohol agencies in the state's 46 counties provide the ADSAP program. ADSAP screening and monitoring are utilized in pre-adjudication ALR, post-adjudication sentencing, and, on a limited basis, with post-adjudication ignition interlock device (IID) supervision.

In the ALR setting, ADSAP is a condition of a temporary alcohol license or restricted license. In the post-adjudication setting, ADSAP is a condition of the sentence, and failure to comply may result in a contempt of court charge. Also, in the post-adjudication setting, substance abuse education and treatment is a condition of reinstatement of driving privileges after completing a term of IID monitoring.

On April 14, 2014 South Carolina's Governor, Nikki R. Haley, signed into law a bill that requires first-time convicted DUI offenders with a BAC of .15 or above at the time of the offense to enroll in the IID program. The IID Program (IIDP) provides a post-adjudication tool for monitoring the alcohol use, restricting vehicle operation, and altering the drinking behavior of repeat offenders. The IIDP is coordinated by the SC Department of Probation, Parole, and Pardon Services (SCDPPPS). Non-compliance can result in further court sanctions. The SC Department of Motor Vehicles (SCDMV) monitors the licensing of an IIDP participant. The SCDMV has a key role in maintaining offender records and issuing offender notices. SCDMV collaborates with SCDPPPS, ADSAP, and the courts in tracking non-compliance.

In South Carolina, first-offense DUI is prosecuted in the state's summary courts. Second or subsequent DUI offenses are prosecuted in the state's circuit courts. Probation and parole services are only available to the circuit courts. Probation supervision of first-offender DUI cases does not exist.

DUI treatment courts have been the subject of discussion for many years. These courts provide extensive treatment services and supervision of offenders and have been shown to reduce impaired-driving fatalities and DUI recidivism. In 2013, the OHSJP issued a request for proposals to fund the start-up costs of two Pilot DUI Courts. The OHSJP provided grant funding during FFY 2014 through FFY 2017 for the development and implementation of a Pilot DUI Court in the Twelfth Judicial Circuit, composed of Florence and Marion Counties, and in the Fifth Judicial Circuit, which consists of Kershaw and Richland Counties. Both the Fifth and Twelfth Judicial Circuits have successfully completed NHTSA's required DWI Court training and have implemented the DUI Court program. The DUI Courts are structured on a "post-adjudication track", which involves the defendant pleading guilty and the judge allowing the defendant to complete the program while the sentence is held in "abeyance", allowing the defendant an opportunity to complete a treatment program. An offender is eligible to participate in the DUI court if he/she meets the following criteria: the defendant (1) is a resident of one of the counties that make up the Judicial Circuit; (2) is charged with a DUI 2nd offense or above and, in some cases, Felony DUI; (3) is willing to comply with the DUI Court Program rules; (4) is found, through use of a screening tool, to be a person who is addicted to alcohol; (5) is able to

physically participate in treatment activities (within the guidelines of the Americans with Disabilities Act); and (6) has no prior violent felony convictions disclosed as part of his/her criminal record. If the defendant graduates from the DUI Court after completing one year to eighteen months of treatment, the judge may terminate the sentence, and the defendant may not serve any jail time. The DUI Court program integrates alcohol and drug treatment to break the cycle of addiction and the criminal activity that follows in its wake. The court also ensures the delivery of other services such as mental health services, vocational/employment services, education services, housing services, and family counseling to sustain and enhance primary therapeutic interventions and reduce recidivism.

- **Monitoring Impaired Drivers**

The State of South Carolina does not currently have a comprehensive DUI-tracking system which monitors DUI offenders through all phases of their arrests, convictions, and treatment experiences. Individual components of the process, including SCDAODAS and courts, have individual monitoring systems in place. The DUI Court programs described previously facilitate close monitoring of impaired drivers. However, the state understands the importance of exploring the development of a comprehensive DUI-tracking system which can monitor individuals throughout the process.

The SCDPS has put in place an electronic reporting system for law enforcement agencies to report traffic collision data. This system will eventually allow the reporting and capture of citation information electronically as well. This system serves as the underpinning for the DUI-tracking system in the state. The OHSJP has begun the process for establishing this foundation through its statewide Traffic Records Coordinating Committee and the state's Traffic Records Strategic Plan. The project for the electronic reporting of DUI citations will be completed in FFY 2018.

## **Strategies**

In order to improve the alcohol and other drug misuse screening, assessment, treatment, and rehabilitation component of the state's impaired driving countermeasures program, the OHSJP will adopt the following strategies for FFY 2018:

- 1. The OHSJP will continue working through the state's Traffic Records Coordinating Committee to complete the processes associated with developing a foundation for a statewide DUI-tracking system to track and monitor DUI offenders throughout the arrest, prosecution, adjudication, treatment, and rehabilitation process. The OHSJP and the South Carolina's Traffic Records Coordinating Committee (TRCC) have implemented a "Citation Data Interface" project that would serve as the foundation for the state's DUI tracking system. This project requires modifications to SCDPS, SCDMV, and SCJD systems. Estimated development costs of this project are in excess**

of 1.5 million dollars and the state is utilizing Federal Funds (405c) for the development of this project. The project should be completed in FFY 2018.

2. **OHSJP staff will continue to be involved with the SC Department of Alcohol and Other Drug Abuse Services's (SCDAODAS) Underage Drinking Action Group (UDAG). UDAG is dedicated to the reduction of underage drinking in the state and is composed of a multi-disciplinary team of stakeholders. Participants hail from the following agencies/groups: the SC Department of Public Safety, SCDAODAS, the SC Department of Social Services, the SC Department of Transportation, Mothers Against Drunk Driving, the University of South Carolina, Clemson University, the Pacific Institute for Research and Evaluation, the SC Department of Education, the College of Charleston, the SC Law Enforcement Division (SLED), and the SC Petroleum Marketers.**
3. **The OHSJP will continue to explore, through the Legislative Subcommittee of the SCIDPC, the prospects of introducing legislation to designate impaired driving as a mandatory reportable condition for all healthcare providers.**
4. **The OHSJP will continue research through SCDAODAS to determine the possibility of having screening and brief intervention referral and treatment available in all health settings in the state.**

## **VI. Program Evaluation and Data**

The Office of Highway Safety and Justice Programs (OHSJP) uses a variety of evaluation and data analysis processes to gauge funding priorities, to determine major traffic safety priority areas, and to determine the level of success of its various projects and programs.

Each year, the OHSJP conducts a problem-identification process to determine the nature of the highway safety problems being experienced in the state and the locations of traffic safety problems. OHSJP staff members work to identify problem or priority counties based on data provided by the OHSJP's in-house Statistical Analysis and Research Center. From the work in problem identification, the OHSJP staff develops the Highway Safety Funding Guidelines report that determines priority areas for highway safety funding and establishes the expectations for each coming year grant projects. The funding of impaired driving highway safety projects consistently remains a major area of concern for the OHSJP. Funding of impaired driving countermeasures projects is based on nationally established priority areas, state-identified priority areas, eligible tasks under the MAP-21 and FAST Act, and best practices from around the nation.

The OHSJP addresses its responsibility through:

- Developing and preparing the annual Highway Safety Plan (HSP).

- Establishing priorities for highway safety grants and programs.
- Providing information and assistance to prospective funding recipients on program benefits, procedures for participation, and the development of plans.
- Encouraging and assisting local units of government to improve their highway safety planning and oversight efforts.
- Reviewing the implementation of state and local highway safety plans and programs, regardless of funding source, and evaluating the implementation of those plans and programs funded under MAP-21 and the FAST Act.
- Monitoring the progress of activities and the expenditure of federal funds contained in the HSP.
- Coordinating the HSP with other federal- and state-supported programs that impact highway safety.
- Assessing program and grantee performance through data analysis and grant reviews.

Data presented to document grant requests is verified by the OHSJP using FARS and state crash data. However, the OHSJP does assist applicants with data to support the grant applications if requested and to report on the progress of implemented grant projects.

While the OHSJP tracks output of each grant, it also understands the need to address countermeasure success by evaluating the impacts and outcomes of the activities undertaken within the grant. Requiring baseline data, performance measures, and projected outcomes as a part of the grant submission helps to establish a focus on data and analysis, and generates more thoughtful and creative proposals over time.

The mass media program uses comprehensive impact surveys that are conducted by the communication contractor to assess general perceptions and opinions of drivers relative to DUI enforcement and to identify changes. Research consists of pre- and post-measure surveys conducted before the campaign starts and immediately following its completion.

Data show that the state is experiencing a downward trend in the primary highway safety focus area of alcohol/drug impairment, while there seems to be an upward trend for the primary highway safety focus areas of unbelted occupants and speed. This trend pattern in no way negates the continual need for improvements regarding all of the highway safety focus areas.

Assisting grant applicants in understanding the Office's priorities also helps to establish a statewide mission and vision for highway safety improvement. A review of the available data also provides information on emerging issues. Clear delineation of the priorities, the process, and the evaluation methodologies prevents misunderstandings and assists the state and its grantees in meeting their goals both individually and collectively.

Analysis of projects based on cost-effectiveness or on cost per activity helps to establish baselines that can provide information to the state and to grantees, which then guides expectations for what and how much is to be accomplished, based on a realistic past experience.

Requiring baseline data, performance measures, and projected outcomes as a part of the grant submission also helps to establish a focus on data and analysis and will generate more thoughtful and creative proposals over time.

The OHSJP maintains a records system that uses data from other sources to fully support the impaired driving program. The state also has a statewide Traffic Records Coordinating Committee (TRCC) that represents the interests of all public and private-sector stakeholders and the wide range of disciplines that need information. South Carolina's TRCC is a two-tiered committee structured as follows:

***The TRCC Executive Group*** oversees new policies and approves projects designed to improve the SC Traffic Records System. This group ensures that planned projects align with the priorities of their respective agencies, as well as the Traffic Records Strategic Plan. Each member of this group is responsible for designating the appropriate TRCC Working Group members.

***The TRCC Working Group*** consists of technical and managerial persons designated by members of the TRCC Executive Group. The Working Group represents those entities responsible for the various components that constitute the Traffic Records System (TRS) in South Carolina.

The TRCC includes representation from the state agencies responsible for components of the TRS, along with representatives of local law enforcement who were selected by the South Carolina Law Enforcement Network. South Carolina's TRCC Executive Group was re-organized at a meeting in September 2007 and continues to meet on at least an annual basis. At the 2007 meeting, the TRCC Executive Group also charged the TRCC Working Group with the development of the state's *Traffic Records Strategic Plan for Traffic Records Improvements* and helping to coordinate the State's 2009 Section 408 grant submission. In 2013, the Section 408 funding stream was discontinued after the implementation of the Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21) transportation authorization, which allowed states to apply for Section 405c funding for state traffic safety information system improvements. The requirement for having a state TRCC remains. This being the case, the TRCC Executive Group required:

- Participation in the strategic planning update meetings by designated TRCC Working Group members. The Working Group must meet a minimum of 3 times per year.
- Discussion of future traffic records improvement projects by the TRCC Working Group. The TRSP is a "living" document, and must be updated on a regular basis.
- Submission of an annual *Traffic Records Strategic Plan for Traffic Records Improvements* (TRSP) by the TRCC Working Group. The final approval of the *Plan* is required and conducted by the TRCC Executive Group.

- Communication to the TRCC Executive Group as to the processes for prioritization of current, immediate, and future projects for possible implementation.

In addition, each of the state agencies with custodial responsibilities for one or more of the traffic records system components agreed to provide needed information to the TRCC Working Group for the Section 405c grant submission including budget, project justification information, and documentation of state contributions to projects' costs and staffing.

The state's TRSP was originally developed by the TRCC Working Group and subsequently approved by the TRCC Executive Group at a meeting held on June 4, 2009. Since then, the plan has been updated annually, with the FY 2017-2018 version approved by the TRCC Executive Group on May 24, 2017.

South Carolina was awarded Section 408 grant funding for the first time in August 2009, and was awarded Section 408 funds in 2010, 2011, and 2012. Under the Moving Ahead for Progress in the 21<sup>st</sup> Century Act (MAP-21) Transportation Authorization, the State of South Carolina was awarded Section 405(c) funds from 2013 through 2017. Under the current legislation of the FAST Act 405(c) funds will continue for FFY 2018. The state has continued to seek assistance in terms of evaluating its Traffic Records System, to include assistance from NHTSA in conducting the most recent Statewide Traffic Records Assessment for South Carolina, which was completed in January 2012. The TRSP helps South Carolina spend limited resources wisely, thus getting the largest benefit for the investment of money and staff time. A strategic plan is a way for South Carolina to ensure that new efforts are aimed squarely at needed improvements to the data, and those resources are allocated in a systematic manner. In addition, as situations change and South Carolina reacts to new opportunities or requirements, the strategic plan can help to put those changes and opportunities into context. It is easier to judge impact when the state knows the direction it is heading, and what resources are required to get there. For that reason, it is also acknowledged that a strategic plan is a "living" document. It cannot remain static, but must be updated frequently to account for changes in budgets, revised priorities, new opportunities, and emerging needs. When a plan is kept current, it serves as an integral part of the management of the traffic records system in general and for each of the particular components of that system.

The OHSJP will perform an administrative and an impact evaluation on the Impaired Driving Countermeasures program. FARS and statewide alcohol-impaired fatality and injury data will be used to evaluate the success of the goals and objectives of the impaired driving countermeasures program.

The impaired driving program for South Carolina is heavily data dependent, and uses the state's crash data and Fatality Analysis Reporting System (FARS) data extensively to address the locations and volume of impaired driving crashes. The data utilized are specific to various demographic groups as well, so that the messaging for various populations can be made relevant. South Carolina's experience in this regard is in line with much of the nation, in that the young male is the most likely to be involved in an alcohol-related crash. Data related to the efforts to mitigate this problem are available, including number of arrests. Education and treatment

providers also use data related to the DUI driver and the evaluation of the outcomes of their efforts to change behavior. Some crashes are tracked and related to locations of liquor-licensed establishments by the Alcohol Enforcement Team Coordinator in order that countermeasures applied might more specifically address possible locations where over-service of alcohol is occurring.

Some data are not available because of the state's statutory scheme. No authority exists for BAC testing for surviving drivers of fatal crashes, unless those drivers are reasonably suspected of alcohol or drug impairment. However, in other cases where such data might have been collected by medical facilities or by coroner's offices, its lack of availability is due to concerns about patient confidentiality. Additional contributing factors to this missing data are that BAC data are not posted to driver files, and the State Law Enforcement Division (SLED) lab does not aggregate BAC data from the various locations and entities within South Carolina that collect and analyze such samples. There are numerous potentials for addressing this issue, but all involve coordination and cooperation. Legislative authority to perform chemical tests of the blood alcohol content of surviving drivers in fatal crashes would not only provide statistical information about causes of fatalities, but it would also serve to protect those who were *not* driving impaired.

Lacking legislation, solutions can include asking officers to encourage such drivers to voluntarily submit to BAC testing. Where time and convenience are an issue, the use of evidentiary Preliminary Breath Testing Devices might be helpful, if approved. Cooperation of medical personnel is a matter of trying to induce cooperation through explanation of the purpose and use of the information, as well as assurance that the data is legally shared with the National Highway Traffic Safety Administration, pursuant to the Federal Register, as follows: Page 15039 of the Federal Register/Volume 68, No 59/Thursday, March 27, 2003/Notices, provides the following summary:

NHTSA is publishing this notice to inform hospitals and other health care organizations of its status as a "public health authority" under the medical privacy requirements of the Health Insurance Portability and Accountability Act of 1996.

Without the ability to obtain more of the missing data, the state does not have a way of determining its true rate of impaired driving crashes and fatalities, except through imputation of the missing data. Because such a significant portion of the applicable data is missing, it is impossible to determine if the available data are skewed toward those surviving drivers who were likely to be most impaired because of their actions or appearance and were thus tested.

Other important missing data for the state includes driver distraction data. These two missing data types are imperative to forming a true picture of the crash causes and consequences in South Carolina. As a result, a subcommittee of the Traffic Records Coordinating Committee could be convened to address what each of the data collectors, users, and managers of the relevant data can contribute to development of a solution. One person or group cannot solve the problem, but a concerted effort by several groups can certainly move toward improvement in the situation.

The SCCATTS continues to play a part in contributing to better data collection and availability, but a functional DUI-tracking system can provide benefits to each of the groups responsible for addressing the problems caused by impaired driving, including treatment providers, educators, law enforcement officials, prosecutors and adjudicators, data collectors and users, the SLED Laboratory, Liquor Licensing and Enforcement agents, and the SC Department of Probation, Parole and Pardon Services, which is, in concert with the SC Department of Alcohol and Other Drug Abuse Services and the SCDMV, responsible for the management of the Ignition Interlock Device Program. Each of these entities can gain both efficiency and improved operations through the data provided by a comprehensive DUI tracking system.

The South Carolina Department of Motor Vehicles (SCDMV) maintains a system of records that enables the state to identify and maintain a complete driving history of impaired drivers, including commercial drivers. The SCDMV licenses and manages records for almost 4 million drivers. The records contain information about the identity, age, types, and dates of document issuance, and driving behaviors, including license sanctions and traffic convictions for South Carolina drivers. Some information about driver education is captured on the record as well. Law enforcement has access to driver history records through the SCDMV member information system, and courts may obtain information through an ordered subpoena or attorney's request.

The state is currently implementing SCCATTS, which was created to address the shortcomings of a system that predominantly generated and processed traffic collision reports and traffic citations manually. The goal of SCCATTS is to enhance highway safety through the timely collection, analysis, and response to pertinent data.

Until recently, all conviction data for South Carolina came to SCDMV in a paper format. Unlike most states, whose conviction information is sent from the courts to the DMV, South Carolina courts are only required to send those convictions for a violation that could result in a suspension. All other dispositions are transmitted to the SCDMV from the various law enforcement agencies whose officers/troopers/deputies issued the tickets. This broadly based responsibility for data transmission is extremely susceptible to loss of data. However, to its great credit, the SCDMV tracks citations by number and agency and audits the system regularly to locate any missing disposition data. This time-consuming and iterative process is mitigated by the continued development of SCCATTS. The System, which has in the last few years begun its live implementation, will ultimately accept both electronic crash reports and citations from officers. Once the courts begin to incorporate the electronic citation data into their case management systems, the facility to transfer the dispositions to the SCDMV for automated incorporation into the driver history file will be available. SCCATTS will provide one major dataset that could be included in a DUI-tracking system. For FFY 2017, the Traffic Records Strategic Plan will be emphasizing the building and implementation of a foundation for ultimately developing a DUI-tracking system in the state. State traffic safety information system improvements grant funding will be used in FFY 2017 toward the completion of the building of interfaces among the SC Department of Motor Vehicles, the SC Judicial Department (SCJD), and the SC Department of Public Safety (SCDPS) to allow for the sharing of information regarding the adjudication and disposition of traffic offenses, including DUI citation information.

This will establish the basic foundation for a DUI-tracking system which will allow the monitoring of DUI citations from the point of arrest through the disposition of cases.

South Carolina driver history files are complete and are available to law enforcement officers via a web-service. All transactions by the officers are recorded so that any misuse of the data can be addressed. The courts generally do not have electronic access to the driver history file, but certified paper records are provided upon request of the prosecuting attorneys.

Hand processing of commercial driver violations is performed in order to ensure that the requirements of the Motor Carrier Safety Improvement Act are met. This means that all violations for commercial drivers must be posted on the driver history within ten days of adjudication.

Currently, the information posted electronically to crash reports and citations is garnered from the actual document, either on its face or via the barcode. However, improved accuracy could be achieved by allowing the officer access to live driver and vehicle files during the field data collection process so that the data could be copied and pasted into the forms from the mobile data computer.

For drivers who are convicted of alcohol-involved violations, the BAC is not included on the driver history. However, when DUI convictions are posted to the record that will require an ignition interlock device to be installed prior to reinstatement of the driving privilege, the SCDMV will require the driver to produce the installation record and contract for the device prior to issuance of the license. The SCDMV also works with agencies that provide ADSAP services and is notified when a person who has been licensed prior to completion of the program falls into non-compliance. The Department then re-suspends the license until compliance is reached.

Many of these processes, which the SCDMV now handles admirably in a largely paper-based system, should be planned to be incorporated into other electronic systems which already exist. For example, the SC Department of Probation, Parole, and Pardon Services (SCDPPPS) receive interlock download data electronically. This data comes from the vendor or provider that is responsible for Ignition Interlock Device installation. The vendor/provider now provides paper records to the SCDMV.

Administrative sanctions are recorded on driver history files. Currently, the motor vehicle hearings are the responsibility of another state agency, and the lack of timeliness in the reporting of the hearing officers' findings, which by law must be written, is problematic. Approximately eight percent of the administrative DUI cases go to hearing, and over 90 percent are upheld. In certain cases in South Carolina, the sanctions for DUI resulting in driver license hard suspensions are minimal; therefore, it is imperative that Administrative Hearings' findings and orders be completed and transmitted in a timely manner. Law enforcement officers are often unaware of the results of administrative hearings. Making hearing disposition data available to law enforcement management would facilitate training and case preparation.

The SCDMV manages a huge dataset that is central to the cause of traffic safety. Much of the input into that system is manual, and much of that manual entry is transitioning to electronic submission. Millions of keystrokes are required to manage and update driver history records each year. When manual data entry can be replaced by electronic data transmission, time is freed up for data quality programs, while customer service, accuracy, and completeness of the record systems improve at the same time.

## **Strategies**

In an effort to improve the state's data and evaluation systems, particularly as these relate to the issue of impaired driving, the state intends to implement the following strategies in FFY 2018:

- 1. To continue the implementation of the South Carolina Collision and Ticket Tracking System (SCCATTS), focusing attention on the electronic citation piece of the project.**
- 2. The OHSJP will utilize Section 405c funding to complete a Citation Data Interface among the SCJD, SCDPS, and SCDMV.**
- 3. The OHSJP will continue to work through the state's Traffic Records Coordinating Committee to complete the processes associated with implementing a statewide DUI-tracking system to track and monitor DUI offenders throughout the arrest, prosecution, adjudication, treatment, and rehabilitation process.**
- 4. The OHSJP will improve its Problem Identification process to include more local input from traffic safety stakeholders statewide.**
- 5. The OHSJP will continue to work through the TRCC to address any missing impaired-driving data and develop solutions.**

## **VII. Impaired Driving Assessment**

Under the Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21) legislation, states considered as "high-range," with a VMT of .60 or more, for impaired-driving-related fatalities were required to conduct a National Highway Traffic Safety Administration (NHTSA)-facilitated Impaired Driving Assessment within the three years prior to the application due date to qualify for Section 405d Impaired Driving Countermeasures funding and this guidance continues under the current FAST Act legislation. According to the most recent FARS data, from 2012 to 2014, South Carolina's average VMT alcohol-impaired driving fatality rate was 0.69, which classifies the state as *high-range*. Over the years, South Carolina has had a number of Impaired Driving Program Assessments. However, to be in compliance with the FAST Act Interim Final Rule requirement, the most recent Assessment was conducted **November 14-18, 2016**. The SC

Department of Public Safety's Office of Highway Safety and Justice Programs (OHSJP) coordinated, with the assistance of NHTSA, the 2016 Impaired Driving Assessment.

As mentioned above, South Carolina's 2016 Impaired Driving Assessment was conducted November 14-18, 2016 (**Attachment 10**). The assessment was conducted at the Embassy Suites by Hilton Hotel in Columbia, South Carolina, and was led by Judge Linda Chezem of Mooresville, Indiana. The recommendations from the Assessment will be utilized to formulate additional strategies to improve impaired driving countermeasures in the State of South Carolina. The OHSJP officially states that this Impaired Driving Plan was presented to the SC Impaired Driving Prevention Council for review and was approved at its June 9, 2017, meeting.

The following section contains a listing of all recommendations issued to the state by the Impaired Driving Assessment Team. The recommendations are listed under headings for the major program areas outlined in the *Impaired Driving Section* of NHTSA's *Uniform Guidelines for State Highway Safety Programs* document, and they are covered by the Impaired Driving Assessment. The categories are Program Management and Strategic Planning, Prevention, Criminal Justice System, Communication Program, Alcohol and Other Drug Misuse: Screening, Assessment, Treatment and Rehabilitation, and Program Evaluation and Data. It should be noted that the South Carolina Impaired Driving Prevention Council (SCIDPC), the state's impaired driving task force, has four subcommittees: Education and Prevention; Enforcement, Prosecution, and Adjudication; Treatment, Rehabilitation, and Diversion; and Legislative. Each subcommittee has a Chair and Vice-Chair. The Executive Group of the SCIDPC, composed of each subcommittee's Chair and Vice Chair, will meet to discuss and assign each recommendation, which was not specific to the OHSJP's areas of responsibility (Program Management and Strategic Planning), to a subcommittee based on that group's interest/expertise. The subcommittees are responsible for providing and proposing possible avenues in which the state can implement each assigned recommendation. Thus, the SCIDPC will use the recommendations provided by the Assessment Team as a blueprint by which its work will be guided.

## **VIII. SC 2016 Impaired Driving Assessment Recommendations & Responses**

After each listed recommendation on the following page, printed in bold, a corresponding strategy for implementation is provided as part of the state's Impaired Driving Countermeasures Plan.

## **Program Management and Strategic Planning**

### **Recommendations:**

**Convene a Governor’s Alcohol and Drug Impaired Driving Task Force that includes both traditional and non-traditional members such as highway safety experts, law enforcement, judiciary, driver licensing services, treatment, alcohol beverage control, businesses, insurance companies, medical and health care representatives, advocacy groups, the media, and higher education, to review existing laws and regulations and make recommendations to the Governor and State Legislature.**

The OHSJP will consider seeking an Executive Order from the Governor that will convene a Governor’s Alcohol and Drug Impaired Driving Task Force that will secure a vast array of experts and professionals to review existing laws and regulations and make recommendations to the Governor and State Legislature.

**Conduct a survey for the members of the South Carolina Impaired Driving Prevention Council that have not regularly attended meetings during the past two years to seek their input on methods to increase participation in the meetings.**

The OHSJP will conduct a survey for the members of the SCIDPC in order to gather input on methods to increase participation in the meetings.

**Identify locations in South Carolina where South Carolina Impaired Driving Prevention Council meetings might be held, making attendance more convenient for members residing outside of the Columbia area.**

The OHSJP will conduct a survey for the members of the SCIDPC in order to gather input on potential meeting locations in order to increase participation in the meetings.

**Provide teleconferencing for South Carolina Impaired Driving Prevention Council members that are unable to participate in person at meetings.**

The SCIDPC will provide teleconferencing for the members of the SCIDPC in order to increase participation in the meetings.

**Fill the vacant South Carolina Impaired Driving Prevention Council positions.**

The SCIDPC will submit letters to agency directors to replace and/or place members on the SCIDPC membership list in an effort to increase participation in the meetings.

**Continue to evolve the problem identification process in the Office of Highway Safety and Justice Programs by taking advantage of new and emerging data sources in impaired driving.**

The OHSJP will continue to evolve its Problem Identification process to include more input from local traffic safety stakeholders statewide and to utilize new and emerging sources of available impaired driving data.

**Integrate medical data into the planning process to enhance the needs for better and more accurate impaired driving analyses.**

The OHSJPs' Statistical Analysis and Research Section will work to integrate medical data into the planning process to enhance the needs for better and more accurate impaired driving analyses.

**Require convicted Driving Under the Influence offenders to pay fines and fees that support the Impaired Driving Countermeasures Program.**

The OHSJP will continue to research through the SCIDPC the prospects of legislative change to allow convicted DUI offenders to pay the costs of supporting impaired driving countermeasures programs within the state. However, the prospects of securing this type of change continue to appear, at this time, to be minimal.

**Evaluate impaired driving programs to determine if resources are being allocated in the most effective manner.**

Evaluate the performance measures that are common to South Carolina's HSP, SHSP and the state's Highway Safety Improvement Plan (HSIP) regarding the number of Traffic Fatalities, the number of Severe Traffic Injuries and the Traffic Fatality VMT Rate. The Federal Highway Administration (FHWA) and the South Carolina Department of Transportation (SCDOT) are responsible for the development of the HSIP. The SCDPS, SCDOT, FHWA and other local, state and federal agencies and safety advocates collaborated on the creation of the Strategic Highway Safety Plan (SHSP). The state's Highway Safety Plan, though developed by the OHSJP, reflects multiple partnerships among a variety of federal, state, and local agencies. The number of Traffic Fatalities, number of Severe Traffic Injuries, and Traffic Fatality VMT Rate performance measures are mutually identified in each plan (HSP, HSIP and SHSP) with evidence-based targets within emphasis areas that were developed through extensive data analysis. The state views the coordination of the HSP with the SHSP as an effort to build a unified State approach to highway safety and can be used to determine impaired driving program effectiveness.

## **Prevention**

### **Recommendations:**

#### **Enact statewide social host liability laws that include liability for serving to adults who are visibly impaired.**

The OHSJP will present a list of legislative issues for the FFY 2018 year during the meetings of the SC Impaired Driving Prevention Council (SCIDPC).

#### **Enact comprehensive dram shop liability laws.**

The OHSJP will present a list of legislative issues for the FFY 2018 year during the meetings of the SC Impaired Driving Prevention Council (SCIDPC).

#### **Enact Alli's Law or similar legislation to require responsible beverage server training as a condition of liquor licensure.**

The OHSJP will work through the SCIDPC Enforcement Committee and Legislative Committee in order to continue to address the need for legislative action for (S. 115) Alli's Law; Responsible Alcoholic Server Training Act, as it is currently pending legislation. This law would allow for future administrative and/or criminal penalties to ensue, as it mandates a training program to hold servers and establishments accountable.

#### **Conduct an assessment of the availability and product placement of alcoholic beverages that resemble non-alcoholic beverages.**

The SCIDPC will work closely with the SC Law Enforcement Division (SLED) to determine the opportunity for an assessment of the availability and product placement of alcoholic beverages that resemble non-alcoholic beverages.

#### **Provide local Alcohol and Drug Commissions with timely and accurate impaired driving-related information to be integrated into school-based prevention programs.**

The OHSJP will continue to provide timely and accurate impaired-driving data to local Alcohol and Drug Commissions as needed.

#### **Add impaired driving and other traffic safety learning objectives to the South Carolina Health and Safety Education Standards.**

The OHSJP staff is exploring the possibility of increasing partnerships with agencies, such as the SC Department of Education, local school districts, and colleges/universities to get information regarding DUI issues and countermeasures before student populations in the state. The OHSJP

will work with the SCDOE through the SCIDPC to determine the possibility of adding impaired driving and other traffic safety learning objectives to the SC Health and Safety Education Standards.

**Provide Drug Impairment Training for Educational Professionals to school counselors, teachers, and administrators throughout South Carolina.**

The OHSJP will work with the SC Department of Education (SCDOE) to determine the efficacy of expanding the DITEP program into local school districts to increase the number of educational professionals (school counselors, teachers, and administrators) trained in this discipline.

**Establish statewide and local student organizations to address impaired driving.**

The OHSJP staff is exploring the possibility of increasing partnerships with agencies, such as the SC Department of Education, MADD SC, SC National Safety Council, local school districts, and colleges/universities to get information regarding DUI issues and countermeasures before student populations in the state.

**Coordinate one-shot or single session prevention strategies with evidence-based prevention programs in schools.**

The OHSJP staff is exploring the possibility of increasing partnerships with agencies, such as the SC Department of Education, local school districts, and colleges/universities to coordinate one-shot or single session prevention strategies with evidence-based prevention programs in schools regarding DUI issues and countermeasures.

**Establish a statewide college impaired driving and/or underage drinking prevention consortium to address the drinking culture on South Carolina college campuses.**

The OHSJP staff will explore the possibility of increasing partnerships with agencies, such as the SC Department of Education, MADD SC, local school districts, Higher Education Commission, and colleges/universities to get information regarding DUI issues and countermeasures before student populations in the state.

**Integrate impaired driving information into drug free workplace, employee assistance, and other programs for employees.**

The OHSJP staff will explore working with the SC National Safety Council to produce an electronic newsletter/flyer to be sent to employers, school districts, and other interested stakeholders statewide containing strategic traffic safety information, including impaired driving data, for distribution to employees and students alerting them to the DUI problems in the state and proposing appropriate countermeasures that could be implemented at school or in the workplace.

**Provide employers with impaired driving media materials for inclusion in company newsletters, posting in facilities and employee work areas, and use in employee safety training.**

The OHSJP staff will work with the SC National Safety Council to explore the possibility of producing an electronic newsletter/flyer to be sent to employers, school districts, and other interested stakeholders statewide containing strategic traffic safety information, including impaired driving data, for distribution to employees and students alerting them to the DUI problems in the state and proposing appropriate countermeasures that could be implemented at the workplace.

**Support and expand the resources of Alcohol and Drug Commissions, Alcohol Enforcement Teams, and Law Enforcement Networks.**

The OHSJP will continue to support the SCDAODAS AET project focusing on educational and enforcement strategies to reduce underage alcohol consumption and underage DUI. The OHSJP will continue to provide grant funding for the Law Enforcement Networks (LEN) to assist them in their ongoing enforcement efforts and in recruiting additional enforcement agencies to enlist in the system. The OHSJP will continue to provide training to LENs through LEN Coordinator meetings, regularly scheduled LEN meetings, and Traffic Safety Officer Certification courses.

**Provide timely and accurate impaired driving information and technical assistance to Alcohol and Drug Commissions and Alcohol Enforcement Teams.**

The OHSJP will continue its partnering efforts with other entities in the state which are concerned with impaired driving issues and will provide accurate and timely data/information regarding impaired driving issues, including local Alcohol and Drug Commissions and Alcohol Enforcement Teams as needed.

**Ensure that all designated driver programs stress “no use” of alcohol messages for the designated driver.**

The OHSJP will work toward ensuring that any designated-driver programs implemented through the OHSJP and partners, stresses a “no use” of alcohol message for designated-driver programs.

**Ensure alternative transportation programs do not encourage or enable excessive drinking.**

The OHSJP will attempt to address the above issue through the SCIDPC and partnering agencies.

**Ensure that both designated driver and safe ride programs prohibit consumption of alcohol by underage individuals or unintentionally promote over-consumption.**

The OHSJP will work through the SCIDPC and partnering agencies to address the issues contained in this recommendation.

## **Criminal Justice System**

### **Recommendations:**

**Repeal the statutory videotaping requirements of the entire traffic stop, including the field sobriety testing and advice of rights.**

The OHSJP will present a list of legislative issues for the FFY 2018 year during the meetings of the SC Impaired Driving Prevention Council (SCIDPC).

**Convene a Governor's DUI and Drugs Task Force that includes both traditional and non-traditional members such as highway safety experts, law enforcement, judiciary, driver licensing services, treatment, alcohol beverage control, businesses, insurance companies, medical and health care representatives, advocacy groups, the media, and higher education, to review existing laws and regulations and make recommendations to the Governor and State Legislature.**

The OHSJP will consider seeking an Executive Order from the Governor that will convene a Governor's Alcohol and Drug Impaired Driving Task Force that will secure a vast array of experts and professionals to review existing laws and regulations and make recommendations to the Governor and State Legislature.

**Emphasize year-round high visibility impaired driving enforcement by all law enforcement agencies in South Carolina.**

The OHSJP will continue its partnering efforts with other law enforcement agencies in South Carolina to emphasize year-round high visibility impaired driving enforcement, relying heavily on the SC Highway Patrol and the Law Enforcement Networks (LEN) to assist them in their ongoing enforcement efforts.

**Engage more Sheriffs Offices in traffic enforcement activities.**

The OHSJP will continue its partnering efforts with Sheriff's Offices in traffic enforcement activities, largely through the assistance of the LEN.

**Increase the number of law enforcement agencies that participate in the Law Enforcement DUI Challenge *Sober or Slammer!*.**

The OHSJP will continue to provide grant funding for the Law Enforcement Networks (LEN) to assist them in their ongoing enforcement efforts and in recruiting additional enforcement agencies to enlist in the Law Enforcement DUI Challenge *Sober or Slammer!*.

**Evaluate the effectiveness of funding special DUI enforcement teams as opposed to providing funding for more law enforcement agencies to garner more participation in DUI enforcement activities.**

The OHSJP will work with the SCDOT to evaluate the effectiveness of funding the special DUI enforcement teams known as the Target Zero Teams, a project funded from 2015 through 2018 by the SCDOT, as opposed to providing funding for more law enforcement agencies to garner more participation in DUI enforcement activities.

**Expand the Drug Recognition Expert program in South Carolina.**

The SC Criminal Justice Academy (SCCJA) is the training facility for all law enforcement in the state. The Drug Recognition Expert (DRE) program is continually expanding as the focus on impaired driving remains a State concern.

**Distribute contact lists and explore the feasibility of on-call procedures to make Drug Recognition Experts more accessible.**

The OHSJP will work with the SCCJA regarding a distribution list and the SCCJA currently utilizes a DRE point of contact for regions in order to facilitate the accessibility and availability of DREs.

**Give training priority to those agencies that are willing to share their Drug Recognition Expert resources with neighboring jurisdictions.**

The OHSJP will work with the SCCJA in an attempt to address the above issue, although the SCCJA currently utilizes a most qualified criteria in order to effectively maintain the program in the State.

**Increase the number of Solicitors to handle DUI cases.**

The State of South Carolina resumed funding effective July 1, 2013 for a specialized DUI prosecutor in each of the 16 judicial circuits in the state. In SFY 2018, the state will continue this funding. Additional funding will be provided by the OHSJP during FFY 2018 to continue a DUI prosecutor to prosecute DUI-related traffic cases made by the South Carolina Highway Patrol in Berkeley County in an effort to increase DUI convictions within this county and reduce the number of DUI case dismissals. The OHSJP will also fund in FFY 2018 a DUI Prosecutor in

the Sixth Circuit Solicitor's Office, which includes Chester, Fairfield, and Lancaster counties. As previously indicated, the OHSJP conducted a Special Solicitation for Impaired Driving Countermeasures grant projects in May 2017; as a result, the number of prosecutorial projects may increase for FFY 2018.

**Provide paralegal assistants to the police who prosecute in the summary courts.**

The OHSJP will work with the SC Commission on Prosecution Coordination's Traffic Safety Resource Prosecutor (TSRP) to determine what additional assistance may be provided to law enforcement officers in the prosecution of DUI cases when required. The TSRP is available to provide certain assistance to law enforcement officers in the prosecution of DUI cases when requested.

**Work more closely with the South Carolina Office of Court Administration to improve access to court data.**

The OHSJP will work with the TRCC and the SC Office of Court Administration to improve access to court data.

**Establish a Judicial Outreach Liaison position with a focus on the summary courts.**

The OHSJP will work through the SCIDPC and partnering agencies to address the issues contained in this recommendation.

**Expand the use of the Ignition Interlock Device program to include all first time offenders upon conviction regardless of blood alcohol concentration.**

The OHSJP will present a list of legislative issues for the FFY 2018 year during the meetings of the SC Impaired Driving Prevention Council (SCIDPC).

**Conduct an evaluation study of the Ignition Interlock Device program to quantify recidivism based on enrollment, length of the program, and as compared to other sanctions and treatment options.**

The OHSJP will work with the SC Department of Probation, Parole, and Pardon Services (SCDPPPS) to attain access to any and all evaluations conducted to quantify recidivism based on enrollment, length of the program, and as compared to other sanctions and treatment options.

**Enact Alli's Law or similar legislation to require responsible beverage server training as a condition of liquor licensure.**

The OHSJP will work through the SCIDPC Enforcement Committee and Legislative Committee in order to continue to address the need for legislative action for (S. 115) Alli's Law; Responsible Alcoholic Server Training Act, as it is currently pending legislation. This law

would allow for future administrative and/or criminal penalties to ensue, as it mandates a training program to hold servers and establishments accountable.

**Evaluate inexperienced/young driver statistics to identify the degree to which increasing the minimum age for licensure (at each graduated stage) would reduce traffic crashes, injuries, and fatalities.**

The OHSJP will work with the SCIDPC and the SCDMV to research the prospects of evaluating inexperienced/young driver statistics to identify the degree to which increasing the minimum age for licensure (at each graduated stage) would reduce traffic crashes, injuries, and fatalities.

## **Communication Program**

### **Recommendations:**

**Increase impaired driving message exposure on earned media by partnership with the contracted media consultant and buyer.**

The OHSJP will continue to work with the contractor regarding the highway safety messaging to paint the picture for the general public of the extreme danger caused by the impaired driver.

**Evaluate the Office of Highway Safety and Justice Programs' media plan to ensure its messages are reaching target audiences.**

The OHSJP will continue to evaluate and ensure its highway safety messages reach target audiences and supports law enforcement and prevention partners in their ongoing efforts. The OHSJP has adopted "Target Zero" as its over-arching theme for all campaign activities. The state is committed to the elimination of traffic fatalities over time in the state.

**Plan and coordinate simultaneous press events during Sober or Slammer mobilizations and utilize the services of the Governor and other high ranking state officials to deliver the message that impaired driving will be met with strong law enforcement.**

The OHSJP will review available funds and revise/restructure its media efforts as needed. The state will continue the media campaign focusing on *Sober or Slammer! (SOS!)* for FFY 2018 featuring television advertising from March to September in addition to the two traditional DUI enforcement crackdowns during December/January 2017-2018 and Labor Day 2018.

## **Alcohol and Other Drug Misuse: Screening, Assessment, Treatment and Rehabilitation**

### **Recommendations:**

**Require completion of the Alcohol and Drug Safety Action Program as a condition of license reinstatement for DUI offenders whose license is suspended for an alcohol driving offense.**

The OHSJP will present a list of legislative issues for the FFY 2018 year during the meetings of the SC Impaired Driving Prevention Council (SCIDPC).

**Expand the South Carolina Screening, Brief Intervention Referral and Treatment project in all hospital emergency departments in South Carolina.**

The OHSJP will continue to work with SCDAODAS to research the possibility of having screening and brief intervention referral and treatment available in all hospital emergency departments in South Carolina.

**Implement Screening, Brief Intervention Referral and Treatment in all healthcare settings such as family practices, as well as on college and high school campuses and jails throughout South Carolina.**

The OHSJP will continue to work with SCDAODAS to research the possibility of having screening and brief intervention referral and treatment available in settings as recommended. It should be noted that the SCDAODAS has been awarded a cooperative agreement from SAMHSA to implement SBIRT in health care sites. The funding period is from August 1, 2013 – July 31, 2018. Formal SBIRT protocols have been implemented in sixteen health care sites to date: Barnwell County (Southern Palmetto Hospital ED, Southern Palmetto Hospital Barnwell clinic, and Healthwise Family Medicine); Georgetown County (St. James Santee Family Health Center: Georgetown, Sampit, and Choppee sites); Greenville County (New Horizon Family Health Services, and Greenville Health System Internal Medicine); Horry County (Little River Medical Center: Little River, Loris, Health Access, South Strand, Carolina Forest, and Myrtle Beach sites, along with Grand Strand Regional Medical Center ED); and York County (North Central Family Medical Center). Though each site receives varying amounts of funding, all sites receive ongoing training and technical assistance from the SCDAODAS SC SBIRT state team. Plans to expand to additional healthcare sites are underway.

Through RPTIF grants from DHHS, Clarendon County has implemented SBIRT in its ED and outpatient clinic, and Spartanburg County has implemented SBIRT in its county jail.

The state's goal is to implement SBIRT in all health care facilities in South Carolina. However, funds and resources limit the state's ability at this time to implement the SBIRT program in all health care facilities in the state.

**Enact legislation designating impaired driving as a mandatory reportable condition for all healthcare providers.**

The OHSJP will present a list of legislative issues for the FFY 2018 year during the meetings of the SC Impaired Driving Prevention Council (SCIDPC).

**Repeal the South Carolina alcohol exclusion statutes.**

On May 4, 2017, the House voted and passed S. 9 ; AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-71-380 SO AS TO PROVIDE THAT THE OPTIONAL INTOXICANTS AND NARCOTICS EXCLUSION PROVISION CONTAINED IN CERTAIN INSURANCE POLICIES THAT REQUIRE THE REPLICATION OF EXACT LANGUAGE AS PROVIDED IN SECTION 38-71-370 DOES NOT APPLY TO A MEDICAL EXPENSE POLICY, AND TO DEFINE MEDICAL EXPENSE POLICY. - ratified title.

**Implement additional DUI Courts and conduct an evaluation to determine effectiveness and identify replication issues.**

The OHSJP provided grant funding during FFY 2014 for the development and implementation of a Pilot DUI Court in the Twelfth Judicial Circuit, composed of Florence and Marion Counties, and in the Fifth Judicial Circuit, which consists of Kershaw and Richland Counties. Both judicial circuits successfully completed NHTSA's required DWI Court training and implemented the DUI Court program. The OHSJP provided grant funding from FFY 2015 through FFY 2017 for the continuation of the DUI Courts. The DUI Courts are designed to prosecute, adjudicate, and monitor DUI cases and to reduce DUI recidivism.

## **Program Evaluation and Data**

### **Recommendations:**

**Conduct an evaluation of the Ignition Interlock Device and Alive at 25 programs to quantify their effectiveness and suggest any revisions; such an analysis may include crash/arrest recidivism or behavioral measures.**

The OHSJP will refer this recommendation to the SCIDPC and the agencies directly involved with the ignition interlock program in the state to research the practicality of conducting the above recommendation.

**Continue to focus problem identification and program evaluation analyses on injuries of all levels (specifically serious injuries) in addition to fatalities.**

The OHSJP will continue to evolve its Problem Identification process to include more input from local traffic safety stakeholders statewide and to utilize new and emerging sources of available impaired driving data (to include all levels of injuries).

**Pursue medical data access (pre-hospital, trauma registry, emergency department, inpatient) and collaboration to enhance traffic safety efforts; this partnership may be fostered through the Traffic Records Coordinating Committee.**

The OHSJPs' Statistical Analysis and Research Section, through the Traffic Records Coordinating Committee, will pursue medical data access and collaboration to enhance traffic safety efforts.

**Evaluate continuously the Fatality Analysis Reporting System data to ensure the most accurate estimate of alcohol-related fatalities is resulting from the imputation model.**

The OHSJPs' Statistical Analysis and Research Section will continue to evaluate the Fatality Analysis Reporting System data to ensure the most accurate estimate of alcohol-related fatalities is resulting from the imputation model.

**Support the implementation of the South Carolina Uniform Traffic Ticket Information Exchange System to serve as a comprehensive citation tracking system.**

The OHSJP will continue in FFY 2018 the implementation of the South Carolina Uniform Traffic Ticket Information Exchange System to serve as a comprehensive citation tracking system.

**Incorporate information about injuries of all levels (specifically serious injuries) in addition to fatalities into products shared with partners and the public.**

The OHSJP will continue incorporating information about injuries of all levels (specifically serious injuries) in addition to fatalities into products shared with partners and the public.

(d) Qualification criteria for a high seat belt use rate State  
 2: Participation in Click It or Ticket national mobilization  
**Buckle-Up South Carolina (BUSC).**

*BUSC* meets the Click It or Ticket requirements however "Click It or Ticket" language cannot be used in SC.

Agencies listed in bold are recommended for FFY 2018 PTS enforcement grants. PTS enforcement grants require participation in *BUSC*. The other agencies participated in the national mobilization efforts in FFY 2017 and are anticipated to participate in FFY 2018

Network	County	Agency
All	Statewide	SC Highway Patrol
01	Orangeburg	Bowman Police Dept.
01	Dorchester	<b>Dorchester County SO</b>
01	Orangeburg	Eutawville Police Dept.
01	Dorchester	Harleyville Police Dept.
01	Orangeburg	North Police Dept.
01	Orangeburg	Orangeburg County SO
01	Orangeburg	Orangeburg DPS
01	Orangeburg	Santee Police Dept.
01	Dorchester	St. George Police Dept.
01	Calhoun	St. Matthews Police Dept.
02	Aiken	Aiken County SO
02	Aiken	<b>Aiken DPS</b>
02	Barnwell	Barnwell Police Dept.
02	Aiken	Burnettown Police Dept.
02	Aiken	North Augusta DPS
02	Aiken	Salley Police Dept.
02	Barnwell	Williston Police Dept.
03	Lee	Lee County SO
03	Sumter	Sumter County SO
03	Sumter	Sumter Police Dept.
04	Marlboro	Bennettsville Police Dept.
04	Chesterfield	Cheraw Police Dept.
04	Chesterfield	Chesterfield County SO
04	Marlboro	Clio Police Dept.
04	Darlington	Darlington County SO
04	Darlington	Darlington Police Dept.
04	Dillon	Dillon County SO
04	Dillon	Dillon Police Dept.
04	Darlington	Hartsville Police Dept.
04	Marlboro	McColl Police Dept.
05	Kershaw	Camden Police Dept.
05	Richland	<b>Columbia Police Dept.</b>
05	Richland	Forest Acres Police Dept.
05	Richland	Fort Jackson PD
05	Kershaw	<b>Kershaw County SO</b>

<b>Network</b>	<b>County</b>	<b>Agency</b>
05	Richland	Richland County SD
06	Chester	Chester County SO
06	Chester	Chester Police Dept.
06	Fairfield	Fairfield County SO
06	Chester	Fort Lawn Police Dept.
06	Chester	Great Falls Police Dept.
06	Lancaster	<b>Lancaster County SO</b>
06	Lancaster	Lancaster Police Dept.
06	Fairfield	Ridgeway Police Dept.
06	Fairfield	Winnsboro DPS
07	Cherokee	Cherokee County SO
07	Spartanburg	Duncan Police Dept.
07	Cherokee	Gaffney Police Dept.
07	Spartanburg	Inman Police Dept.
07	Spartanburg	Landrum Police Dept.
07	Spartanburg	Lyman Police Dept.
07	Spartanburg	<b>Spartanburg County SO</b>
07	Spartanburg	Spartanburg Police Dept.
07	Spartanburg	Spartanburg Methodist College DPS
07	Spartanburg	USC - Upstate Public Safety
07	Spartanburg	Wellford Police Dept.
03	Abbeville	Abbeville Police Dept.
08	Laurens	Clinton DPS
08	Abbeville	Due West Police Dept.
08	Greenwood	Lander Univ. Police Dept.
08	Laurens	<b>Laurens County SO</b>
08	Laurens	Laurens Police Dept.
08	Newberry	Newberry County SO
08	Newberry	Newberry Police Dept.
08	Greenwood	Piedmont Technical College DPS
08	Laurens	Presbyterian College Campus Police
08	Newberry	Whitmire Police Dept.
09	Berkeley	Berkeley County SO
09	Berkeley	Bonneau Police Dept.
09	Charleston	<b>Charleston County SO</b>
09	Charleston	<b>Charleston Police Dept.</b>
09	Charleston	Folly Beach Public Safety
09	Berkeley	Goose Creek Police Dept.
09	Berkeley	Hanahan Police Dept.
09	Charleston	Isle of Palms Police Dept.
09	Berkeley	Jamestown Police Dept.
09	Berkeley	<b>Moncks Corner PD</b>
09	Charleston	Mt. Pleasant Police Dept.
09	Charleston	North Charleston Police Dept.

<b>Network</b>	<b>County</b>	<b>Agency</b>
09	Berkeley	St. Stephen Police Dept.
09	Dorchester	<b>Summerville Police Dept.</b>
10	Anderson	Anderson Police Dept.
10	Anderson	Belton Police Dept.
10	Anderson	Iva Police Dept.
10	Oconee	Oconee County SO
10	Oconee	Seneca Police Dept.
10	Oconee	Westminster Police Dept.
10	Anderson	Williamston Police Dept.
11	Lexington	Batesburg-Leesville Police Dept.
11	Lexington	<b>Cayce DPS</b>
11	Edgefield	Johnston Police Dept.
11	Lexington	Lexington County SD
11	Lexington	<b>Lexington Police Dept.</b>
11	McCormick	McCormick Police Dept.
11	Lexington	Pelion Police Dept.
11	Lexington	Pine Ridge Police Dept.
11	Saluda	Saluda County SO
11	Saluda	Saluda Police Dept.
11	Lexington	South Congaree PD
11	Lexington	Springdale Police Dept.
12	Florence	Coward Police Dept.
12	Florence	<b>Florence County SO</b>
12	Florence	Florence Police Dept.
12	Florence	Francis Marion University PD
12	Marion	Marion County SO
12	Marion	Marion Police Dept.
12	Pickens	Central Police Dept.
12	Pickens	Clemson University Police Dept.
12	Pickens	Easley Police Dept.
12	Greenville	Fountain Inn Police Dept.
12	Greenville	Furman University Public Safety
12	Greenville	Greenville County SO
12	Greenville	Greenville Police Dept.
12	Greenville	Greer Police Dept.
12	Greenville	Mauldin Police Dept.
13	Pickens	Pickens Police Dept.
13	Greenville	<b>Simpsonville Police Dept.</b>
13	Greenville	Travelers Rest Police Dept.
14	Allendale	Allendale County SO
14	Allendale	Allendale Police Dept.
14	Beaufort	<b>Beaufort Police Dept.</b>
14	Beaufort	<b>Bluffton Police Dept.</b>
14	Colleton	<b>Colleton County SO</b>

<b>Network</b>	<b>County</b>	<b>Agency</b>
14	Colleton	Cottageville Police Dept.
14	Hampton	Estill Police Dept.
14	Allendale	Fairfax Police Dept.
14	Hampton	Gifford Police Dept.
14	Hampton	Hampton County SO
14	Hampton	Hampton Police Dept.
14	Jasper	Hardeeville Police Dept.
14	Jasper	Jasper County SO
14	Beaufort	Port Royal Police Dept.
14	Jasper	Ridgeland Police Dept.
14	Hampton	Varnville Police Dept.
14	Colleton	Walterboro Police Dept.
14	Hampton	Yemassee Police Dept.
14	Horry	Briarcliffe Acres Police Dept.
14	Horry	Coastal Carolina University DPS
14	Horry	Conway Police Dept.
15	Georgetown	Georgetown County SO
15	Georgetown	Georgetown Police Dept.
15	Horry	Horry County Police Dept.
15	Horry	Horry County SO
15	Horry	Loris Police Dept.
15	Horry	Myrtle Beach Police Dept.
15	Horry	North Myrtle Beach DPS
15	Horry	Surfside Beach Police Dept.
16	York	Clover Police Dept.
16	York	<b>Fort Mill Police Dept.</b>
16	Union	Jonesville Police Dept.
16	York	Rock Hill Police Dept.
16	York	Tega Cay Police Dept.
16	Union	Union PSD
16	York	Winthrop University Police Dept.
16	York	York County SO
16	York	<b>York Police Dept.</b>

Total Local Agencies within State: 270

Municipalities: 191

County: 47

University/College: 22

Airport: 4

Hospital: 2

Military: 4

Total Participation Statements Submitted in 2017: 157 (58%)

(all agencies that participated in 2017 are listed)

Municipalities: (%)

County: (%)

University/College: (%)

Airport: (%)

Hospital: (%)

Military: (%)

**8/19/2016-9/5/2016 Labor Day SOS**Totals For All Agencies**Total Number of Specific Agency Types Reporting**

State Agencies:	3	Federal Agencies:	0
Local Agencies:	119	County Agencies:	32
Other Agencies:	15		

**Specific Enforcement Activity**

Number of Checkpoints Conducted by Agency:	301
Assisted Checkpoints:	58
Number of Saturation Patrols Conducted by Agency:	282
Assisted Saturation Patrols:	22
Assisted DUI Arrests:	61

**Approximate total numbers of enforcement actions taken this month**

DUI Arrests:	1121	Suspended/Revoked License:	1888
Safety Belt Citations:	7357	Uninsured Motorists:	407
Child Safety Citations:	238	Speeding:	15863
Felony Arrests:	458	Reckless Driving:	306
Stolen Vehicles Recovered:	192	Drug Arrests:	1092
Fugitives Apprehended:	408	Other:	13204

**Earned Media Reporting**

Press conferences held this time period:	6
TV news stories aired this time period:	24
Radio news stories aired this time period:	18
Print news stories for this time period:	18

**2016 Labor Day SOS Media**

Amount spent on TV placement: \$277,888.00

Number of cash TV spots: 10,892

Number of bonus TV spots: 10,534

Total number of TV spots: 21,426

Amount spent on billboard placement: \$54,990.00

**8/19/2016-9/5/2016 Labor Day SOS**

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Totals For All Agencies

Total number of boards: 234

**12/16/2016 -1/1/2017 Christmas-New Years SOS**

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Totals For All Agencies

**Total Number of Specific Agency Types Reporting**

State Agencies:	3	Federal Agencies:	1
Local Agencies:	125	County Agencies:	36
Other Agencies:	14		

**Specific Enforcement Activity**

Number of Checkpoints Conducted by Agency:	359
Assisted Checkpoints:	70
Number of Saturation Patrols Conducted by Agency:	379
Assisted Saturation Patrols:	14
Assisted DUI Arrests:	71

**Approximate total numbers of enforcement actions taken this month**

DUI Arrests:	1075	Suspended/Revoked License:	1977
Safety Belt Citations:	4930	Uninsured Motorists:	423
Child Safety Citations:	201	Speeding:	14673
Felony Arrests:	556	Reckless Driving:	199
Stolen Vehicles Recovered:	225	Drug Arrests:	1242
Fugitives Apprehended:	412	Other:	13652

**Earned Media Reporting**

Press conferences held this time period:	12
TV news stories aired this time period:	39
Radio news stories aired this time period:	15
Print news stories for this time period:	34

**2016-17 Christmas/New Year's SOS Media**

Total spent on Broadcast TV: \$139,685  
 Total spent on Cable TV: 52,343  
 Total spent on Spanish-Language TV: 5,142  
**TOTAL Campaign Cost: \$197,170**

Total Cash Spots

**12/16/2016 -1/1/2017 Christmas-New Years SOS**

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Totals For All Agencies

Broadcast TV: 1,233 spots  
Cable TV: 6,139 spots  
Spanish Language TV: 678 spots  
**TOTAL CASH SPOTS: 8,050**

Total Bonus Spots  
Broadcast TV: 1,322  
Cable TV: 6,498 spots  
Spanish Language TV: 678 spots  
**TOTAL BONUS SPOTS: 8,498**

Total CASH & BONUS Spots  
Broadcast TV: 2,555 spots  
Cable TV: 12,637  
Spanish Language TV: 1,356  
**TOTAL ALL SPOTS: 16,548**

**5/22/2017-6/4/2017 Memorial Day BUSC**

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**Totals For All Agencies**

**Total Number of Specific Agency Types Reporting**

State Agencies:	3	Federal Agencies:	0
Local Agencies:	107	County Agencies:	30
Other Agencies:	14		

**Specific Enforcement Activity**

Number of Checkpoints Conducted by Agency:	294
Assisted Checkpoints:	28
Number of Saturation Patrols Conducted by Agency:	258
Assisted Saturation Patrols:	45
Assisted DUI Arrests:	29

**Approximate total numbers of enforcement actions taken this month**

DUI Arrests:	721	Suspended/Revoked License:	1473
Safety Belt Citations:	5494	Uninsured Motorists:	384
Child Safety Citations:	267	Speeding:	13277
Felony Arrests:	506	Reckless Driving:	276
Stolen Vehicles Recovered:	245	Drug Arrests:	1115
Fugitives Apprehended:	360	Other:	11050

**Earned Media Reporting**

Press conferences held this time period:	7
TV news stories aired this time period:	62
Radio news stories aired this time period:	21
Print news stories for this time period:	26

**2017 Memorial Day BUSC Media**

Amount spent on TV Placement: \$274,908  
 Amount Spent on Radio Placement: \$29,980  
 Newspaper placement: None  
 Billboard placement: \$24,000  
**Total Money spent on TV, Radio and Billboard Placement: \$328,888**

## 5/22/2017-6/4/2017 Memorial Day BUSC

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### Totals For All Agencies

Number of Paid TV spots = 11,558

Number of Bonus TV spots = 11,325

**Total Paid and Bonus TV Spots = 22,883**

Number of Paid Radio spots = 1,102

Number of Bonus Radio spots = 1,098

**Total Paid and Bonus Radio Spots = 2,200**

**Number of statewide billboards = 100**

**Local Agency Data Collection Performance Indicator**

<b>Local Agency Data Collection for Road Location</b>			
<b>Start Date</b>	<b>End Date</b>	<b>Overall - LADC</b>	
Apr. 1, 2014	Mar. 31, 2015	75%	
Apr. 1, 2015	Mar. 31, 2016	84%	
Apr. 1, 2016	Mar. 31, 2017	86%	
<b>County Name</b>	<b>County Number</b>	<b>LADC 75%</b>	<b>LADC 100%</b>
Abbeville County	1		√
Aiken County	2	*	
Allendale County	3		√
Anderson County	4		√
Bamberg County	5		√
Barnwell County	6		√
Beaufort County	7	*	
Berkeley County	8		√
Calhoun County	9	*	
Charleston County	10	*	
Cherokee County	11	*	
Chester County	12		√
Chesterfield County	13	*	
Clarendon County	14		√
Colleton County	15	*	
Darlington County	16	*	
Dillon County	17		√
Dorchester County	18	*	
Edgefield County	19	*	
Fairfield County	20		√
Florence County	21		√
Georgetown County	22	*	
Greenville County	23	*	
Greenwood County	24	*	
Hampton County	25		√
Horry County	26		√
Jasper County	27		√
Kershaw County	28		√
Lancaster County	29	*	
Laurens County	30	*	
Lee County	31		√
Lexington County	32		√
Marion County	33		√
Marlboro County	34	*	
McCormick County	35	*	
Newberry County	36		√
Oconee County	37	*	

Orangeburg County	38	*	
Pickens County	39	*	
Richland County	40	*	
Saluda County	41		√
Spartanburg County	42	*	
Sumter County	43	*	
Union County	44	*	
Williamsburg County	45		√
York County	46	*	

LADC-Local Agency Data Collection

- \* Indicates that county has 75% of LADC is present in state's Master File
- √ Indicates that county has 100% of LADC is present in state's Master File

### 2017-2018 Project Overviews

Project Title	Priority	Lead Agency	Total Project Budget
Highway Safety Traffic Records Staff	Recurring	DPS- Recurring Program	\$475,000 Recurring
<p>The SC Traffic Records Coordinating committee requires a full-time Traffic Records Coordinator to guide the initiatives of the TRCC. The Traffic Records Team within the Office of Highway Safety and Justice Programs has been steadily coordinating Traffic Records efforts. Positions included in the following areas are: TRCC-Management, SCCATTS, Crash Data Quality Control, Citation Data Quality Control, CRSS, Statistics, FARS, Safety Net, Information Technology and Data Entry for the Traffic Records System. 405c Funds <input checked="" type="checkbox"/>Yes State <input checked="" type="checkbox"/>Yes Other Funds <input checked="" type="checkbox"/>Yes</p>			
<b>Goal #3:</b> Improve management and coordination of Traffic Records System Improvements.	<b>TRS Components</b> <input checked="" type="checkbox"/> Collision, <input checked="" type="checkbox"/> Citation / Adjudication, <input checked="" type="checkbox"/> Roadway, <input checked="" type="checkbox"/> Injury Surveillance, <input checked="" type="checkbox"/> Driver, <input checked="" type="checkbox"/> Vehicle	<b>PM:</b> <input checked="" type="checkbox"/> Accuracy <input checked="" type="checkbox"/> Uniformity <input checked="" type="checkbox"/> Completeness <input checked="" type="checkbox"/> Accessibility <b>Project Goal:</b> To maintain dedicated staff for critical program coordination related to TRSP grant applications, TRCC Charter requirements, and Traffic Records Improvement.	
Project Title	Priority	Lead Agency	Total Project Budget
Citation Data Interface for SCDPS, SCJD, SCDMV	1	TRCC	\$1.5 Million
<p>This is a joint project between SCDMV, SCJD and SCDPS to build a central citation database in order to process citations from law enforcement through courts to SCDMV. This will improve data quality and decrease processing time for receiving adjudicated citation records between courts and SCDMV. 405c Funds <input checked="" type="checkbox"/>Yes State <input checked="" type="checkbox"/>Yes</p>			
<b>Goal #2:</b> Improve traffic records data integration, access, and analysis.	<b>TRS Components</b> <input checked="" type="checkbox"/> Citation / Adjudication, <input checked="" type="checkbox"/> Driver, <input checked="" type="checkbox"/> Vehicle	<b>PM:</b> <input checked="" type="checkbox"/> Timeliness <b>Project Goal:</b> <i>Decrease the number of days for adjudicated records to be posted and available in SCDMV Phoenix from 30/45 days to 10 days.</i>	
Project Title	Priority	Lead Agency	Total Project Budget
SCCATTS Field Deployment to Law Enforcement Agencies	2	DPS	\$175,000 Recurring
<p>This is an ongoing program to deploy the state's SCCATTS solution for e-Reporting to local law enforcement agencies. Deployment of software to agencies with necessary hardware will improve timeliness, accuracy, completeness, and integration of collision and citation data. 405c Funds <input checked="" type="checkbox"/>Yes State <input checked="" type="checkbox"/>Yes</p>			
<b>Goal # 1:</b> Improve collection and management of core Traffic Records Data Systems.	<b>TRS Components</b> <input checked="" type="checkbox"/> Collision, <input checked="" type="checkbox"/> Citation / Adjudication, <input checked="" type="checkbox"/> Roadway, <input checked="" type="checkbox"/> Injury Surveillance, <input checked="" type="checkbox"/> Driver, <input checked="" type="checkbox"/> Vehicle	<b>PM:</b> <input checked="" type="checkbox"/> Timeliness <input checked="" type="checkbox"/> Accuracy <input checked="" type="checkbox"/> Completeness <input checked="" type="checkbox"/> Uniformity <input checked="" type="checkbox"/> Accessibility <input checked="" type="checkbox"/> Data Integration <b>Project Goal:</b> Increase total number of reports received electronically.	

## 2017-2018 Projects 3-5 Overview

Project Title	Priority	Lead Agency	Total Project Budget
Law Enforcement Training Equipment for e-Reporting	3	SCCJA/SCDPS	\$150,000
This project will purchase computer hardware (laptops, scanners, printers) to be used with e-Reporting training initiatives and courses statewide for both local and state law enforcement. This equipment would be used to train officers in the proper preparation of electronic traffic reports (collision, public contact, and citation). 405c Funds <input checked="" type="checkbox"/> Yes State <input checked="" type="checkbox"/> Yes			
<b>Goal # 1:</b> Improve collection and management of core Traffic Records Data Systems.	<b>TRS Components</b> <input checked="" type="checkbox"/> Collision, <input checked="" type="checkbox"/> Citation / Adjudication, <input checked="" type="checkbox"/> Roadway, <input checked="" type="checkbox"/> Injury Surveillance, <input checked="" type="checkbox"/> Driver, <input checked="" type="checkbox"/> Vehicle		<b>PM:</b> <input checked="" type="checkbox"/> Timeliness <input checked="" type="checkbox"/> Accuracy <input checked="" type="checkbox"/> Completeness <input checked="" type="checkbox"/> Uniformity <b>Project Goal:</b> Establish training course with equipment necessary at the training academy to instruct officers in proper e-Reporting methods.
Project Title	Priority	Lead Agency	Total Project Budget
Automate Failure to Pay Traffic Ticket Process	4	DMV	\$75,000
This project will automate the Failure to Pay Traffic Ticket Process via web service interface allowing the transfer of data of unpaid traffic tickets between SCJD and SCDMV. State <input checked="" type="checkbox"/> Yes			
<b>Goal #2:</b> Improve traffic records data integration, access, and analysis.	<b>TRS Components</b> <input checked="" type="checkbox"/> Citation / Adjudication, <input checked="" type="checkbox"/> Driver, <input checked="" type="checkbox"/> Vehicle		<b>PM:</b> <input checked="" type="checkbox"/> Timeliness <input checked="" type="checkbox"/> Data Integration <input checked="" type="checkbox"/> Uniformity <b>Project Goal:</b> Completeness <input checked="" type="checkbox"/> Uniformity <input type="checkbox"/> Accessibility <input checked="" type="checkbox"/> Data Integration Project Goal: Reduce the number of days to receive information of noncompliance from SCJD.
Project Title	Priority	Lead Agency	Total Project Budget
Traffic Records Dashboard	5	DPS	\$100,000
A TRS dashboard would be used to display key statistics related to traffic records. 405c Funds <input checked="" type="checkbox"/> Yes State <input checked="" type="checkbox"/> Yes			
<b>Goal #2:</b> Improve traffic records data integration, access, and analysis.	<b>TRS Components</b> <input checked="" type="checkbox"/> Collision, <input checked="" type="checkbox"/> Citation / Adjudication, <input checked="" type="checkbox"/> Roadway, <input checked="" type="checkbox"/> Injury Surveillance, <input checked="" type="checkbox"/> Driver, <input checked="" type="checkbox"/> Vehicle		<b>PM:</b> <input checked="" type="checkbox"/> Accessibility <b>Project Goal:</b> Develop user enabled dashboard for data analysis by FY 2018

## 2017-2018 Projects 6-8 Overview

Project Title	Priority	Lead Agency	Total Project Budget
SCCATTS Improvements for Enhanced Data Sharing	6	DPS	\$175,000
<p>This project within the SCCATTS initiative's portfolio will provide upgrades for the OHSJP with the application tools to properly input, extract, and report data from SCCATTS. 405c Funds <input checked="" type="checkbox"/> Yes State <input checked="" type="checkbox"/> Yes</p>			
<p><b>Goal # 1:</b> Improve collection and management of core Traffic Records Data Systems.</p>	<p><b>TRS Components</b>  <input checked="" type="checkbox"/> Collision, <input checked="" type="checkbox"/> Citation / Adjudication, <input checked="" type="checkbox"/> Roadway, <input checked="" type="checkbox"/> Injury Surveillance, <input checked="" type="checkbox"/> Driver, <input checked="" type="checkbox"/> Vehicle</p>	<p><b>PM:</b> <input checked="" type="checkbox"/> Timeliness <input checked="" type="checkbox"/> Accuracy <input checked="" type="checkbox"/> Completeness <input checked="" type="checkbox"/> Uniformity <input checked="" type="checkbox"/> Accessibility <input checked="" type="checkbox"/> Data Integration  <b>Project Goal:</b> Upgrade components of SCCATTS and related TRS as requirements change through rollout of different applications within SCCATTS initiative.</p>	
Project Title	Priority	Lead Agency	Total Project Budget
Collision Report Form Revision	7	DPS	\$20,000
<p>This project is to update the collision report form to increase MMUCC compliance and collect newer data elements not made available on the current TR-310 Collision report. 405c Funds <input checked="" type="checkbox"/> Yes State <input checked="" type="checkbox"/> Yes</p>			
<p><b>Goal # 1:</b> Improve collection and management of core Traffic Records Data Systems.</p>	<p><b>TRS Components</b>  <input checked="" type="checkbox"/> Collision, <input checked="" type="checkbox"/> Roadway, <input checked="" type="checkbox"/> Injury Surveillance, <input checked="" type="checkbox"/> Driver, <input checked="" type="checkbox"/> Vehicle</p>	<p><b>PM:</b> <input checked="" type="checkbox"/> Timeliness <input checked="" type="checkbox"/> Accuracy <input checked="" type="checkbox"/> Completeness <input checked="" type="checkbox"/> Uniformity <input checked="" type="checkbox"/> Accessibility <input checked="" type="checkbox"/> Data Integration  <b>Project Goal:</b> To increase the MMUCC compliance level of the TR-310 collision report form to 90% by Dec 2018.</p>	
Project Title	Priority	Lead Agency	Total Project Budget
Online Collision Report Sales	8	DPS/DMV	TBD
<p>Sales of the crash reports fund the collision entry section which completes the statewide collision master file. This project will decrease the time currently needed to provide copies of Collision Reports through a web-based service. The current paper-based method of transmitting the report slows down the rate revenue is generated and limits the amount of revenue that could be potentially obtained. 405c Funds <input checked="" type="checkbox"/> TBD State <input checked="" type="checkbox"/> Yes</p>			
<p><b>Goal #2:</b> Improve traffic records data integration, access, and analysis.</p>	<p><b>TRS Components</b>  <input checked="" type="checkbox"/> Collision, <input checked="" type="checkbox"/> Driver, <input checked="" type="checkbox"/> Vehicle</p>	<p><b>PM:</b> <input checked="" type="checkbox"/> Accessibility  <b>Project Goal:</b> Increase the sales of reports through an online portal.</p>	

## 2017-2018 Projects 9-11 Overview

Project Title	Priority	Lead Agency	Total Project Budget
Intersections with Traffic Signals Data Base	9	DOT	\$75,000
<p>This project will develop a software solution that will automatically populate intersections with traffic signal controls on the collision report form. This will provide much more accurate crash data and also enable SCDOT and SCDPS to conduct more accurate analysis to assist in the identification of potential safety project locations.</p> <p>405c Funds <input checked="" type="checkbox"/>Yes State <input checked="" type="checkbox"/>Yes</p>			
<b>Goal # 1:</b> Improve collection and management of core Traffic Records Data Systems.	<b>TRS Components</b> <input checked="" type="checkbox"/> Collision, <input checked="" type="checkbox"/> Roadway	<b>PM:</b> <input checked="" type="checkbox"/> Accuracy <input checked="" type="checkbox"/> Completeness <b>Project Goal:</b> Create a database within the Roadway Component that will contain traffic control information for intersections. Develop application to allow this data to auto-populate e-Collision forms.	
Project Title	Priority	Lead Agency	Total Project Budget
Local Agency Data Collection for Road Location Coding	10	DOT	\$100,000
<p>This project will assist in improving the state's roadway inventory through development of a unified location-coding scheme for the state's local roadways. Once developed, it will allow for the input of this additional data into the master data file. Local agencies will then be requested to provide SCDOT with the necessary data to import into the master data file. 405c Funds <input checked="" type="checkbox"/>Yes State <input checked="" type="checkbox"/>Yes</p>			
<b>Goal # 1:</b> Improve collection and management of core Traffic Records Data Systems.	<b>TRS Components</b> <input checked="" type="checkbox"/> Collision, <input checked="" type="checkbox"/> Roadway	<b>PM:</b> <input checked="" type="checkbox"/> Accuracy <input checked="" type="checkbox"/> Completeness <input checked="" type="checkbox"/> Uniformity <input checked="" type="checkbox"/> Data Integration <b>Project Goal:</b> Increase the amount of local roads included in the state's roadway master file.	
Project Title	Priority	Lead Agency	Total Project Budget
Roadway Shoulder/Width Data Cleansing	11	DOT	\$150,000
<p>SCDOT's Roadway Information Mapping System's Roadway Shoulder data was originally collected to satisfy the Federal Highway Administration's Highway Performance Monitoring System (HPMS) program. In its current format it is not reliable for analyzing crashes. This project will cover identifying how best to cleanse the data within RIMS for use in crash analysis, as well as new technologies for shoulder width and type data collection. 405c Funds <input checked="" type="checkbox"/>Yes State <input checked="" type="checkbox"/>Yes</p>			
<b>Goal # 1:</b> Improve collection and management of core Traffic Records Data Systems.	<b>TRS Components</b> <input checked="" type="checkbox"/> Collision, <input checked="" type="checkbox"/> Roadway	<b>PM:</b> <input checked="" type="checkbox"/> Accuracy <input checked="" type="checkbox"/> Completeness <b>Project Goal:</b> Improve reliability of data stored in SCDOT databases for shoulder/width information.	

## 2017-2018 Projects 12-14 Overview

Project Title	Priority	Lead Agency	Total Project Budget
Horizontal Roadway Curve Identification	12	DOT	\$150,000
<p>This project will provide for the identification and location of horizontal curves located along all roads on SCDOT's road inventory. This project would also allow for all crashes occurring on horizontal curves in the state to be appropriately identified and coded accurately within the state's master crash file.</p> <p>405c Funds <input checked="" type="checkbox"/>Yes State <input checked="" type="checkbox"/>Yes</p>			
<p><b>Goal # 1:</b> Improve collection and management of core Traffic Records Data Systems.</p>	<p><b>TRS Components</b>  <input checked="" type="checkbox"/>Collision, <input checked="" type="checkbox"/>Roadway,</p>	<p><b>PM:</b> <input checked="" type="checkbox"/>Accuracy <input checked="" type="checkbox"/>Completeness  <b>Project Goal:</b> Create database to obtain horizontal curve data within SCDOT. Use information to analyze problem areas to reduce collisions.</p>	
Project Title	Priority	Lead Agency	Total Project Budget
EMS Patient Tracking System	13	SCDHEC	\$195,000
<p>SCDHEC Trauma Services will develop an online patient tracking system for individuals receiving emergency medical services from the result of a collision. This will provide SCDHEC, law enforcement, and FARS analysts the ability to track an individual's injury status throughout the care process. 405c Funds <input checked="" type="checkbox"/>TBD State <input checked="" type="checkbox"/>Yes Other <input checked="" type="checkbox"/>Yes</p>			
<p><b>Goal #2:</b> Improve traffic records data integration, access, and analysis.</p>	<p><b>TRS Components</b>  <input checked="" type="checkbox"/>Collision, <input checked="" type="checkbox"/>Injury Surveillance,</p>	<p><b>PM:</b> <input checked="" type="checkbox"/>Timeliness <input checked="" type="checkbox"/>Accuracy  <input checked="" type="checkbox"/>Completeness <input checked="" type="checkbox"/>Uniformity  <b>Project Goal:</b> Provide access to accurate injury status records of individuals receiving EMS care from the result of motor vehicle collisions.</p>	
Project Title	Priority	Lead Agency	Total Project Budget
Rural/Urban Designation and Roadway Surface Type Database	14	DOT	\$75,000
<p>This project will develop a software solution to capture road functional classifications and roadway surface type data elements from SCDOT road inventory file. 405c Funds <input checked="" type="checkbox"/>Yes State <input checked="" type="checkbox"/>Yes</p>			
<p><b>Goal # 1:</b> Improve collection and management of core Traffic Records Data Systems.</p>	<p><b>TRS Components</b>  <input checked="" type="checkbox"/>Collision, <input checked="" type="checkbox"/>Roadway</p>	<p><b>PM:</b> <input checked="" type="checkbox"/>Accuracy <input checked="" type="checkbox"/>Completeness  <b>Project Goal:</b> Improve reporting of roadway surface reporting as it relates to FARS data.</p>	

# SC Impaired Driving Prevention Council

Attachment IDC-1

						Function	
Michael Garriss	Restitution & Appeals Manager	State Office of Victim Assistance	Advocacy, Victim Assistance				
William Bilton	Asst. Solicitor/Director of Affiliate Services	5th Circuit Solicitor's Office	Prosecution				
Leonard Bradley	Richland County Coroner	Richland County Coroner's Office	Public Health, Criminal Justice				
Vacant		SC Dept of Public Safety (SCDPS), Families of Highway Fatalities	Advocacy, Victim Services				
Jarrod Bruder	Executive Director	SC Sheriff's Association	Law Enforcement				
Thomas Nicholson	Legal Counsel	SC Dept of Probation, Parole, and Pardon Services	Criminal Justice, Probation, Ignition Interlock Device Program				
Mathew Buchanan	General Counsel	SC Dept of Probation, Parole, and Pardon Services	Criminal Justice, Probation, Ignition Interlock Device Program				
Steven Burritt	Program Director	Mothers Against Drunk Driving (MADD)	Advocacy, Victim Services				
Tim Camp	State Director	Department of Education	Education				
Sara Lee Drawdy	Asst. Solicitor	13th Circuit Solicitor's Office	Prosecution				
Lee Dutton	Chief of Staff	SC Dept of Alcohol and Other Drug Abuse Services (DAODAS)	Treatment/Rehabilitation/Prevention, Data				
Mia Masella		Fifth Circuit Pre-Trial Intervention	Criminal Justice, Adjudication				
Mattison Gamble	Traffic Safety Resource Prosecutor	SC Commission on Prosecution Coordination	Prosecution				
J. J. Gentry	State Senator	SC Senate/Senate Judiciary Committee	Administration, Legislation				
Jim Gordon		South Carolina State University	Education				
Latoya Grate	Highway Safety Program Administrator	SCDPS, Office of Highway Safety and Justice Programs (OHSJP)	Law Enforcement, Communication, Data/Traffic Records, Highway Safety Office				
Richard Podmore	Director of Safety & Information	SC Department of Education	Education				
Brett Harrelson	Traffic Safety Engineer	SC Dept of Transportation (SCDOT), Highway Safety Office	Data/ Traffic Records				
Dan Hinton	Safety & Traffic Operations Engineer	Federal Highway Administration	Advisory				
Brad Hutto	State Senator	SC Senate	Administration, Legislation				
Melissa Reck	Training & Development Coordinator	SC National Safety Council	Safety, Traffic Safety, and Home & Community Safety				
Belinda Jackson	Regional Program Manager	USDOT - NHTSA	Federal Oversight Agency, Advisory				
Dick Jenkins	State Traffic Management Engineer	SCDOT	Data/ Traffic Records				
Mark Keel	Chief	SC Law Enforcement Division	Law Enforcement				
Walker Leverette	Summary Court Representative	SC Court Administration	Criminal Justice, Adjudication				
Joe Lumpkin		Retired					
Janet Marini	Executive Director	Keystone Substance Abuse Services	Treatment/Rehabilitation/Prevention, Data				
Bob McCurdy	Senior Staff Attorney	SC Court Administration	Criminal Justice, Adjudication				
Vacant		SC Sheriff's Association	Law Enforcement				
Michelle Nieuhuis	Manager of Prevention Services	SC DAODAS	Treatment/Rehabilitation/Prevention, Data				
Michael Oliver	Colonel	SCDPS, SC Highway Patrol	Law Enforcement, Communication, Data/Traffic Records				
Annie Phelps	Director of Procedures & Compliance	SC Department of Motor Vehicles	Driver Licensing, Data/Traffic Records, Ignition Interlock Device Program				
Steve Phillips		AAA Carolinas	Administration, Data, Advocacy				
Phil Riley	Director of OHSJP	SCDPS, OHSJP	Law Enforcement, Communication, Data/Traffic Records				
Shirley Rivers	Deputy Director/Procedures & Compliance	Department of Motor Vehicles	Data/ Traffic Records				
David Ross	Director	SC Commission on Prosecution Coord.	Prosecution				
Russell Rush	Division Director	SC Dept. of Corrections	Criminal Justice				
Leroy Smith	Director of SCDPS	SC Dept. of Public Safety	Law Enforcement, Communication, Data/Traffic Records				
Laura Stackey	Executive Director	Behavioral Health Services Assc.	Public Health, Treatment/Rehabilitation				
Leroy Taylor	Colonel	State Transport Police, SCDPS	Law Enforcement, Communication, Data/Traffic Records				
Emily Thomas	SHP Manager	SCDOT Highway Safety Office	Data/Traffic Records				
Christine Tull	Program Coordinator	SCDPS, OHSJP	Law Enforcement, Communication, Data/Traffic Records, Highway Safety Office				
Val Valenta	General Counsel	SC Department of Motor Vehicles	Data/ Traffic Records				
Dan Walker	Research & Evaluation Coordinator	SC DAODAS	Treatment/Rehabilitation/Prevention, Data				
Alan Wilson	Attorney General	Office of the SC Attorney General	Criminal Justice				
Patrick Dennis	Chief Counsel Judiciary Committee	SC House of Representatives	Administration, Legislation				
Douglas Lax	Compliance Associate	SC Trucking Association, Inc.	Administration, Advisory				
Vacant		SC Criminal Justice Academy	Law Enforcement Training				
Dennis Fowler	Cherokee County Coroner	SC Coroner's Association	Public Health, Criminal Justice				

Charter of the  
South Carolina Impaired Driving Prevention Council (SCIDPC)

Founded August 2004  
Amended March 2012

**PREAMBLE**

South Carolina ranks as one of the highest states in the nation in regards to the problem of impaired driving, despite various enforcement, educational, and legislative efforts to improve this situation. The seriousness and depth of the impaired driving problem were confirmed by a multi-disciplinary team of national experts who conducted a National Highway Traffic Safety Administration (NHTSA) sanctioned study of South Carolina's impaired driving situation in September 2002. The Impaired Driving Assessment recommended that a DUI workgroup be formed to "meet regularly to identify problems and discuss programs or methods of sharing resources, changing laws, or improving programs or processes." Attendees at the 2003 Alcohol Symposium also recommended formation of such a workgroup.

**ARTICLE ONE: PURPOSE**

The South Carolina Impaired Driving Prevention Council (SCIDPC) serves as a DUI workgroup. It provides leadership and guidance for citizens seeking to significantly reduce the number of collisions, injuries, and deaths caused by impaired drivers. It provides qualitative input and assistance to the Legislature, state agencies, and other organizations combating impaired driving and its consequences.

**ARTICLE TWO: MEMBERSHIP**

2.1 MEMBERS: The SCIDPC shall be comprised of agencies, offices, and organizations from public and private sectors of state leadership, each of whom possess a demonstrated interest in impaired driving prevention. The following agencies, offices, and organizations are members.

- Office of the Governor
- South Carolina Department of Public Safety
- South Carolina Department of Transportation
- South Carolina Department of Motor Vehicles
- South Carolina Department of Corrections
- South Carolina Department of Alcohol and Other Drug Abuse Services
- Speaker of the House, South Carolina Legislature
- President Pro Tem of the Senate, South Carolina Legislature
- South Carolina Department of Insurance
- South Carolina Commission on Prosecution Coordination
- South Carolina Solicitors Association
- South Carolina Department of Probation, Parole and Pardon Services
- South Carolina Criminal Justice Academy
- South Carolina State Law Enforcement Division
- South Carolina Department of Education

- South Carolina Judicial Department
- South Carolina Attorney General's Office
- South Carolina Sheriffs' Association
- South Carolina Law Enforcement Officers' Association (SCLEOA)
- South Carolina Police Chiefs' Association
- South Carolina Summary Court Judges' Association
- South Carolina Campus Law Enforcement Association
- South Carolina Coroner's Association
- South Carolina Trucking Association
- Behavioral Health Services Association
- South Carolina Victims Assistance Network
- South Carolina Mothers Against Drunk Driving (MADD)
- Families of Highway Fatalities
- State Office of Victim Assistance
- American College of Emergency Physicians
- Primary Care Physician Association
- American Automobile Association (AAA) of the Carolinas
- Safety Council of South Carolina (SC Chapter of the National Safety Council)
- South Carolina Hospitality Association
- Federal Highway Administration
- National Highway Traffic Safety Administration
- Federal Motor Carrier Safety Administration
- The two immediate past SCIDPC chairmen
- The two immediate past SCIDPC vice chairmen

2.2 TERM: Each member will serve a term of two calendar years and may be reappointed.

2.3 VOTING: Each member will have one vote. For a vote to take place, representatives of at least eleven members must be physically present.

2.4 RESIGNATION: Any member shall have the right to resign his or her position on the SCIDPC. Any resignation should be provided to the Chairman with thirty days' notice. The Chairman may request that another designee be appointed to replace a member for poor attendance.

2.5 DESIGNEES: Designees are permitted and shall have full voting power, except that there will be no designees for the two immediate past chairmen and vice chairmen.

### ARTICLE THREE: MEETINGS

3.1 REGULAR MEETINGS: SCIDPC shall meet semi-annually at a time and location specified by the chairman.

3.2 SPECIAL MEETINGS: In addition to semi-annual meetings, special meetings for a stated purpose may be called by the chairman.

- 3.3 NOTICE: Notice of each meeting will be given at least seven calendar days in advance, by mail and/or email.
- 3.4 LOCATION: Meetings shall be held at a location place chosen by the chairman, with due consideration given to the convenience of all members and staff suitable for the occasion.
- 3.5 PROCEDURE: SCIDPC shall follow parliamentary procedure as set forth in Robert's Rules of Order, newly revised, except when they conflict with this charter.
- 3.6 MINUTES: SCIDPC shall take and maintain meeting minutes, including a record of the members present.
- 3.7 PLANNING: The Department of Public Safety's Office of Highway Safety will serve as a resource and provide logistical support for meeting location, preparations, notice, and minutes.
- 3.8 ATTENDANCE: Member organizations are allowed to have multiple representatives attend meetings. On such occasions the member organization must designate one person as the voting member.

#### ARTICLE FOUR: OFFICERS

- 4.1 CHAIRMAN AND VICE CHAIRMAN: There shall be a chairman and vice chairman. The chairman and vice chairman shall serve for a period of two years and may be reelected.
- 4.2 SECRETARY: The duties of the Secretary shall be assumed by the staff of the Department of Public Safety's Office of Highway Safety.
- 4.4 VACANCIES: Should a chairman resign prior to the expiration of his or her term, the vice chairman shall automatically become chairman and shall serve until the predecessor's term would have expired. Should a vice chairman resign prior to the expiration of his or her term, the chairman shall appoint an interim vice chairman to serve until the next regular meeting, at which time the members shall elect a vice chairman to serve until the predecessor's term would have expired.

#### ARTICLE FIVE: COMMITTEES

- 5.1 COMMITTEES: The following committees should be organized, chaired, and populated as necessary to accomplish the goals of the SCIDPC:
- Education/Prevention
  - Enforcement/Prosecution/Adjudication
  - Legislation
  - Treatment/Rehabilitation/Diversion
- 5.2 SPECIAL COMMITTEES: The chairman shall appoint or disband such special committees as necessary for the efficient operation of the SCIDPC.

5.3 EXECUTIVE COMMITTEE: There shall be an Executive Committee, composed of the following persons, to accomplish the goals of the SCIDPC.

- Chairman
- Vice chairman
- Immediate past chairman
- Immediate past vice chairman
- Four committee chairmen or designees

5.4 COMMITTEE VOTING: Member organizations may be represented on multiple committees and may have designees attend committee meetings. Each member organization will have one vote per committee.

#### ARTICLE SIX: AMENDMENTS

6.1 This charter may be altered, amended, or repealed and a new charter may be adopted by a vote of the membership representing a quorum thereof at any regular meeting of the SCIDPC when a proposed amendment has been distributed with notice of such meeting.

6.2 For purposes of this Article, one-third of the membership plus one member constitute a quorum.

## PREVENTION OF UNDERAGE DRINKING AND ACCESS TO ALCOHOL ACT

### BRIEF OVERVIEW

#### Effective 1/1/08:

- Creates a keg registration system
  - Purchaser must complete a form and sign a statement acknowledging they will not give the alcohol to underage youth
  - Merchant must attach a tag to keg with a number matching that on the form and may not refund deposit if tag is not still intact
  - Illegal to possess keg w/o proper tag or to remove or damage tag
- Creates mandatory use of ignition interlocks (essentially a breathalyzer to start the car), at offender's expense, for 2<sup>nd</sup> and subsequent DUI offenders of any age.

#### Effective 7/1/07:

- Makes consumption and attempt to purchase illegal for youth
- Raises fine for underage beer/wine offenses to equal liquor offenses
- Makes youth convicted of alcohol offenses attend a DAODAS-approved alcohol intervention program
- Increases driver's license suspension to 4 months (1<sup>st</sup> offense) and 1 year (2<sup>nd</sup> offense) for underage alcohol offenses
- Increases fine for selling to an underage person. Violators must also attend a DAODAS-approved merchant education program.
- Removes requirement in sale law for law enforcement to charge youth with possession when they participate in compliance checks.
- Raises penalties for transferring any type of alcohol to an underage person

**General Assembly’s findings**

SECTION 1. The General Assembly hereby explicitly recognizes that alcohol is, by law, an age-restricted product that is regulated differently than other products. The General Assembly also recognizes the vital role of existing state regulation of the sale and distribution of alcoholic beverages in promoting responsible consumption, combating illegal underage drinking, and fostering other important state policy goals.

**Citation**

SECTION 2. This act may be cited as the “Prevention of Underage Drinking and Access to Alcohol Act of 2007”.

**Alcoholic beverages, keg registration**

SECTION 3. Chapter 4, Title 61 of the 1976 Code is amended by adding:

“Article 19

**Keg Registration**

Section 61-4-1910. For purposes of this article:

- (1) ‘Keg’ means a container of beer with a capacity of 5.16 gallons or more that is designed to dispense beer directly from the container in an off-premises location.
- (2) ‘Retail licensee’ means the holder of a retail beer or wine license issued by the Department of Revenue.

Section 61-4-1920. (A) A retail licensee shall not sell a keg of beer without:

- (1) recording the date of sale, the keg identification number, the name, address, and birth date of the purchaser, and the driver’s license or identification card number presented by the purchaser;
- (2) requiring the purchaser to sign a statement attesting to the accuracy of the purchaser’s information, acknowledging that, unless otherwise permitted by law, it is unlawful to transfer beer to a person under the age of twenty-one, and that, unless otherwise permitted by law, the beer in the keg will not be consumed by a person under the age of twenty-one; and
- (3) attaching an identification tag to the keg with the name, address, and license number of the retail licensee and the keg identification number. An identification tag must consist of paper, plastic, metal, or durable material that is not easily damaged or destroyed. An identification tag

must be attached to the keg at the time of the sale with a nylon tie or cording, wire tie or other metal attachment device, or other durable means of tying or attaching the tag to the keg.

(B) The Department of Revenue shall prescribe and provide the form to be used that contains the keg identification information and the purchaser's statement. The Department of Revenue also shall prescribe and provide the keg identification tag and the manner in which the tag must be attached to the keg.

(C) The retail licensee shall maintain the keg identification form and the purchaser's statement form for a minimum of ninety days from the date the keg is purchased. These forms must be available during normal business hours for inspection by the Department of Revenue and appropriate law enforcement agencies.

(D) The retail licensee shall record the date of return of a keg on the proper identification form. After the keg is returned, it shall be the responsibility of the retail licensee to remove the tag. The purchaser shall receive a receipt from the retail licensee that the keg was returned with the tag appropriately affixed. If there is no tag affixed to the keg or if the identification number is not legible, the retail licensee shall indicate this fact on the proper keg identification and purchaser statement form.

(E) A retail licensee must accept all returned kegs, and upon the licensee's discretion, may not refund the deposit for a keg that has an altered identification number.

(F) A retail licensee who violates the provisions of this section is subject to suspension or revocation of his beer or wine license or monetary penalties pursuant to Section 61-4-250. A person who violates a provision of this section:

(1) for a first offense, must be fined not less than two hundred dollars nor more than three hundred dollars; and

(2) for a second or subsequent offense, must be fined not less than four hundred dollars nor more than five hundred dollars.

Section 61-4-1930. (A) A person may not knowingly possess a keg that does not have the proper tag with all information accurately recorded, unless the person can demonstrate by a preponderance of the evidence that the keg was not correctly tagged by the seller pursuant to the requirements of Section 61-4-1920.

(B) A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than five hundred dollars or imprisoned for not more than thirty days, or both.

(C) The provisions of this section do not apply to any manufacturer, shipper, wholesaler, or licensee.

Section 61-4-1940. (A) A person may not purposefully remove, alter, obliterate, or allow to be removed, altered, or obliterated, a keg tag or other information recorded on the tag.

(B) A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than five hundred dollars or imprisoned for not more than thirty days, or both.

(C) The provisions of this section do not apply to any manufacturer, shipper, wholesaler, licensee, the Department of Revenue, or other appropriate law enforcement agency.”

**Alcoholic beverages, illegal purchase of alcoholic liquors for a minor**

SECTION 4. Article 13, Chapter 6, Title 61 of the 1976 Code is amended by adding:

“Section 61-6-4075. It is unlawful for a person who purchases alcoholic liquors while on licensed premises to give the alcoholic liquors to a person to whom it cannot lawfully be sold on the premises. A person who violates the provisions of this section, upon conviction:

(1) for a first offense, must be fined not less than two hundred dollars nor more than three hundred dollars or imprisoned not more than thirty days, or both; and

(2) for a second or subsequent offense, must be fined not less than four hundred dollars nor more than five hundred dollars or imprisoned not more than thirty days, or both.”

**Alcoholic beverages, charges against both seller and minor purchaser, exceptions**

SECTION 5. Article 13, Chapter 6, Title 61 of the 1976 Code is amended by adding:

“Section 61-6-4085. (A) If a person is charged with a violation of the unlawful sale of alcoholic liquors to minors pursuant to Section 61-6-4080, the minor also must be charged with a violation of the unlawful purchase or possession of alcoholic liquors pursuant to Section 20-7-8925. In addition, if the minor provided false information as to his age pursuant to Section 20-7-8925(A) or if an adult violated the provisions of Section 61-6-4075 regarding purchasing alcoholic liquors for a person who cannot lawfully buy them, these persons also must be charged with their violations.

(B) A person may not be charged with a violation of Section 61-6-4080 if the provisions of subsection (A) are not met.

(C) Nothing in this section requires that charges made pursuant to this section be prosecuted to conclusion; but rather this determination must be made in the manner provided by law.

(D) Notwithstanding the provisions of subsections (A) and (B), a person under the age of twenty-one may be recruited and authorized by a law enforcement agency to test an establishment’s compliance with laws relating to the unlawful transfer or sale of alcoholic liquors to a minor. The testing must be under the direct supervision of a law enforcement agency, and the agency must have the person’s parental consent. If the requirements of this

subsection are met, a person may be charged with a violation of Section 61-6-4080 without the requirement that the minor also be charged.”

**Children’s Code, minor’s purchase or possession of beer or wine, attempt to purchase or consume, exceptions**

SECTION 6. Section 20-7-8920 of the 1976 Code, as last amended by Act 1 of 1999, is further amended to read:

“Section 20-7-8920. (A) It is unlawful for a person under the age of twenty-one to purchase, attempt to purchase, consume, or knowingly possess beer, ale, porter, wine, or other similar malt or fermented beverage. Possession is prima facie evidence that it was knowingly possessed. Notwithstanding another provision of law, if the law enforcement officer has probable cause to believe that a person is under age twenty-one and has consumed alcohol, the law enforcement officer or the person may request that the person submit to any available alcohol screening test using a device approved by the State Law Enforcement Division. A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not less than one hundred dollars nor more than two hundred dollars or must be imprisoned for not more than thirty days, or both.

(B) A person who violates the provisions of this section also is required to successfully complete a DAODAS approved alcohol prevention education or intervention program. The program must be a minimum of eight hours and the cost to the person may not exceed one hundred fifty dollars.

(C) A person eighteen years of age and over lawfully employed to serve or remove beer, wine, or alcoholic beverages in establishments licensed to sell these beverages is not considered to be in unlawful possession of the beverages during the course and scope of his duties as an employee. The provisions of this subsection do not affect the requirement that a bartender must be at least twenty-one years of age.

(D) This section does not apply to an employee lawfully engaged in the sale or delivery of these beverages in an unopened container.

(E) The provisions of this section do not apply to a student who:

- (1) is eighteen years of age or older;
- (2) is enrolled in an accredited college or university and a student in a culinary course that has been approved through review by the State Commission on Higher Education;
- (3) is required to taste, but not consume or imbibe, any beer, ale, porter, wine, or other similar malt or fermented beverage as part of the required curriculum; and
- (4) tastes a beverage pursuant to item (3) only for instructional purposes during classes that are part of the curriculum of the accredited college or university.

The beverage must remain at all times in the possession and control of an authorized instructor of the college or university who must be twenty-one years of age or older. Nothing in this subsection may be construed to allow a student under the age of twenty-one to receive any beer, ale, porter, wine, or other similar malt or fermented beverage unless the beverage is delivered as part of the student's required curriculum and the beverage is used only for instructional purposes during classes conducted pursuant to the curriculum.

(F) The provisions of this section do not apply to a person under the age of twenty-one who is recruited and authorized by a law enforcement agency to test an establishment's compliance with laws relating to the unlawful transfer or sale of beer or wine to a minor. The testing must be under the direct supervision of a law enforcement agency, and the agency must have the person's parental consent."

### **Children's Code, minor's purchase or possession of alcoholic liquors, attempt to purchase or consume, exceptions**

SECTION 7. Section 20-7-8925 of the 1976 Code, as last amended by Act 1 of 1999, is further amended to read:

"Section 20-7-8925. (A) It is unlawful for a person under the age of twenty-one to purchase, attempt to purchase, consume, or knowingly possess alcoholic liquors. Possession is prima facie evidence that it was knowingly possessed. It is also unlawful for a person to falsely represent his age for the purpose of procuring alcoholic liquors. Notwithstanding another provision of law, if the law enforcement officer has probable cause to believe that a person is under age twenty-one and has consumed alcohol, the law enforcement officer or the person may request that the person submit to any available alcohol screening test using a device approved by the State Law Enforcement Division.

(B) A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not less than one hundred dollars nor more than two hundred dollars or must be imprisoned for not more than thirty days, or both.

(C) A person who violates the provisions of this section also is required to successfully complete a DAODAS approved alcohol prevention education or intervention program. The program must be a minimum of eight hours and the cost to the person may not exceed one hundred fifty dollars.

(D) The provisions of this section do not apply to a student who:

- (1) is eighteen years of age or older;
- (2) is enrolled in an accredited college or university and a student in a culinary course that has been approved through review by the State Commission on Higher Education;
- (3) is required to taste, but not consume or imbibe, any alcoholic liquor as part of the required curriculum; and

(4) tastes the liquor pursuant to item (3) only for instructional purposes during classes that are part of the curriculum of the accredited college or university.

The alcoholic liquor must remain at all times in the possession and control of an authorized instructor of the college or university who must be twenty-one years of age or older. Nothing in this subsection may be construed to allow a student under the age of twenty-one to receive alcoholic liquor unless it is delivered as part of the student's required curriculum, and it is used only for instructional purposes during classes conducted pursuant to the curriculum.

(E) The provisions of this section do not apply to a person under the age of twenty-one who is recruited and authorized by a law enforcement agency to test an establishment's compliance with the laws relating to the unlawful transfer or sale of alcoholic liquors to a minor. The testing must be under the direct supervision of a law enforcement agency, and the agency must have the person's parental consent."

### **Driver's license suspension, offenses related to minor's possession and sale of alcoholic beverages**

SECTION 8. Section 56-1-746 of the 1976 Code is amended to read:

"Section 56-1-746. (A) The Department of Motor Vehicles shall suspend the driver's license of a person convicted of an offense contained in Sections 56-1-510(2), 56-1-510(5), 56-1-515, 61-4-60, 20-7-8920, and 20-7-8925 as follows:

(1) for a conviction for a first offense, for a period of one hundred twenty days; and

(2) for a conviction for a second or subsequent offense, for a period of one year.

(B) For the purposes of determining a prior offense, a conviction for an offense enumerated in subsection (A) within ten years of the date of the violation is considered a prior offense.

(C) Notwithstanding the provisions of Section 56-1-460, a person convicted pursuant to the provisions of this section must be punished pursuant to Section 56-1-440 and is not required to furnish proof of financial responsibility as provided for in Section 56-9-500. The conviction may not result in an insurance penalty pursuant to the Merit Rating Plan promulgated by the Department of Insurance.

(D)(1) If an individual is employed or enrolled in a college or university, or a court-ordered drug program, while his driver's license is suspended pursuant to this section, he may apply for a special restricted driver's license permitting him to drive only to and from work, his place of education, or the court-ordered drug program, and in the course of his employment, education, or a court-ordered drug program during the period of suspension. The department may issue the special restricted driver's license only upon a showing by the individual that he is employed or enrolled in a college, university, or court-ordered drug program, that he lives further than one mile from his place of employment, education, or court-ordered drug program, and that there is

no adequate public transportation between his residence and his place of employment, his place of education, or court-ordered drug program.

(2) If the department issues a special restricted driver's license, it shall designate reasonable restrictions on the times during which and routes on which the individual may operate a motor vehicle. A change in the employment hours, place of employment, status as a student, status of attendance in his court-ordered drug program, or residence must be reported immediately to the department by the licensee.

(3) The fee for a special restricted driver's license is one hundred dollars, but no additional fee is due because of changes in the place and hours of employment, education, or residence. Twenty dollars of this fee must be deposited in the state general fund and eighty dollars must be placed by the Comptroller General into a special restricted account to be used by the Department of Motor Vehicles to defray the expenses of the Department of Motor Vehicles.

(4) The operation of a motor vehicle outside the time limits and route imposed by a special restricted license by the person issued that license is a violation of Section 56-1-460."

### **Alcoholic beverages, sales to minors, penalties**

SECTION 9. Section 61-4-50 of the 1976 Code, as added by Act 415 of 1996, is amended to read:

"Section 61-4-50. (A) It is unlawful for a person to sell beer, ale, porter, wine, or other similar malt or fermented beverage to a person under twenty-one years of age. A person who makes a sale in violation of this section, upon conviction:

(1) for a first offense, must be fined not less than two hundred dollars nor more than three hundred dollars or imprisoned not more than thirty days, or both; and

(2) for a second or subsequent offense, must be fined not less than four hundred dollars nor more than five hundred dollars or imprisoned not more than thirty days, or both.

(B) Failure of a person to require identification to verify a person's age is prima facie evidence of the violation of this section.

(C) A person who violates the provisions of this section also is required to successfully complete a DAODAS approved merchant alcohol enforcement education program. The program must be a minimum of two hours and the cost to the person may not exceed fifty dollars."

### **Alcoholic beverages, false information as to age, penalties**

SECTION 10. Section 61-4-60 of the 1976 Code, as added by Act 415 of 1996, is amended to read:

“Section 61-4-60. It is unlawful for a person to whom beer or wine cannot be lawfully sold to knowingly give false information concerning his age for the purpose of purchasing beer or wine. A person who violates the provisions of this section, upon conviction, must be fined not less than one hundred dollars nor more than two hundred dollars or be imprisoned for not more than thirty days, or both.”

#### **Alcoholic beverages, purchase for minor’s consumption, penalties**

SECTION 11. Section 61-4-80 of the 1976 Code, as added by Act 415 of 1996, is amended to read:

“Section 61-4-80. It is unlawful for a person who purchases beer or wine while on licensed premises to give the beer or wine to a person to whom beer or wine cannot lawfully be sold on the premises. A person who violates this section, upon conviction:

- (1) for a first offense, must be fined not less than two hundred dollars nor more than three hundred dollars or imprisoned not more than thirty days, or both; and
- (2) for a second or subsequent offense, must be fined not less than four hundred dollars nor more than five hundred dollars or imprisoned not more than thirty days, or both.”

#### **Alcoholic beverages, transfer of beer or wine to a minor, penalties, exceptions**

SECTION 12. Section 61-4-90 of the 1976 Code, as last amended by Act 1 of 1999, is further amended to read:

“Section 61-4-90. (A) It is unlawful for a person to transfer or give to a person under the age of twenty-one years for the purpose of consumption of beer or wine in the State, unless the person under the age of twenty-one is recruited and authorized by a law enforcement agency to test a person’s compliance with laws relating to the unlawful transfer or sale of beer and wine to a minor. A person who violates this section is guilty of a misdemeanor and, upon conviction:

- (1) for a first offense, must be fined not less than two hundred dollars nor more than three hundred dollars or imprisoned not more than thirty days, or both; and
- (2) for a second or subsequent offense, must be fined not less than four hundred dollars nor more than five hundred dollars or imprisoned not more than thirty days, or both.

(B) A person found guilty of a violation of Section 61-6-4070 and this section may not be sentenced under both sections for the same offense.

(C) The provisions of this section do not apply to a:

- (1) spouse over the age of twenty-one giving beer or wine to his spouse under the age of twenty-one in their home;

(2) parent or guardian over the age of twenty-one giving beer or wine to his children or wards under the age of twenty-one in their home; or

(3) person giving beer or wine to another person under the age of twenty-one in conjunction with a religious ceremony or purpose if the beer or wine was lawfully purchased.

(D) A person eighteen years of age and over lawfully employed to serve or remove beer, wine, or alcoholic beverages in establishments licensed to sell these beverages are not considered to be in unlawful possession of the beverages during the course and scope of their duties as an employee. The provisions of this subsection do not affect the requirement that a bartender must be at least twenty-one years of age.

(E) This section does not apply to an employee lawfully engaged in the sale or delivery of these beverages in an unopened container.

(F) The provisions of this section do not apply to a student who:

(1) is eighteen years of age or older;

(2) is enrolled in an accredited college or university and a student in a culinary course that has been approved through review by the State Commission on Higher Education;

(3) is required to taste, but not consume or imbibe, any beer, ale, porter, wine, or other similar malt or fermented beverage as part of the required curriculum; and

(4) tastes a beverage pursuant to item (3) only for instructional purposes during classes that are part of the curriculum of the accredited college or university.

The beverage must remain at all times in the possession and control of an authorized instructor of the college or university who must be twenty-one years of age or older. Nothing in this subsection may be construed to allow a student under the age of twenty-one to receive any beer, ale, porter, wine, or other similar malt or fermented beverage unless the beverage is delivered as part of the student's required curriculum and the beverage is used only for instructional purposes during classes conducted pursuant to the curriculum."

### **Alcoholic beverages, charges against both seller and minor purchaser, exceptions**

SECTION 13. Section 61-4-100 of the 1976 Code, as added by Act 415 of 1996, is amended to read:

"Section 61-4-100. (A) If a person is charged with a violation of the unlawful sale of beer or wine to minors pursuant to Section 61-4-50, the minor also must be charged with a violation of the unlawful purchase or possession of beer or wine pursuant to Section 20-7-8920. In addition, if the minor violated false information as to age pursuant to Section 61-4-60 or if an adult violated the unlawful purchase of beer or wine for a person who cannot lawfully buy pursuant to Section 61-4-80, these persons also must be charged with their violations.

(B) A person may not be charged with a violation of Section 61-4-50 if the provisions of subsection (A) are not met.

(C) Nothing in this section requires that charges made pursuant to this section be prosecuted to conclusion; but rather this determination must be made in the manner provided by law.

(D) Notwithstanding the provisions of subsections (A) and (B), a person under the age of twenty-one may be recruited and authorized by a law enforcement agency to test an establishment's compliance with laws relating to the unlawful transfer or sale of beer or wine to a minor. The testing must be under the direct supervision of a law enforcement agency, and the agency must have the person's parental consent. If the requirements of this subsection are met, a person may be charged with a violation of Section 61-4-50 without the requirement that the minor also be charged."

### **Alcoholic beverages, transfer of alcoholic liquors to a minor, penalties, exceptions**

SECTION 14. Section 61-6-4070 of the 1976 Code, as last amended by Act 1 of 1999, is further amended to read:

"Section 61-6-4070. (A) It is unlawful for a person to transfer or give to a person under the age of twenty-one years for the purpose of consumption of alcoholic liquors in the State unless the person under the age of twenty-one is recruited and authorized by a law enforcement agency to test a person's compliance with laws relating to the unlawful transfer or sale of alcoholic liquors to a minor. A person who violates this section is guilty of a misdemeanor and, upon conviction:

(1) for a first offense, must be fined not less than two hundred dollars nor more than three hundred dollars or imprisoned not more than thirty days, or both; and

(2) for a second or subsequent offense, must be fined not less than four hundred dollars nor more than five hundred dollars or imprisoned not more than thirty days, or both.

(B) A person found guilty of a violation of Section 61-4-90 and this section may not be sentenced under both sections for the same offense.

(C) The provisions of this section do not apply to a:

(1) spouse over the age of twenty-one giving alcoholic liquors to his spouse under the age of twenty-one in their home;

(2) parent or guardian over the age of twenty-one giving alcoholic liquors to his children or wards under the age of twenty-one in their home; or

(3) person giving alcoholic liquors to another person under the age of twenty-one in conjunction with a religious ceremony or purpose if the alcoholic liquors were lawfully purchased.

(D) A person eighteen years of age and over lawfully employed to serve or remove beer, wine, or alcoholic beverages in establishments licensed to sell these beverages are not considered to be in unlawful possession of the beverages during the course and scope of their duties as an

employee. The provisions of this subsection do not affect the requirement that a bartender must be at least twenty-one years of age.

(E) This section does not apply to an employee lawfully engaged in the sale or delivery of these beverages in an unopened container.

(F) The provisions of this section do not apply to a student who:

(1) is eighteen years of age or older;

(2) is enrolled in an accredited college or university and a student in a culinary course that has been approved through review by the State Commission on Higher Education;

(3) is required to taste, but not consume or imbibe, any beer, ale, porter, wine, or other similar malt or fermented beverage as part of the required curriculum; and

(4) tastes a beverage pursuant to item (3) only for instructional purposes during classes that are part of the curriculum of the accredited college or university.

The beverage must remain at all times in the possession and control of an authorized instructor of the college or university who must be twenty-one years of age or older. Nothing in this subsection may be construed to allow a student under the age of twenty-one to receive any beer, ale, porter, wine, or other similar malt or fermented beverage unless the beverage is delivered as part of the student's required curriculum and the beverage is used only for instructional purposes during classes conducted pursuant to the curriculum."

#### **Alcoholic beverages, sale of alcoholic liquors to a minor, penalties**

SECTION 15. Section 61-6-4080 of the 1976 Code, as added by Act 415 of 1996, is amended to read:

"Section 61-6-4080. (A) A person engaged in the sale of alcoholic liquors who knowingly sells the alcoholic liquors to a person under the age of twenty-one is guilty of a misdemeanor and, upon conviction:

(1) for a first offense, must be fined not less than two hundred dollars nor more than three hundred dollars or imprisoned not more than thirty days, or both; and

(2) for a second or subsequent offense, must be fined not less than four hundred dollars nor more than five hundred dollars or imprisoned not more than thirty days, or both.

(B) Failure of a person to require identification to verify a person's age is prima facie evidence of a violation of this section.

(C) A person who violates the provisions of this section also is required to successfully complete a DAODAS approved merchant alcohol enforcement education program. The program must be a minimum of two hours and the cost to the person may not exceed fifty dollars."

### **Alcoholic beverages, use or possession by minor in parents' home**

SECTION 16. Section 20-7-320 of the 1976 Code is amended to read:

“Section 20-7-320. No provision of law prohibiting the use or possession of beer, wine, or alcoholic beverages by persons under twenty-one years of age shall apply to any person under twenty-one years of age in the home of his parents or guardian or to any such beverage used for religious ceremonies or purposes so long as such beverage was legally purchased.”

### **Palmetto Fellows Scholarship Program, eligibility**

SECTION 17. Section 59-104-20(B) of the 1976 Code is amended to read:

“(B) Students, either new or continuing, must not have been adjudicated delinquent or been convicted or pled guilty or nolo contendere to any felonies or any second or subsequent alcohol or drug-related offenses under the laws of this or any other state or under the laws of the United States in order to be eligible for a Palmetto Fellows Scholarship, except that a high school or college student otherwise qualified who has been adjudicated delinquent or has been convicted or pled guilty or nolo contendere to a second or subsequent alcohol or drug-related misdemeanor offense nevertheless shall be eligible or continue to be eligible for such scholarships after the expiration of one academic year from the date of the adjudication, conviction, or plea.”

### **Tuition grants, eligibility**

SECTION 18. Section 59-113-20(f) of the 1976 Code is amended to read:

“(f) has not been adjudicated delinquent or been convicted or pled guilty or nolo contendere to any felonies or any second or subsequent alcohol or drug-related offenses under the laws of this or any other state or under the laws of the United States in order to be eligible for a South Carolina tuition grant, except that a high school or college student otherwise qualified who has been adjudicated delinquent or has been convicted or pled guilty or nolo contendere to a second or subsequent alcohol or drug-related misdemeanor offense nevertheless shall be eligible or continue to be eligible for such grants after the expiration of one academic year from the date of the adjudication, conviction, or plea.”

### **Tuition grants, eligibility**

SECTION 19. Section 59-142-10(A)(4) of the 1976 Code is amended to read:

“(4) has not been adjudicated delinquent or been convicted or pled guilty or nolo contendere to any felonies or any second or subsequent alcohol or drug-related offenses under the laws of this or any other state or under the laws of the United States in order to be eligible for a South Carolina need-based grant, except that a high school or college student otherwise qualified who has been adjudicated delinquent or has been convicted or pled guilty or nolo contendere to a second or subsequent alcohol or drug-related misdemeanor offense nevertheless shall be eligible or continue to be eligible for such grants after the expiration of one academic year from the date of the adjudication, conviction, or plea; and”

### **Needs-based grants, eligibility**

SECTION 20. Section 59-142-10(B) of the 1976 Code is amended to read:

“(B)To maintain continued eligibility for the state need-based grants, once enrolled a student shall:

(1) complete a minimum of twenty-four semester hours an academic year if a full-time student and twelve semester hours an academic year if a part-time student and make satisfactory academic progress toward a degree as determined by the institution; and

(2) have not been adjudicated delinquent or been convicted or pled guilty or nolo contendere to any felonies or any second or subsequent alcohol or drug-related offenses under the laws of this or any other state or under the laws of the United States in order to be eligible for a South Carolina need-based grant, except that a high school or college student otherwise qualified who has been adjudicated delinquent or has been convicted or pled guilty or nolo contendere to a second or subsequent alcohol or drug-related misdemeanor offense nevertheless shall be eligible or continue to be eligible for such grants after the expiration of one academic year from the date of the adjudication, conviction, or plea; and be eligible for the need-based grants for a maximum of four academic years of two semesters.”

### **LIFE Scholarships, eligibility**

SECTION 21. Section 59-149-90(A) of the 1976 Code is amended to read:

“(A) Students must not have been adjudicated delinquent or been convicted or pled guilty or nolo contendere to any felonies or any second or subsequent alcohol or drug-related offenses under the laws of this or any other state or under the laws of the United States in order to be eligible for a LIFE Scholarship, except that a high school or college student otherwise qualified who has been adjudicated delinquent or has been convicted or pled guilty or nolo contendere to a second or subsequent alcohol or drug-related misdemeanor offense nevertheless shall be eligible

or continue to be eligible for such scholarships after the expiration of one academic year from the date of the adjudication, conviction, or plea.”

**Alcoholic beverages, beer and wine permits, revocation investigation, department determination requirement**

SECTION 22. Section 61-4-590 of the 1976 Code, as added by Act 415 of 1996, is amended to read:

“Section 61-4-590. (A) The department has jurisdiction to revoke or suspend permits authorizing the sale of beer or wine. The department may, on its own initiative or on complaint signed and sworn to by two or more freeholders resident for the preceding six months in the community in which the licensed premises are located or by a local peace officer, all of whom are charged with the duty of reporting immediately to the department a violation of the provisions of Section 61-4-580, revoke or suspend the permit pursuant to the South Carolina Revenue Procedures Act. The decision of the Administrative Law Court is not automatically superseded or stayed by the filing of a petition for judicial review.

(B) In addition to the notice requirements contained in the Administrative Procedures Act, the department may not suspend or revoke a licensee’s permit authorizing the sale of beer or wine until the division has conducted and completed an investigation, and the department has made a departmental determination, as defined in Section 12-60-30, that the licensee’s permit should be revoked or suspended.”

**Motor vehicles, driver’s licenses, ignition interlock devices**

SECTION 23. A. Section 56-5-2941 of the 1976 Code is amended to read:

“Section 56-5-2941. (A)(1) Except as otherwise provided in this section, in addition to the penalties required and authorized to be imposed against a person violating the provisions of Section 56-5-2930, 56-5-2933, or 56-5-2945, the court must require the person, if he is a subsequent offender and a resident of this State, to have installed on any vehicle the person operates an ignition interlock device designed to prevent the operation of the motor vehicle if the operator has consumed alcoholic beverages. The court may waive the requirements of this section if it finds that the offender has a medical condition that makes him incapable of properly operating the installed device.

(2) The court, in imposing the requirements of this section, shall:

(a) specify that the length of time that an interlock device is required to be affixed to a vehicle following the completion of a period of license suspension imposed on the offender is two years for a second offense, three years for a third offense, and the remainder of the

offender's life for a fourth or subsequent offense. Notwithstanding the pleadings, for purposes of a second or a subsequent offense, the specified length of time that an interlock device is required to be affixed to a vehicle is based on the Department of Motor Vehicle's records for offenses pursuant to Section 56-5-2930, 56-5-2933, or 56-5-2945;

(b) provide for an Interlock Device Point System managed by the Department of Probation, Parole and Pardon Services. An offender receiving a total of two points will have their length of time that the interlock device is required extended by two months. An offender receiving a total of three points will have their length of time that the interlock device is required extended by four months and must submit to a substance abuse assessment pursuant to Section 56-5-2990 and successfully complete the plan of education and treatment, or both, as recommended by the certified substance abuse program. Should the individual not complete the recommended plan, or not make progress toward completing the plan, the Department of Motor Vehicles must suspend the individual's driver's license until the plan is completed or progress is being made toward completing the plan. An offender receiving a total of four points shall have their license suspended for a period of one year and submit to a substance abuse assessment pursuant to Section 56-5-2990 and successfully complete the plan of education and treatment, or both, as recommended by the certified substance abuse program. Completion of the plan is mandatory as a condition of reinstatement of the person's driving privileges. The Department of Alcohol and Other Drug Abuse is responsible for notifying the Department of Probation, Parole and Pardon Services of an individual's completion and compliance with education and treatment programs. The Department of Probation, Parole and Pardon Services is responsible for notifying the Department of Motor Vehicles of any suspensions or reinstatements due to an individual's compliance with substance abuse education and treatment programs;

(c) provide that the cost of the interlock device must be borne by the offender; however, that if the offender is determined to be indigent by the court and cannot afford the cost of the ignition interlock device, the court may order an interlock device to be affixed to the vehicle and paid for by the Interlock Device Fund managed by the Department of Probation, Parole and Pardon Services;

(d) require the ignition interlock service provider to collect and remit monthly to the Interlock Device Fund a fee as determined by the Department of Probation, Parole and Pardon Services not to exceed three hundred sixty dollars per year for each year the person is required to operate a vehicle with an ignition interlock device. Any ignition service provider failing to properly remit funds to the Interlock Device Fund may be decertified as an ignition interlock service provider by the Department of Probation, Parole and Pardon Services. If a service provider is decertified for failing to remit funds to the Interlock Device Fund, the cost for removal and replacement of an ignition interlock device must be borne by the service provider; and

(e) require the offender to have the interlock device inspected every sixty days to verify that the device is affixed to the vehicle and properly operating. Only a service provider

authorized by the Department of Probation, Parole and Pardon Services to perform inspections on interlock devices may conduct inspections. The service provider must immediately report any devices that fail inspection to the Department of Probation, Parole and Pardon Services. The report must contain the name of the offender, identify the vehicle upon which the failed device is installed, and the reason for the failed inspection. Failure of the offender to have the interlock device inspected every sixty days will result in one interlock device point. Upon review of the interlock device inspection report, if the report reflects that the offender attempted to start the vehicle with an alcohol concentration of two one-hundredths of one percent or more, the offender is assessed one-half interlock device point. Upon review of the interlock device inspection report, if the report reflects that the offender violated a running re-test by having an alcohol concentration between two one-hundredths of one percent and less than four one-hundredths of one percent, the offender is assessed one-half interlock device point. Upon review of the interlock device inspection report, if the report reflects that the offender violated a running re-test by having an alcohol concentration between four one-hundredths of one percent and less than fifteen one-hundredths of one percent, the offender is assessed one interlock device point. Upon review of the interlock device inspection report, if the report reflects that the offender violated a running re-test by having an alcohol concentration above fifteen one-hundredths of one percent, the offender is assessed two interlock device points. An individual may appeal any interlock device points received to the Department of Probation, Parole and Pardon Services Hearing Officers through a process established by the Department of Probation, Parole and Pardon Services.

(B) An order of the court imposing the requirements of this section must be transmitted to the Department of Motor Vehicles in the manner provided in Section 56-5-2970.

(C) Ten years from the date of the person's last conviction and every five years thereafter a fourth or subsequent offender may apply to the Department of Probation, Parole and Pardon Services for removal of the ignition interlock device and the removal of the restriction from his driver's license. The Department of Probation, Parole and Pardon Services may, for good cause shown, remove the device and remove the restriction from the offender's license.

(D) Except as otherwise provided in this section, it is unlawful for a person issued a driver's license with an ignition interlock restriction to operate a vehicle that is not equipped with a properly operating, certified ignition interlock device. A person who violates this section must be punished in the manner provided in Section 56-5-2940.

(E) An offender that is required in the course and scope of his employment to operate a motor vehicle owned by the offender's employer may operate his employer's motor vehicle without installation of an ignition interlock device, provided that the offender's use of the employer's vehicle is solely for the employer's business purposes.

(F) It is unlawful for a person to tamper with or disable, or attempt to tamper with or disable, an ignition interlock system installed on a vehicle pursuant to this section. A person who

violates this subsection is guilty of a misdemeanor and, upon conviction, must be fined not more than five hundred dollars or imprisoned not more than thirty days, or both.

(G) It is unlawful for a person to knowingly rent, lease, or otherwise provide an offender with a vehicle without a properly operating, certified ignition interlock device. A person who violates this subsection is guilty of a misdemeanor and, upon conviction, must be fined not more than five hundred dollars or imprisoned not more than thirty days, or both.

(H) It is unlawful for an offender to solicit or request another person, or for a person to solicit or request another person on behalf of an offender, to engage an ignition interlock system to start a motor vehicle with a device installed pursuant to this section. A person who violates this subsection is guilty of a misdemeanor and, upon conviction, must be fined not more than five hundred dollars or imprisoned not more than thirty days, or both.

(I) It is unlawful for another person to engage an ignition interlock device to start a motor vehicle with a device installed pursuant to this section. A person who violates this subsection is guilty of a misdemeanor and, upon conviction, must be fined not more than five hundred dollars or imprisoned not more than thirty days, or both.

(J) Only ignition interlock devices certified by the Department of Probation, Parole and Pardon Services may be used to fulfill the requirements of this section.

(1) The Department of Probation, Parole and Pardon Services must certify whether a device meets the accuracy requirements and specifications provided in guidelines or regulations adopted by the National Highway Traffic Safety Administration, as amended from time to time. All devices certified to be used in South Carolina must be set to prohibit the starting of a vehicle when an alcohol concentration of two one-hundredths of one percent or more is measured and all running re-tests must record violations of an alcohol concentration of two one-hundredths of one percent or more.

(2) The Department of Probation, Parole and Pardon Services shall maintain a current list of certified devices and their manufacturer. The list must be updated at least quarterly. If a particular certified device fails to continue to meet federal requirements, the device must be decertified, may not be used until it is compliant with federal requirements, and must be replaced with a device that meets federal requirements. The cost for removal and replacement must be borne by the manufacturer of the noncertified device.

(3) Only ignition interlock installers certified by the Department of Probation, Parole and Pardon Services may install and service ignition interlock devices required pursuant to this section. The Department of Probation, Parole and Pardon Services shall maintain a current list of vendors that are certified to install the devices.

(K) In addition to availability under the Freedom of Information Act, any Department of Probation, Parole and Pardon Services policy concerning ignition interlock devices must be made publicly accessible on the Department of Probation, Parole and Pardon Service's internet web site.

(L) The Department of Probation, Parole and Pardon Services shall develop policies including, but not limited to, the certification, use, maintenance, and operation of ignition interlock devices and Interlock Device Fund.”

B. Section 56-1-400 of the 1976 Code is amended to read:

“Section 56-1-400. The Department of Motor Vehicles, upon suspending or revoking a license, shall require that such license shall be surrendered to the Department of Motor Vehicles. At the end of the period of suspension, other than suspension for reckless driving, driving under the influence of intoxicants, or pursuant to the point system such license so surrendered shall be returned to the licensee, or in the discretion of the Department of Motor Vehicles, a new license issued to him. The Department of Motor Vehicles shall not return nor restore a license which has been suspended for reckless driving, driving under the influence of intoxicants, or for violations under the point system until the person has filed an application for a new license, submitted to an examination as upon an original application, and has satisfied the Department of Motor Vehicles, after an investigation of the character, habits, and driving ability of the person, that it would be safe to grant him the privilege of driving a motor vehicle on the public highways. Provided, the Department of Motor Vehicles, in its discretion, where the suspension is for violation under the point system may waive such examination, application, and investigation. A record of suspension shall be endorsed on the license returned to the licensee, or the new license issued to the licensee, showing grounds of such suspension. In the case of a license suspended for driving under the influence of intoxicants, the restriction on the license returned to the licensee, or the new license issued to the licensee, must conspicuously identify the licensee as a person who may only operate a motor vehicle with an ignition interlock device installed and the restriction must be maintained on the license for the duration of the period for which the ignition interlock device must be maintained pursuant to Section 56-5-2941. No license containing an ignition interlock device restriction shall be issued by the Department of Motor Vehicles without written notification from the authorized ignition interlock service provider that the device has been installed and confirmed to be in working order. If a person chooses to not have an interlock device installed, the license will remain suspended for three years from the date the suspension for driving under the influence of intoxicants ends. If during this three-year period the person decides to have the ignition interlock device installed, the device must be installed for the full suspension period or until the end of the three-year period, whichever comes first. After five years from the date of conviction or suspension, the driver may apply for a new identical license, and the Department of Motor Vehicles shall issue such identical license without any notation of suspension endorsed thereon. But this provision shall not affect nor bar the reckoning of prior offenses for reckless driving and driving under the influence of intoxicating liquor or narcotic drugs, as provided in Article 23 of Chapter 5 of this title.

Any person whose license has been suspended or revoked for an offense within the jurisdiction of the court of general sessions shall provide the Department of Motor Vehicles with proof that the fine owed by the person has been paid before the Department of Motor Vehicles may return or issue the person a license. Proof that the fine has been paid may be a receipt from the clerk of court of the county in which the conviction occurred stating that the fine has been paid in full.”

C. Section 56-5-2949 of the 1976 Code is amended to read:

“Section 56-5-2949. In addition to availability under the Freedom of Information Act, any South Carolina Law Enforcement Division policy, procedure, or regulation concerning breath alcohol testing or breath site videotaping which is in effect on or after July 1, 2000, shall be made publicly accessible on the SLED internet web site. A policy, procedure, or regulation may be removed from the SLED web site only after five years from the effective date of the subsequent revision.”

D. This section takes effect on January 1, 2008, or six months after approval by the Governor, whichever date comes later.

### **Savings clause**

SECTION 24. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

### **Severability clause**

SECTION 25. If any section, subsection, item, subitem, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, item, subitem, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, items, subitems,

paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

**Time effective**

SECTION 26. Unless otherwise provided, the provisions of this act takes effect on July 1, 2007, except that the provisions of Article 19, Chapter 4, Title 61 shall become effective ninety days after the approval of the Governor, or on January 1, 2008, whichever is later.

Ratified the 12<sup>th</sup> day of June, 2007.

Approved the 15<sup>th</sup> day of June, 2007.

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The department shall revoke the driver's license of any person upon receiving notice of the conviction of such person for:

- (1) Manslaughter resulting from the operation of a motor vehicle; or
- (2) Any felony under the laws of this State in the commission of which a motor vehicle is used.

HISTORY: 1962 Code Section 46-175; 1952 Code Section 46-173; 1942 Code Section 5996; 1932 Code Section 5996; 1930 (36) 1057; 1959 (51) 421; 1993 Act No. 181, Section 11996 Act No. 459, Section 76.

**SECTION 56-1-285.** Revocation or refusal to renew license for nonpayment of fees.

The Department of Motor Vehicles may revoke or refuse to renew the driving privilege of a person for failure to remit a tax or fee administered by the department. Upon payment of all taxes and fees administered by the department, and the payment of any applicable fee, the department may reinstate a person's driving privilege.

HISTORY: 1996 Act No. 459, Section 77.

**SECTION 56-1-286.** Suspension of license or permit or denial of issuance of license or permit to persons under the age of twenty-one who drive motor vehicles with certain amount of alcohol concentration.

(A) The Department of Motor Vehicles shall suspend the driver's license, permit, or nonresident operating privilege of, or deny the issuance of a license or permit to a person under the age of twenty-one who drives a motor vehicle and has an alcohol concentration of two one-hundredths of one percent or more. In cases in which a law enforcement officer initiates suspension proceedings for a violation of this section, the officer has elected to pursue a violation of this section and is subsequently prohibited from prosecuting the person for a violation of Section 63-19-2440, 63-19-2450, 56-5-2930, or 56-5-2933, arising from the same incident.

(B) A person under the age of twenty-one who drives a motor vehicle in this State is considered to have given consent to chemical tests of the person's breath or blood for the purpose of determining the presence of alcohol.

(C) A law enforcement officer who has arrested a person under the age of twenty-one for a violation of Chapter 5 of this title (Uniform Act Regulating Traffic on Highways), or any other traffic offense established by a political subdivision of this State, and has reasonable suspicion that the person under the age of twenty-one has consumed alcoholic beverages and driven a motor vehicle may order the testing of the person arrested to determine the person's alcohol concentration.

A law enforcement officer may detain and order the testing of a person to determine the person's alcohol concentration if the officer has reasonable suspicion that a motor vehicle is being driven by a person under the age of twenty-one who has consumed alcoholic beverages.

(D) A test must be administered at the direction of the primary investigating law enforcement officer. At the officer's direction, the person first must be offered a breath test to determine the person's alcohol concentration. If the person physically is unable to provide an acceptable breath sample because the person has an injured mouth or is unconscious or dead, or for any other reason considered acceptable by licensed medical personnel, a blood sample may be taken. The breath test must be administered by a person trained and certified by the South Carolina Criminal Justice Academy, pursuant to the State Law Enforcement Division's policies. The primary investigating officer may administer the test. Blood samples must be obtained by physicians licensed by the State Board of Medical Examiners, registered nurses licensed by the State Board of Nursing, or other medical personnel trained to obtain these samples in a licensed medical facility. Blood samples must be obtained and handled in accordance with procedures approved by the division. The division shall administer the provisions of this subsection and shall promulgate regulations necessary to carry out the subsection's provisions. The costs of the tests administered at the officer's direction must be paid from the state's general fund. However, if the person is subsequently convicted of violating Section 56-5-2930, 56-5-2933, or 56-5-2945, then, upon conviction, the person shall pay twenty-five dollars for the costs of the tests. The twenty-five dollars must

be placed by the Comptroller General into a special restricted account to be used by the State Law Enforcement Division to offset the costs of administration of the breath testing devices, breath testing site video program, and toxicology laboratory.

The person tested or giving samples for testing may have a qualified person of the person's choice conduct additional tests at the person's expense and must be notified in writing of that right. A person's request or failure to request additional blood tests is not admissible against the person in any proceeding. The person's failure or inability to obtain additional tests does not preclude the admission of evidence relating to the tests or samples taken at the officer's direction. The officer shall provide affirmative assistance to the person to contact a qualified person to conduct and obtain additional tests. Affirmative assistance shall, at a minimum, include providing transportation for the person to the nearest medical facility which provides blood tests to determine a person's alcohol concentration. If the medical facility obtains the blood sample but refuses or fails to test the blood to determine the person's alcohol concentration, the State Law Enforcement Division shall test the blood and provide the result to the person and to the officer. Failure to provide affirmative assistance upon request to obtain additional tests bars the admissibility of the breath test result in a judicial or administrative proceeding.

(E) A qualified person and the person's employer who obtain samples or administer the tests or assist in obtaining samples or administering of tests at the primary investigating officer's direction are immune from civil and criminal liability unless the obtaining of samples or the administering of tests is performed in a negligent, reckless, or fraudulent manner. A person may not be required by the officer ordering the tests to obtain or take any sample of blood or urine.

(F) If a person refuses upon the primary investigating officer's request to submit to chemical tests as provided in subsection (C), the department shall suspend the person's license, permit, or nonresident operating privilege, or deny the issuance of a license or permit to the person for:

(1) six months; or

(2) one year, if the person, within the three years preceding the violation of this section, has been previously convicted of violating Section 56-5-2930, 56-5-2933, 56-5-2945, or a law of another state that prohibits a person from driving a motor vehicle while under the influence of alcohol or other drugs, or the person has had a previous suspension imposed pursuant to Section 56-1-286, 56-5-2951, or 56-5-2990.

(G) If a person submits to a chemical test and the test result indicates an alcohol concentration of two one-hundredths of one percent or more, the department shall suspend the person's license, permit, or nonresident operating privilege, or deny the issuance of a license or permit to the person for:

(1) three months; or

(2) six months, if the person, within the three years preceding the violation of this section, has been previously convicted of violating Section 56-5-2930, 56-5-2933, 56-5-2945, or a law of another state that prohibits a person from driving a motor vehicle while under the influence of alcohol or other drugs, or the person has had a previous suspension imposed pursuant to Section 56-1-286, 56-5-2951, or 56-5-2990.

(H) A person's driver's license, permit, or nonresident operating privilege must be restored when the person's period of suspension pursuant to subsection (F) or (G) has concluded, even if the person has not yet completed the Alcohol and Drug Safety Action Program in which the person is enrolled. After the person's driving privilege is restored, the person shall continue to participate in the Alcohol and Drug Safety Action Program in which the person is enrolled. If the person withdraws from or in any way stops making satisfactory progress toward the completion of the Alcohol and Drug Safety Action Program, the person's license must be suspended until the person completes the Alcohol and Drug Safety Action Program. A person shall be attending or have completed an Alcohol and Drug Safety Action Program pursuant to Section 56-5-2990 before the person's driving privilege may be restored at the conclusion of the suspension period.

(I) A test may not be administered or samples taken unless, upon activation of the video recording equipment and prior to the commencement of the testing procedure, the person has been given a written copy of and verbally informed that:

(1) the person does not have to take the test or give the samples but that the person's privilege to drive must be suspended or denied for at least six months if the person refuses to submit to the tests, and that the person's refusal may be used against the person in court;

(2) the person's privilege to drive must be suspended for at least three months if the person takes the test or gives the samples and has an alcohol concentration of two one-hundredths of one percent or more;

(3) the person has the right to have a qualified person of the person's own choosing conduct additional independent tests at the person's expense;

(4) the person has the right to request a contested case hearing within thirty days of the issuance of the notice of suspension; and

(5) the person shall enroll in an Alcohol and Drug Safety Action Program within thirty days of the issuance of the notice of suspension if the person does not request a contested case hearing or within thirty days of the issuance of notice that the suspension has been upheld at the contested case hearing.

The primary investigating officer promptly shall notify the department of a person's refusal to submit to a test requested pursuant to this section as well as the test result of a person who submits to a test pursuant to this section and registers an alcohol concentration of two one-hundredths of one percent or more. The notification must be in a manner prescribed by the department.

(J) If the test registers an alcohol concentration of two one-hundredths of one percent or more or if the person refuses to be tested, the primary investigating officer shall issue a notice of suspension, and the suspension is effective beginning on the date of the alleged violation of this section. The person, within thirty days of the issuance of the notice of suspension, shall enroll in an Alcohol and Drug Safety Action Program pursuant to Section 56-5-2990 if the person does not request an administrative hearing. If the person does not request an administrative hearing and does not enroll in an Alcohol and Drug Safety Action Program within thirty days, the suspension remains in effect, and a temporary alcohol license must not be issued. If the person drives a motor vehicle during the period of suspension without a temporary alcohol license, the person must be penalized for driving while the person's license is suspended pursuant to Section 56-1-460.

(K) Within thirty days of the issuance of the notice of suspension the person may:

(1) obtain a temporary alcohol license by filing with the Department of Motor Vehicles a form for this purpose. A one hundred-dollar fee must be assessed for obtaining a temporary alcohol license. Twenty-five dollars of the fee collected by the Department of Motor Vehicles must be distributed to the Department of Public Safety for supplying and maintaining all necessary vehicle videotaping equipment. The remaining seventy-five dollars must be placed by the Comptroller General into a special restricted account to be used by the Department of Motor Vehicles to defray the Department of Motor Vehicle's expenses. The temporary alcohol license allows the person to drive a motor vehicle without any restrictive conditions pending the outcome of the contested case hearing provided for in this section or the final decision or disposition of the matter; and

(2) request a contested case hearing before the Office of Motor Vehicle Hearings pursuant to its rules of procedure.

At the contested case hearing if:

(a) the suspension is upheld, the person shall enroll in an Alcohol and Drug Safety Action Program and the person's driver's license, permit, or nonresident operating privilege must be suspended or the person must be denied the issuance of a license or permit for the remainder of the suspension periods provided for in subsections (F) and (G); or

(b) the suspension is overturned, the person's driver's license, permit, or nonresident operating privilege must be reinstated.

(L) The periods of suspension provided for in subsections (F) and (G) begin on the day the notice of suspension is issued, or at the expiration of any other suspensions, and continue until the person applies for a temporary alcohol license and requests an administrative hearing.

(M) If a person does not request a contested case hearing, the person has waived the person's right to the hearing and the person's suspension must not be stayed but shall continue for the periods provided for in subsections (F) and (G).

(N) The notice of suspension must advise the person of the requirement to enroll in an Alcohol and Drug Safety Action Program and of the person's right to obtain a temporary alcohol license and to request a contested case hearing. The notice of suspension also must advise the person that, if the person does not request a contested case hearing within thirty days of the issuance of the notice of suspension, the person shall enroll in an Alcohol and Drug Safety Action Program, and the person waives the person's right to the contested case hearing, and the suspension continues for the periods provided for in subsections (F) and (G).

(O) A contested case hearing must be held after the request for the hearing is received by the Office of Motor Vehicle Hearings. The scope of the hearing is limited to whether the person:

- (1) was lawfully arrested or detained;
- (2) was given a written copy of and verbally informed of the rights enumerated in subsection (I);
- (3) refused to submit to a test pursuant to this section; or
- (4) consented to taking a test pursuant to this section, and the:

(a) reported alcohol concentration at the time of testing was two one-hundredths of one percent or more;

- (b) individual who administered the test or took samples was qualified pursuant to this section;
- (c) test administered and samples taken were conducted pursuant to this section; and
- (d) the machine was operating properly.

Nothing in this section prohibits the introduction of evidence at the contested case hearing on the issue of the accuracy of the breath test result.

The Department of Motor Vehicles and the arresting officer shall have the burden of proof in contested case hearings conducted pursuant to this section. If neither the Department of Motor Vehicles nor the arresting officer appears at the contested case hearing, the hearing officer shall rescind the suspension of the person's license, permit, or nonresident's operating privilege regardless of whether the person requesting the contested case hearing or the person's attorney appears at the contested case hearing.

A written order must be issued to all parties either reversing or upholding the suspension of the person's license, permit, or nonresident's operating privilege, or denying the issuance of a license or permit. If the suspension is upheld, the person must receive credit for the number of days the person's license was suspended before the person received a temporary alcohol license and requested the contested case hearing.

(P) A contested case hearing is a contested proceeding under the Administrative Procedures Act, and a person has a right to appeal the decision of the hearing officer pursuant to that act to the Administrative Law Court in accordance with its appellate rules. The filing of an appeal shall stay the suspension until a final decision is issued.

(Q) A person who is unconscious or otherwise in a condition rendering him incapable of refusal is considered to be informed and not to have withdrawn the consent provided for in subsection (B) of this section.

(R) When a nonresident's privilege to drive a motor vehicle in this State has been suspended under the procedures of this section, the department shall give written notice of the action taken to the motor vehicle administrator of the state of the person's residence and of any state in which he has a license or permit.

(S) A person required to submit to a test must be provided with a written report including the time of arrest, the time of the tests, and the results of the tests before any proceeding in which the results of the tests are used as evidence. A person who obtains additional tests shall furnish a copy of the time, method, and results of any additional tests to the officer before any trial, hearing, or other proceeding in which the person attempts to use the results of the additional tests as evidence.

(T) A person whose driver's license or permit is suspended under this section is not required to file proof of financial responsibility.

(U) The department shall administer the provisions of this section, not including subsection (D), and shall promulgate regulations necessary to carry out its provisions.

(V) Notwithstanding any other provision of law, no suspension imposed pursuant to this section is counted as a demerit or result in any insurance penalty for automobile insurance purposes if at the time

the person was stopped, the person whose license is suspended had an alcohol concentration that was less than eight one-hundredths of one percent.

HISTORY: 1998 Act No. 434, Section 2; 2000 Act No. 390, Sections 3-5; 2001 Act No. 79, Section 2.C; 2003 Act No. 61, Section 4; 2006 Act No. 381, Section 8, eff June 13, 2006; 2008 Act No. 201, Section 2, eff February 10, 2009; 2012 Act No. 212, Section 2, eff June 7, 2012; 2012 Act No. 264, Section 2, eff June 18, 2012; 2014 Act No. 158 (S.137), Section 2, eff October 1, 2014.

**SECTION 56-1-288.** Tax refund garnishment for failure to comply with financial responsibility.

The Department of Motor Vehicles may garnish a person's income tax refund instead of revoking a person's driver's license or vehicle registration for failure to satisfy financial responsibility requirements of Title 56.

HISTORY: 1996 Act No. 459, Section 78.

**SECTION 56-1-290.** Revocation for operating unlicensed taxis in certain counties.

In addition to the grounds for suspension or revocation of license set forth elsewhere in this article and in Chapter 5 of this title, the Department of Motor Vehicles shall forthwith revoke for a period of six months the license of any person upon receiving satisfactory evidence of the conviction of any such person who has been found guilty of operating a vehicle for hire without a license in violation of Section 58-23-1210.

HISTORY: 1962 Code Section 46-176; 1954 (48) 1791; 1993 Act No. 181, Section 1306; 1996 Act No. 459, Section 79.

**SECTION 56-1-292.** Suspension for failure to pay for gasoline.

In addition to the grounds for suspension or revocation of a driver's license provided in this article and in Chapter 5 of this title, the Department of Motor Vehicles shall suspend the driver's license of a person upon receiving satisfactory evidence that the person has been convicted of a violation of Section 16-13-185 and that the sentencing judge has imposed a sentence which includes a suspension of the person's driver's license.

HISTORY: 2000 Act No. 223, Section 2.

**SECTION 56-1-300.** Suspension or revocation of license without preliminary hearing.

In addition to other authority of law, the Department of Motor Vehicles may suspend or revoke the license of a driver without preliminary hearing upon a showing by its records or other sufficient evidence that licensee:

- (1) Has been convicted of an offense for which mandatory revocation or suspension is required upon conviction; or
- (2) Has been convicted of an offense in another state which if committed in this State would be grounds for suspension or revocation.

HISTORY: 1962 Code Section 46-177; 1959 (51) 421; 1993 Act No. 181, Section 1307; 1996 Act No. 459, Section 80.

**SECTION 56-1-310.** Suspension or revocation of nonresident's driving privilege.

The privilege of driving a motor vehicle on the highways of this State given to a nonresident under this article shall be subject to suspension or revocation by the Department of Motor Vehicles in like manner and for like cause as a driver's license issued under the laws of this State may be suspended or revoked.

(C) If the person's privilege to operate a motor vehicle is reinstated, a subsequent violation of the motor vehicle laws for any moving violation requires the automatic cancellation of the person's driver's license and imposition of the full period of revocation for the reckless vehicular homicide violation.

HISTORY: 1962 Code Section 46-341; 1952 Code Section 46-341; 1949 (46) 466; 1994 Act No. 509, Section 1; 1998 Act No. 379, Section 2; 2001 Act No. 97, Section 3; 2012 Act No. 226, Section 1, eff December 18, 2012.

**SECTION 56-5-2920.** Reckless driving; penalties; suspension of driver's license for second or subsequent offense.

Any person who drives any vehicle in such a manner as to indicate either a wilful or wanton disregard for the safety of persons or property is guilty of reckless driving. The Department of Motor Vehicles, upon receiving satisfactory evidence of the conviction, of the entry of a plea of guilty or the forfeiture of bail of any person charged with a second and subsequent offense for the violation of this section shall forthwith suspend the driver's license of any such person for a period of three months. Only those offenses which occurred within a period of five years including and immediately preceding the date of the last offense shall constitute prior offenses within the meaning of this section. Any person violating the provisions of this section shall, upon conviction, entry of a plea of guilty or forfeiture of bail, be punished by a fine of not less than twenty-five dollars nor more than two hundred dollars or by imprisonment for not more than thirty days.

HISTORY: 1962 Code Section 46-342; 1952 Code Section 46-342; 1949 (46) 466; 1958 (50) 1686; 1981 Act No. 76, Section 9.

**SECTION 56-5-2930.** Operating motor vehicle while under influence of alcohol or drugs; penalties; enrollment in Alcohol and Drug Safety Action Program; prosecution.

(A) It is unlawful for a person to drive a motor vehicle within this State while under the influence of alcohol to the extent that the person's faculties to drive a motor vehicle are materially and appreciably impaired, under the influence of any other drug or a combination of other drugs or substances which cause impairment to the extent that the person's faculties to drive a motor vehicle are materially and appreciably impaired, or under the combined influence of alcohol and any other drug or drugs or substances which cause impairment to the extent that the person's faculties to drive a motor vehicle are materially and appreciably impaired. A person who violates the provisions of this section is guilty of the offense of driving under the influence and, upon conviction, entry of a plea of guilty or of nolo contendere, or forfeiture of bail must be punished as follows:

(1) for a first offense, by a fine of four hundred dollars or imprisonment for not less than forty-eight hours nor more than thirty days. However, in lieu of the forty-eight hour minimum imprisonment, the court may provide for forty-eight hours of public service employment. The minimum forty-eight hour imprisonment or public service employment must be served at a time when the person is not working and does not interfere with his regular employment under terms and conditions the court considers proper. However, the court may not compel an offender to perform public service employment in lieu of the minimum forty-eight hour sentence. If the person's alcohol concentration is at least ten one-hundredths of one percent but less than sixteen one-hundredths of one percent, then the person must be punished by a fine of five hundred dollars or imprisonment for not less than seventy-two hours nor more than thirty days. However, in lieu of the seventy-two hour minimum imprisonment, the court may provide for seventy-two hours of public service employment. The minimum seventy-two hour imprisonment or public service employment must be served at a time when the person is not working and does not interfere with his regular employment under terms and conditions as the court considers proper. However, the court may not compel an offender to perform public service employment in lieu of the minimum sentence. If the person's alcohol concentration is sixteen one-hundredths of one percent or more, then the person must be punished by a fine of one thousand dollars or imprisonment for not less than thirty days

nor more than ninety days. However, in lieu of the thirty-day minimum imprisonment, the court may provide for thirty days of public service employment. The minimum thirty days imprisonment or public service employment must be served at a time when the person is not working and does not interfere with his regular employment under terms and conditions as the court considers proper. However, the court may not compel an offender to perform public service employment instead of the thirty-day minimum sentence. Notwithstanding the provisions of Sections 22-3-540, 22-3-545, and 22-3-550, a first offense charged for this item may be tried in magistrates court;

(2) for a second offense, by a fine of not less than two thousand one hundred dollars nor more than five thousand one hundred dollars, and imprisonment for not less than five days nor more than one year. However, the fine imposed by this item must not be suspended in an amount less than one thousand one hundred dollars. If the person's alcohol concentration is at least ten one-hundredths of one percent but less than sixteen one-hundredths of one percent, then the person must be punished by a fine of not less than two thousand five hundred dollars nor more than five thousand five hundred dollars and imprisonment for not less than thirty days nor more than two years. However, the fine imposed by this item must not be suspended in an amount less than one thousand one hundred dollars. If the person's alcohol concentration is sixteen one-hundredths of one percent or more, then the person must be punished by a fine of not less than three thousand five hundred dollars nor more than six thousand five hundred dollars and imprisonment for not less than ninety days nor more than three years. However, the fine imposed by this item must not be suspended in an amount less than one thousand one hundred dollars;

(3) for a third offense, by a fine of not less than three thousand eight hundred dollars nor more than six thousand three hundred dollars, and imprisonment for not less than sixty days nor more than three years. If the person's alcohol concentration is at least ten one-hundredths of one percent but less than sixteen one-hundredths of one percent, then the person must be punished by a fine of not less than five thousand dollars nor more than seven thousand five hundred dollars and imprisonment for not less than ninety days nor more than four years. If the person's alcohol concentration is sixteen one-hundredths of one percent or more, then the person must be punished by a fine of not less than seven thousand five hundred dollars nor more than ten thousand dollars and imprisonment for not less than six months nor more than five years; or

(4) for a fourth or subsequent offense, by imprisonment for not less than one year nor more than five years. If the person's alcohol concentration is at least ten one-hundredths of one percent but less than sixteen one-hundredths of one percent, then the person must be punished by imprisonment for not less than two years nor more than six years. If the person's alcohol concentration is sixteen one-hundredths of one percent or more, then the person must be punished by imprisonment for not less than three years nor more than seven years.

(B) No part of the minimum sentences provided in this section may be suspended. Instead of public service employment the court may invoke another sentence provided in this section. For a second or subsequent offense of this section, the service of the minimum sentence is mandatory. However, the judge may provide for the sentence to be served upon terms and conditions as he considers proper including, but not limited to, weekend service or nighttime service in any fashion he considers necessary.

(C) The fine for a first offense must not be suspended. The court is prohibited from suspending a monetary fine below that of the next preceding minimum monetary fine.

(D) For the purposes of this section, a conviction, entry of a plea of guilty or of nolo contendere, or forfeiture of bail for the violation of a law or ordinance of this or another state or a municipality of this or another state that prohibits a person from driving a motor vehicle while under the influence of intoxicating liquor, drugs, or narcotics, including, but not limited to, this section, or prohibits a person from driving a motor vehicle with an unlawful alcohol concentration, including, but not limited to, Section 56-5-2933, constitutes a prior offense of this section. Only those violations which occurred within a period of ten years including and immediately preceding the date of the last violation constitute prior violations within the meaning of this section.

(E) Upon imposition of a sentence of public service, the defendant may apply to the court to be allowed to perform his public service in his county of residence if he has been sentenced to public service in a county where he does not reside.

(F) One hundred dollars of each fine imposed pursuant to this section must be placed by the Comptroller General into a special restricted account to be used by the Department of Public Safety for the Highway Patrol.

(G) Two hundred dollars of the fine imposed pursuant to subsection (A)(3) must be placed by the Comptroller General into a special restricted account to be used by the State Law Enforcement Division to offset the costs of administration of the breath testing devices, breath testing site video program, and toxicology laboratory.

(H) A person convicted of violating this section, whether for a first offense or subsequent offense, must enroll in and successfully complete an Alcohol and Drug Safety Action Program certified by the Department of Alcohol and Other Drug Abuse Services. An assessment of the extent and nature of the alcohol and drug abuse problem of the applicant must be prepared and a plan of education or treatment, or both, must be developed for the applicant. The Alcohol and Drug Safety Action Program shall determine if the applicant successfully has completed the services. The applicant must attend the first Alcohol and Drug Safety Action Program available after the date of enrollment. The Department of Alcohol and Other Drug Abuse Services shall determine the cost of services provided by each certified Alcohol and Drug Safety Action Program. Each applicant shall bear the cost of services recommended in the applicant's plan of education or treatment. The cost may not exceed five hundred dollars for education services, two thousand dollars for treatment services, and two thousand five hundred dollars in total for all services. An applicant may not be denied services due to an inability to pay. Inability to pay for services may not be used as a factor in determining if the applicant has successfully completed services. An applicant who is unable to pay for services shall perform fifty hours of community service as arranged by the Alcohol and Drug Safety Action Program, which may use the completion of this community service as a factor in determining if the applicant successfully has completed services. The court must be notified whether an offender failed to enroll in a certified program within thirty days or failed to participate in the plan of education or treatment. The court may hold the individual in contempt of court if the individual cannot show cause as to why no enrollment occurred within the mandated thirty days or why no progress has been made on the plan of education or treatment.

(I) A person charged for a violation of this section may be prosecuted pursuant to Section 56-5-2933 if the original testing of the person's breath or collection of other bodily fluids was performed within two hours of the time of arrest and reasonable suspicion existed to justify the traffic stop. A person may not be prosecuted for both a violation of this section and a violation of Section 56-5-2933 for the same incident. A person who violates the provisions of this section is entitled to a jury trial and is afforded the right to challenge certain factors including the following:

- (1) whether or not the person was lawfully arrested or detained;
- (2) the period of time between arrest and testing;
- (3) whether or not the person was given a written copy of and verbally informed of the rights enumerated in Section 56-5-2950;
- (4) whether the person consented to taking a test pursuant to Section 56-5-2950, and whether the:
  - (a) reported alcohol concentration at the time of testing was eight one-hundredths of one percent or more;
  - (b) individual who administered the test or took samples was qualified pursuant to Section 56-5-2950;
  - (c) tests administered and samples obtained were conducted pursuant to Section 56-5-2950 and regulations adopted pursuant to Section 56-5-2951(O) and Section 56-5-2953(F); and
  - (d) machine was working properly.

(J) Nothing contained in this section prohibits the introduction of:

- (1) the results of any additional tests of the person's breath or other bodily fluids;

(2) any evidence that may corroborate or question the validity of the breath or bodily fluid test result including, but not limited to:

- (a) evidence of field sobriety tests;
- (b) evidence of the amount of alcohol consumed by the person; and
- (c) evidence of the person's driving;

(3) a video recording of the person's conduct at the incident site and breath testing site taken pursuant to Section 56-5-2953 which is subject to redaction under the South Carolina Rules of Evidence; or

(4) any other evidence of the state of a person's faculties to drive a motor vehicle which would call into question the results of a breath or bodily fluid test.

At trial, a person charged with a violation of this section is allowed to present evidence relating to the factors enumerated above and the totality of the evidence produced at trial may be used by the jury to determine guilt or innocence. A person charged with a violation of this section must be given notice of intent to prosecute under the provisions of this section at least thirty calendar days before his trial date.

(K) For the purpose of this section, any offense carrying a penalty of imprisonment of ninety days or less may be tried in magistrates court.

(L) In cases in which enhanced penalties for higher levels of alcohol concentration may be applicable, upon the determination of guilt, the finder of fact shall determine the alcohol concentration and the judge shall apply the appropriate penalty. In cases involving jury trials, upon the return of a guilty verdict by the jury, the judge shall instruct the jury to make a finding of fact as to the following: "We the jury find the alcohol concentration of the defendant to be (1) at least eight one-hundredths of one percent but less than ten one-hundredths of one percent; (2) at least ten one-hundredths of one percent but less than sixteen one-hundredths of one percent; or (3) sixteen one hundredths of one percent or more." Based on the jury's finding of fact, the judge shall apply the appropriate penalty. If the jury cannot reach a unanimous verdict as to the finding of fact, then the judge shall sentence the defendant based on the nonenhanced penalties.

HISTORY: 1962 Code Section 46-343; 1952 Code Section 46-343; 1949 (46) 466; 1954 (48) 1782; 1987 Act No. 179 Section 1; 1998 Act No. 434, Section 4; 2000 Act No. 390, Section 7; 2008 Act No. 201, Section 4, eff February 10, 2009.

**SECTION 56-5-2933.** Driving with an unlawful alcohol concentration; penalties; enrollment in Alcohol and Drug Safety Action Program; prosecution.

(A) It is unlawful for a person to drive a motor vehicle within this State while his alcohol concentration is eight one-hundredths of one percent or more. A person who violates the provisions of this section is guilty of the offense of driving with an unlawful alcohol concentration and, upon conviction, entry of a plea of guilty or of nolo contendere, or forfeiture of bail must be punished as follows:

(1) for a first offense, by a fine of four hundred dollars or imprisonment for not less than forty-eight hours nor more than thirty days. However, in lieu of the forty-eight hour minimum imprisonment, the court may provide for forty-eight hours of public service employment. The minimum forty-eight hour imprisonment or public service employment must be served at a time when the person is not working and does not interfere with his regular employment under terms and conditions the court considers proper. However, the court may not compel an offender to perform public service employment in lieu of the minimum forty-eight hour sentence. If the person's alcohol concentration is at least ten one-hundredths of one percent but less than sixteen one-hundredths of one percent, then the person must be punished by a fine of five hundred dollars or imprisonment for not less than seventy-two hours nor more than thirty days. However, in lieu of the seventy-two hour minimum imprisonment, the court may provide for seventy-two hours of public service employment. The minimum seventy-two hour imprisonment or public service employment must be served at a time when the person is not working and does not interfere with his regular employment under terms and conditions as the court considers proper. However, the court may not compel an offender to perform public service employment in lieu of the minimum sentence. If the person's alcohol concentration is sixteen one-hundredths of one percent or more, then the

person must be punished by a fine of one thousand dollars or imprisonment for not less than thirty days nor more than ninety days. However, in lieu of the thirty-day minimum imprisonment, the court may provide for thirty days of public service employment. The minimum thirty days imprisonment or public service employment must be served at a time when the person is not working and does not interfere with his regular employment under terms and conditions as the court considers proper. However, the court may not compel an offender to perform public service employment instead of the thirty-day minimum sentence. Notwithstanding the provisions of Sections 22-3-540, 22-3-545, and 22-3-550, a first offense charged for this item may be tried in magistrates court;

(2) for a second offense, by a fine of not less than two thousand one hundred dollars nor more than five thousand one hundred dollars, and imprisonment for not less than five days nor more than one year. However, the fine imposed by this item must not be suspended in an amount less than one thousand one hundred dollars. If the person's alcohol concentration is at least ten one-hundredths of one percent but less than sixteen one-hundredths of one percent, then the person must be punished by a fine of not less than two thousand five hundred dollars nor more than five thousand five hundred dollars and imprisonment for not less than thirty days nor more than two years. However, the fine imposed by this item must not be suspended in an amount less than one thousand one hundred dollars. If the person's alcohol concentration is sixteen one-hundredths of one percent or more, then the person must be punished by a fine of not less than three thousand five hundred dollars nor more than six thousand five hundred dollars and imprisonment for not less than ninety days nor more than three years. However, the fine imposed by this item must not be suspended in an amount less than one thousand one hundred dollars;

(3) for a third offense, by a fine of not less than three thousand eight hundred dollars nor more than six thousand three hundred dollars, and imprisonment for not less than sixty days nor more than three years. If the person's alcohol concentration is at least ten one-hundredths of one percent but less than sixteen one-hundredths of one percent, then the person must be punished by a fine of not less than five thousand dollars nor more than seven thousand five hundred dollars and imprisonment for not less than ninety days nor more than four years. If the person's alcohol concentration is sixteen one-hundredths of one percent or more, then the person must be punished by a fine of not less than seven thousand five hundred dollars nor more than ten thousand dollars and imprisonment for not less than six months nor more than five years; or

(4) for a fourth or subsequent offense, by imprisonment for not less than one year nor more than five years. If the person's alcohol concentration is at least ten one-hundredths of one percent but less than sixteen one-hundredths of one percent, then the person must be punished by imprisonment for not less than two years nor more than six years. If the person's alcohol concentration is sixteen one-hundredths of one percent or more, then the person must be punished by imprisonment for not less than three years nor more than seven years.

(B) No part of the minimum sentences provided in this section may be suspended. Instead of public service employment the court may invoke another sentence provided in this section. For a second or subsequent offense of this section, the service of the minimum sentence is mandatory. However, the judge may provide for the sentence to be served upon terms and conditions as he considers proper including, but not limited to, weekend service or nighttime service in any fashion he considers necessary.

(C) The fine for a first offense must not be suspended. The court is prohibited from suspending a monetary fine below that of the next preceding minimum monetary fine.

(D) For the purposes of this chapter a conviction, entry of a plea of guilty or of nolo contendere, or forfeiture of bail for the violation of a law or ordinance of this or another state or a municipality of this or another state that prohibits a person from driving a motor vehicle while under the influence of intoxicating liquor, drugs, or narcotics, including, but not limited to, Section 56-5-2930, or prohibits a person from driving a motor vehicle with an unlawful alcohol concentration, including, but not limited to, this section, constitutes a prior offense of this section. Only those violations which occurred within a period of ten years including and immediately preceding the date of the last violation constitute prior violations within the meaning of this section.

(E) Upon imposition of a sentence of public service, the defendant may apply to the court to be allowed to perform his public service in his county of residence if he has been sentenced to public service in a county where he does not reside.

(F) One hundred dollars of each fine imposed pursuant to this section must be placed by the Comptroller General into a special restricted account to be used by the Department of Public Safety for the Highway Patrol.

(G) Two hundred dollars of the fine imposed pursuant to subsections (A)(3) must be placed by the Comptroller General into a special restricted account to be used by the State Law Enforcement Division to offset the costs of administration of the breath testing devices, breath testing site video program, and toxicology laboratory.

(H) A person convicted of violating this section, whether for a first offense or subsequent offense, must enroll in and successfully complete an Alcohol and Drug Safety Action Program certified by the Department of Alcohol and Other Drug Abuse Services. An assessment of the extent and nature of the alcohol and drug abuse problem of the applicant must be prepared and a plan of education or treatment, or both, must be developed for the applicant. The Alcohol and Drug Safety Action Program shall determine if the applicant successfully has completed the services. The applicant must attend the first Alcohol and Drug Safety Action Program available after the date of enrollment. The Department of Alcohol and Other Drug Abuse Services shall determine the cost of services provided by each certified Alcohol and Drug Safety Action Program. Each applicant shall bear the cost of services recommended in the applicant's plan of education or treatment. The cost may not exceed five hundred dollars for education services, two thousand dollars for treatment services, and two thousand five hundred dollars in total for all services. An applicant may not be denied services due to an inability to pay. Inability to pay for services may not be used as a factor in determining if the applicant successfully has completed services. An applicant who is unable to pay for services shall perform fifty hours of community service as arranged by the Alcohol and Drug Safety Action Program, which may use the completion of this community service as a factor in determining if the applicant successfully has completed services. The court must be notified whether an offender failed to enroll in a certified program within thirty days or failed to participate in the plan of education or treatment. The court may hold the individual in contempt of court if the individual cannot show cause as to why no enrollment occurred within the mandated thirty days or why no progress has been made on the plan of education or treatment.

(I) A person charged for a violation of Section 56-5-2930 may be prosecuted pursuant to this section if the original testing of the person's breath or collection of other bodily fluids was performed within two hours of the time of arrest and reasonable suspicion existed to justify the traffic stop. A person may not be prosecuted for both a violation of Section 56-5-2930 and a violation of this section for the same incident. A person who violates the provisions of this section is entitled to a jury trial and is afforded the right to challenge certain factors including the following:

- (1) whether or not the person was lawfully arrested or detained;
- (2) the period of time between arrest and testing;
- (3) whether or not the person was given a written copy of and verbally informed of the rights enumerated in Section 56-5-2950;
- (4) whether the person consented to taking a test pursuant to Section 56-5-2950, and whether the:
  - (a) reported alcohol concentration at the time of testing was eight one-hundredths of one percent or more;
  - (b) individual who administered the test or took samples was qualified pursuant to Section 56-5-2950;
  - (c) tests administered and samples obtained were conducted pursuant to Section 56-5-2950 and regulations adopted pursuant to Section 56-5-2951(O) and Section 56-5-2953(F); and
  - (d) machine was working properly.

(J) Nothing contained in this section prohibits the introduction of:

- (1) the results of any additional tests of the person's breath or other bodily fluids;

(2) any evidence that may corroborate or question the validity of the breath or bodily fluid test result including, but not limited to:

- (a) evidence of field sobriety tests;
- (b) evidence of the amount of alcohol consumed by the person; and
- (c) evidence of the person's driving;

(3) a video recording of the person's conduct at the incident site and breath testing site taken pursuant to Section 56-5-2953 which is subject to redaction under the South Carolina Rules of Evidence; or

(4) any other evidence of the state of a person's faculties to drive which would call into question the results of a breath or bodily fluid test.

At trial, a person charged with a violation of this section is allowed to present evidence relating to the factors enumerated above and the totality of the evidence produced at trial may be used by the jury to determine guilt or innocence. A person charged with a violation of this section must be given notice of intent to prosecute under the provisions of this section at least thirty calendar days before his trial date.

(K) For the purpose of this section, any offense carrying a penalty of imprisonment of ninety days or less may be tried in magistrates court.

(L) In cases in which enhanced penalties for higher levels of alcohol concentration may be applicable, upon the determination of guilt, the finder of fact shall determine the alcohol concentration and the judge shall apply the appropriate penalty.

**HISTORY:** 2000 Act No. 390; 2003 Act No. 61, Section 5; 2008 Act No. 201, Section 5, eff February 10, 2009.

**SECTION 56-5-2934.** Compulsory process to obtain witnesses and documents; breath testing software.

Notwithstanding any other provision of law, a person charged with a violation of Section 56-5-2930, 56-5-2933, or 56-5-2945 who is being tried in any court of competent jurisdiction in this State has the right to compulsory process for obtaining witnesses, documents, or both, including, but not limited to, state employees charged with the maintenance of breath testing devices in this State and the administration of breath testing pursuant to this article. This process may be issued under the official signature of the magistrate, judge, clerk, or other officer of the court of competent jurisdiction. The term "documents" includes, but is not limited to, a copy of the computer software program of breath testing devices. SLED must produce all breath testing software in a manner that complies with any and all licensing agreements. This section does not limit a person's ability to obtain breath testing software directly from the manufacturer or distributor.

**HISTORY:** 2000 Act No. 390, Section 9; 2003 Act No. 61, Section 15; 2008 Act No. 201, Section 6, eff February 10, 2009.

**SECTION 56-5-2935.** Right to jury trial.

Notwithstanding any other provision of law, a person charged with a violation of Section 56-5-2930, 56-5-2933, or 56-5-2945 who is being tried in any court of competent jurisdiction in this State must have the right of trial by jury. A person charged with one or more of these offenses shall enjoy the right to a speedy and public trial by an impartial jury, to be fully informed of the nature and cause of the accusation, to be confronted with the witnesses against him, to have compulsory process for obtaining witnesses, documents, or both, and the right to be fully heard in his defense by himself or by his counsel or, by both.

**HISTORY:** 2000 Act No. 390, Section 10.

**SECTION 56-5-2936.** Implementation of compulsory testimony requirement postponed; training of employees.

**THE STATE OF SOUTH CAROLINA  
In The Court of Appeals**

The State, Appellant,

v.

Randy Vickery, Respondent.

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Appeal From Greenwood County  
Eugene Griffith, Circuit Court Judge

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Opinion No. 5025  
Heard March 20, 2012 – August 22, 2012

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**REVERSED AND REMANDED**

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Assistant Attorney General Alan Wilson, Chief  
Deputy Attorney General John W. McIntosh, Senior  
Assistant Deputy Attorney General Salley W. Elliott,  
Assistant Attorney General William M. Blich, Jr., of  
Columbia, for Appellant.

Chief Appellate Defender Robert M. Dudek, of  
Columbia, for Respondent.

**KONDUROS, J.:** In this criminal case, the State appeals the trial court's suppression of evidence arising out of a driver's license checkpoint because it alleges the checkpoint was constitutional. We reverse and remand.

### **FACTS/PROCEDURAL HISTORY**

Sometime between 9 p.m. April 25, 2009, and 3 a.m. April 26, 2009, officers with the Greenwood Police Department conducted a license checkpoint at the intersection of New Market Street and Milwee Avenue in Greenwood, South Carolina. During that checkpoint, while detaining Randy Jason Vickery for suspicion of driving under the influence, officers spotted methamphetamines and drug paraphernalia in his vehicle and arrested him. That same night, the Greenwood Police Department conducted three other checkpoints in the same vicinity from 9 p.m. until 3 a.m. The four checkpoints produced a total of fifty-six violations, including forty-eight traffic cases and eight criminal cases.

Vickery was indicted for possession of methamphetamine with intent to distribute and possession of methamphetamine with intent to distribute within proximity of a school. At trial, Vickery made a motion to suppress the evidence discovered as a result of the stop, challenging the stop's constitutionality, arguing it violated the Fourth Amendment. The State presented the testimony of Officer Robbie Byrd. Officer Byrd testified he was employed by the Greenwood Police Department in the traffic unit. He stated that on the night of April 25, 2009, through the morning of April 26, he conducted traffic safety checkpoints. He testified that checkpoint locations were determined based on "traffic flow, speeding complaints, loud music complaints, anything such as that nature, primarily just involving traffic." He indicated that the checkpoint locations were selected by Lieutenant Jennifer Bass, who was over the traffic unit, and Major James Marshall. He stated that they had contact with the citizens who were complaining about speeding and loud music coming from cars. Officer Byrd stated the primary purpose of the checkpoints was to check for traffic safety, such as child restraints, seatbelts, driver's licenses, vehicle tags, and the proper credentials. He testified the officers would stop each car that came through the checkpoint and check each driver's license. He further testified the four checkpoints that

night resulted in forty-eight traffic cases and two drug cases. He testified the stops that produced no violations lasted no longer than a minute.

Following Officer Byrd's testimony, Vickery argued the State had not laid the proper foundation to establish the checkpoint's constitutionality under Brown v. Texas, 443 U.S. 47 (1979), and Michigan Department of State Police v. Sitz, 496 U.S. 444 (1990). He argued State v. Groome, 378 S.C. 615, 664 S.E.2d 460 (2008), was "adamant" the State must present empirical data gathered prior to the checkpoint to justify setting up the checkpoint. He maintained the State only provided empirical data on the "back side, what the results were, but they have produced nothing to indicate why the Greenwood Police Department wanted to set up a checkpoint here." He asserted the State needed to provide information as to how many tickets were written and people had been arrested on the road in the month or year prior to the checkpoint. He stated those who established the checkpoints needed to testify and supply the empirical data.

The State responded and agreed Sitz, while critical of the searching examination of effectiveness by trial courts, "retains the requirement that the State produce empirical data to support the roadblock." It argued the report marked Court Exhibit Number 1 established how the checkpoint was effective and what the results were. Vickery argued that report "would probably be very good empirical data for the next checkpoint that they want to have at this location." He asserted that the State was arguing that if it set up a checkpoint and arrested forty-eight people, then it was a good checkpoint. Vickery argued, "It's data on the front side [that case law requires], not on the back side."

Before adjourning for lunch, the trial court stated it was going to take the matter under advisement and would leave the record open if the State wished to see if the file contained any additional empirical data. Following the break, the State called Major Urban Mitchell to testify. He stated he was in charge of the administration division of the Greenwood Police Department. He stated that the position involved records, training, evidence, and crime scenes and included gathering statistics. The State introduced, for the purposes of the hearing, several traffic enforcement activity reports that included the intersection of New Market and Milwee or an intersection

located two blocks away. Major Mitchell testified that the police department had determined that conducting traffic safety checkpoints was an effective way to manage traffic problems. On cross-examination, Major Mitchell could not say how many of the fifty-six violations on April 26 occurred at the intersection of New Market and Milwee but admitted fifty-six tickets at the police headquarters could be obtained to show which of the incidents occurred at that intersection.

The trial court found the State presented

insufficient empirical data justifying the authorization and implementation of the roadblock in question . . . . Except for the traffic testimony offered by Major Mitchell, no testimony was offered by the State about the number of tickets, wrecks, and/or citizen complaints related to traffic concerns at the intersection of New Market Street and Milwee Avenue prior to the roadblock in question. Testimony by the State's witnesses indicates that the Greenwood Police Department relied on general knowledge of the neighborhood to justify the roadblock in question.

The trial court further found:

[T]he Traffic Enforcement Activity Reports contain some empirical data regarding the intersection of New Market Street and Milwee Avenue, but the data presented is insufficient to constitutionally justify the roadblock on April 25, 2009, at which [Vickery] was stopped and arrested. The record is absent of any specific evidence for the Court to determine the number of cases which resulted from the roadblock in question. Furthermore, the evidence in the record is insufficient for the Court to determine the effectiveness of the roadblock in question. No

testimony was presented about how many vehicles passed through the roadblock in question.

The court determined the roadblock "did not violate [Vickery's] Fourth Amendment rights because its primary purpose was traffic safety enforcement." However, the court found the roadblock did violate his Fourth Amendment rights because

the State provided insufficient empirical data to support the effectiveness of the roadblock in question. Without sufficient empirical data to justify the implementation of the roadblock and without sufficient data derived from conducting this roadblock, the Court is unable to do the necessary comparison analysis to determine the effectiveness of this roadblock as required under Brown v. Texas, 443 U.S. 47 (1979).

Accordingly, the trial court granted Vickery's motion to suppress and suppressed all drugs and drug paraphernalia located in Vickery's vehicle and on his person, as well as all statements made, observations of his behavior, and recordings. This appeal followed.

### STANDARD OF REVIEW

"In criminal cases, the appellate court sits to review errors of law only." State v. Baccus, 367 S.C. 41, 48, 625 S.E.2d 216, 220 (2006). Thus, an appellate court is bound by the trial court's factual findings unless they are clearly erroneous. Id. The South Carolina Supreme Court has articulated the standard of review to apply to Fourth Amendment search and seizure cases. State v. Brockman, 339 S.C. 57, 66, 528 S.E.2d 661, 666 (2000). The court has specifically rejected the de novo standard the United States Supreme Court set forth in Ornelas v. United States, 517 U.S. 690 (1996), for reviewing determinations of reasonable suspicion and probable cause in the context of warrantless searches and seizures. State v. Williams, 351 S.C. 591, 597, 571 S.E.2d 703, 706 (Ct. App. 2002). The Brockman court determined the trial court's ruling would be reviewed like any other factual

finding: reversed if there is clear error and affirmed if any evidence supports the ruling. 339 S.C. at 66, 528 S.E.2d at 666.

On appeals from a motion to suppress based on Fourth Amendment grounds, this Court applies a deferential standard of review and will reverse if there is clear error. However, this deference does not bar this Court from conducting its own review of the record to determine whether the trial judge's decision is supported by the evidence.

State v. Tindall, 388 S.C. 518, 521, 698 S.E.2d 203, 205 (2010) (citation omitted). Under the clear error standard, "an appellate court will not reverse a trial court's finding of fact simply because it would have decided the case differently." State v. Pichardo, 367 S.C. 84, 96, 623 S.E.2d 840, 846 (Ct. App. 2005). Rather, the appellate court must determine whether, based on the evidence, it is left with the definite and firm conviction the trial court committed a mistake. Id. Accordingly, we will apply an any evidence standard to the trial court's ruling. Williams, 351 S.C. at 597, 571 S.E.2d at 707.

## LAW/ANALYSIS

The State contends the trial court erred in suppressing the stop by finding the State failed to produce sufficient empirical data to justify the effectiveness of the checkpoint. We agree.

The Fourth Amendment guarantees a person the right to be secure from unreasonable searches and seizures. U.S. Const. amend IV; State v. Butler, 343 S.C. 198, 201, 539 S.E.2d 414, 416 (Ct. App. 2000). "[T]he Fourth Amendment protects against unreasonable searches and seizures, including seizures that involve only a brief detention." State v. Pichardo, 367 S.C. 84, 97, 623 S.E.2d 840, 847 (Ct. App. 2005) (citing United States v. Mendenhall, 446 U.S. 544 (1980)). "[S]topping a vehicle at a checkpoint constitutes a seizure of a person within the meaning of the Fourth Amendment." United States v. Brugal, 209 F.3d 353, 356 (4th Cir. 2000) (citing Mich.

Dep't of State Police v. Sitz, 496 U.S. 444, 450 (1990); United States v. Martinez-Fuerte, 428 U.S. 543, 556 (1976)).

Constitutional challenges to checkpoint seizures turn on whether the initial stop at the checkpoint was reasonable. . . . Whether particular checkpoint seizures are reasonable is determined by balancing the gravity of the public interest sought to be advanced and the degree to which the seizures do advance that interest against the extent of the resulting intrusion upon the liberty interests of those stopped.

Id. (citing Sitz, 496 U.S. at 449-55).

The United States Supreme Court has applied this balancing analysis and "upheld the constitutionality of government checkpoints set up to detect drunken drivers, see [Sitz, 496 U.S. at 454], and illegal immigrants, see Martinez-Fuerte, 428 U.S. at 556–67 . . . , so long as they involve no more than an 'initial stop . . . and the associated preliminary questioning and observation by checkpoint officers.'" Id. at 356-57 (quoting Sitz, 496 U.S. at 450-51) (second ellipses added by court). "The seizure at the sobriety checkpoint upheld in Sitz lasted approximately twenty-five seconds, and the seizures at the immigration checkpoint upheld in Martinez-Fuerte lasted three to five minutes." Id. at 357 (citations omitted).

"The [United States] Supreme Court has also recognized that a state has a substantial interest in enforcing licensing and registration laws, though that interest is not substantial enough to justify roving patrol stops as an enforcement mechanism." Id. (citing Prouse, 440 U.S. at 658-59). However, the Court suggested in Prouse, "checkpoints to check driver's licenses would be permissible even in the absence of articulable and reasonable suspicion that a driver was unlicensed." Id. (citing Prouse, 440 U.S. at 663; Texas v. Brown, 460 U.S. 730, 743 (1983) (plurality opinion) (noting that the circumstances surrounding stop at driver's license roadblock gave "no suggestion that the roadblock was a pretext whereby evidence of a narcotics

violation might be uncovered in 'plain view' in the course of a check for driver's licenses"))).

Drawing on these authorities, courts have concluded that a brief stop at a checkpoint for the limited purpose of verifying a driver's license, vehicle registration, and proof of insurance is a reasonable intrusion into the lives of motorists and their passengers even in the absence of reasonable suspicion that a motorist or passenger is engaged in illegal activity.

Id. (citing United States v. Galindo-Gonzales, 142 F.3d 1217, 1221 (10th Cir. 1998) (finding brief detention of motorist to inspect driver's license, vehicle registration, and insurance information at an established license checkpoint comports with the Fourth Amendment); United States v. McFayden, 865 F.2d 1306, 1310-13 (D.C. Cir. 1989) (finding a roadblock to inspect drivers' licenses and vehicle registrations met the Fourth Amendment standard of reasonableness)).

[T]he Court has determined that the gravity of the public interests that such stops seek to advance and the general efficacy of checkpoint stops in advancing those interests outweigh the minimal intrusions on protected Fourth Amendment liberty interests that are caused by the brief stops required for such limited questioning and observation. But, the Court has also cautioned that "[d]etention of particular motorists for more extensive . . . testing may require satisfaction of an individualized suspicion standard."

Norwood v. Bain, 143 F.3d 843, 848 (4th Cir. 1998) (ellipsis and last set of brackets by court) (quoting Sitz, 496 U.S. at 451), vacated, aff'd this ground on reh'g en banc, 166 F.3d 243, 245 (4th Cir. 1999). "[A] claim that a particular exercise of discretion in locating or operating a checkpoint is unreasonable is subject to post-stop judicial review." Martinez-Fuerte, 428 U.S. at 559.

In State v. Groome, 378 S.C. 615, 619, 664 S.E.2d 460, 462 (2008), the trial court found a roadblock violated the Fourth Amendment under Brown v. Texas, 443 U.S. 47 (1979). The Groome court noted "Brown established a three part balancing test for determining the constitutionality of a traffic checkpoint: 1) the gravity of the public interest served by the seizure; 2) the degree to which the seizure serves the public interest; and, 3) the severity of the interference with individual liberty." Id. at 619, 664 S.E.2d at 462. The trial court held the first and third factors easily weighed in the State's favor but found the State presented no evidence on the second factor. Id.

On appeal, the State argued the trial court abused its discretion in finding the State failed to meet the second Brown factor, the "effectiveness" requirement. Id.

The State argues that it need not introduce evidence about the specific effectiveness of this roadblock because, by its very nature, every license check roadblock determines whether the driver is legally licensed. The State's position that license check roadblocks are ipso facto constitutional, thereby eliminating the requirement of effectiveness from the Brown formula relies upon [Sitz]. While Sitz does criticize "searching examination of effectiveness" by trial courts, it retains the requirement that the State produce empirical data to support the effectiveness of its roadblock. Sitz, [496 U.S.] at 454 ("unlike [Prouse], this case [does not involve] a complete absence of empirical data. . ."). The record supports the trial court's finding that the State failed to produce any evidence satisfying the second prong of the Brown test.

Groome, 378 S.C. at 619-20, 664 S.E.2d at 462 (ellipsis and last set of brackets added by court).

In Sitz, 496 U.S. at 453, the Michigan Court of Appeals "consider[ed] as part of the balancing analysis the 'effectiveness' of the proposed checkpoint program." The United States Supreme Court found the court of appeals erred in concluding the checkpoint program failed the effectiveness part of the test and the failure materially discounted the State's strong interest in implementing the program. Id. The court noted, "The actual language from Brown v. Texas, upon which the Michigan courts based their evaluation of 'effectiveness,' describes the balancing factor as 'the degree to which the seizure advances the public interest.'" Id. (quoting Brown, 443 U.S. at 51). "This passage from Brown was not meant to transfer from politically accountable officials to the courts the decision as to which among reasonable alternative law enforcement techniques should be employed to deal with a serious public danger." Id. "But for purposes of Fourth Amendment analysis, the choice among such reasonable alternatives remains with the governmental officials who have a unique understanding of, and a responsibility for, limited public resources, including a finite number of police officers." Id. at 453-54. "Brown's rather general reference to 'the degree to which the seizure advances the public interest' was derived, as the opinion makes clear, from the line of cases culminating in Martinez-Fuerte, . . . Neither Martinez-Fuerte nor [Prouse], however, the two cases cited by the Court of Appeals as providing the basis for its 'effectiveness' review, . . . supports the searching examination of 'effectiveness' undertaken by the Michigan court." Id. at 454.

The Sitz court further noted:

In Delaware v. Prouse, we disapproved random stops made by Delaware Highway Patrol officers in an effort to apprehend unlicensed drivers and unsafe vehicles. We observed that no empirical evidence indicated that such stops would be an effective means of promoting roadway safety and said that "[i]t seems common sense that the percentage of all drivers on the road who are driving without a license is very small and that the number of licensed drivers who will be stopped in order to find one unlicensed operator will be large indeed."

Id. (quoting Prouse, 440 U.S. at 659-60) (alteration by court). The court "observed that the random stops involved the 'kind of standardless and unconstrained discretion [which] is the evil the Court has discerned when in previous cases it has insisted that the discretion of the official in the field be circumscribed, at least to some extent.'" Id. (quoting Prouse, 440 U.S. at 661) (alteration by court).

The Sitz court found that "[u]nlike Prouse, this case involves neither a complete absence of empirical data nor a challenge to random highway stops." Id.

During the operation of the Saginaw County checkpoint, the detention of the 126 vehicles that entered the checkpoint resulted in the arrest of two drunken drivers. Stated as a percentage, approximately 1.6 percent of the drivers passing through the checkpoint were arrested for alcohol impairment. In addition, an expert witness testified at the trial that experience in other States demonstrated that, on the whole, sobriety checkpoints resulted in drunken driving arrests of around 1 percent of all motorists stopped. By way of comparison, the record from one of the consolidated cases in Martinez-Fuerte showed that in the associated checkpoint, illegal aliens were found in only 0.12 percent of the vehicles passing through the checkpoint. The ratio of illegal aliens detected to vehicles stopped (considering that on occasion two or more illegal aliens were found in a single vehicle) was approximately 0.5 percent. We concluded that this "record . . . provides a rather complete picture of the effectiveness of the San Clemente checkpoint," and we sustained its constitutionality. We see no justification for a different conclusion here.

Id. at 454-55 (alteration by court) (citations omitted). The court determined "the balance of the State's interest in preventing drunken driving, the extent to which this system can reasonably be said to advance that interest, and the degree of intrusion upon individual motorists who are briefly stopped, weighs in favor of the state program" and found it consistent with the Fourth Amendment. Id. at 455.

In State v. Larson, 485 N.W.2d 571, 573 (Minn. Ct. App. 1992), the Minnesota Court of Appeals found "the state failed to present any evidence of the effectiveness of the checkpoint." (citing Brown, 443 U.S. at 51 (holding the court must balance "the degree to which the seizure advances the public interest"); Prouse, 440 U.S. at 659-60 (finding the State presented no empirical evidence that random driver's license checks were effective)). It noted, "Here, there was no testimony on how many driver's license or equipment violations were uncovered or other empirical data on the effectiveness of the checkpoint in advancing the public interest." Id. (emphasis added) (citing Chock v. Comm'r of Pub. Safety, 458 N.W.2d 692, 694 (Minn. Ct. App. 1990) (approving legality of sobriety checkpoint on which empirical data of effectiveness was presented)).

Vickery argued and the trial court found the State presented no evidence of empirical evidence that led to the determination of the location of the checkpoint.<sup>1</sup> However, the cases on point do not require the State to present pre-existing empirical data to justify setting up the checkpoint. The case law does require some basis for the location of the checkpoint. Here, Officer Byrd testified the checkpoint was placed in that location due to citizen complaints about speeding and loud music. Major Mitchell also testified he had personal knowledge of the problems at the intersection before the checkpoint was set up from seeing incident reports, traffic tickets, and statistics. Additionally, the Traffic Enforcement Activity Reports for dates prior to April 26 show that license checkpoints in the same area resulted in thirty to sixty traffic and criminal offenses on each occasion. Therefore, the

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<sup>1</sup> The State also had the burden of showing the purpose of the stop and that it served the public interest. The checkpoint was not established by the officers conducting it but rather by their supervisors. Also, this was not a roving stop. None of these factors are at issue in this case.

trial court committed an error of law in requiring the State to present empirical data to justify the authorization and implementation of the checkpoint.

The trial court also suppressed the search because the State's empirical data regarding the effectiveness of the checkpoint was insufficient. The trial court acknowledged the State presented some empirical data regarding the intersection, but that it was insufficient to justify the roadblock. Prouse, Groome, and Sitz all require some empirical data that supports the second prong of Brown, that the seizure serves the public interest. However, none of these cases state how much evidence is considered enough. The United States Supreme Court, as well as our own supreme court, has stressed that no evidence is not enough. Here, we do have some evidence, lying somewhere between Prouse and Sitz. The two facts that seem to be lacking to paint the entire picture are how many vehicles came through this stop or all of the stops and how many of the tickets were specific to this stop location. According to Groome, the question before us is whether the record supports the trial court's finding that the State's empirical data was insufficient to satisfy the second prong of Brown. By showing the stops resulted in a total of forty-eight traffic violations and eight criminal cases including two drug arrests, the State met its burden under the second prong of Brown and the trial court erred in determining the State had to put up more evidence to show the checkpoint's effectiveness.

The purpose of the empirical data on the effectiveness is to be able to balance the effectiveness of the checkpoint with the other two prongs set forth in Brown, (1) the gravity of the public interest served by the seizure and (3) the severity of the interference with individual liberty. Here, the point of the checkpoint was to prevent traffic offenses and people driving without a license. This serves the public interest in that traffic violations and people driving without a license can cause injury to others. The severity with individual liberty was low in that the stops were marked so drivers could anticipate it and each stop lasted under a minute, if there was no violation. Weighing those two factors with the data provided as to the second factor, effectiveness, the license checkpoint did not violate the Fourth Amendment. Accordingly, the trial court's decision is

**REVERSED AND REMANDED.**

**PIEPER and GEATHERS, JJ., concur.**

**THE STATE OF SOUTH CAROLINA  
In The Supreme Court**

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The State, Appellant,

v.

Eston Groome, Respondent.

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Appeal from Greenville County  
D. Garrison Hill, Circuit Court Judge

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Opinion No. 26510  
Heard April 15, 2008 - Filed June 30, 2008

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**AFFIRMED**

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Attorney General Henry Dargan McMaster,  
Chief Deputy Attorney General John W.  
McIntosh, Assistant Deputy Attorney General  
Salley W. Elliott, and Assistant Attorney  
General Julie M. Thames, all of Columbia,  
and Solicitor Robert Mills Ariail, of Greenville,  
for Appellant.

J. Falkner Wilkes of Greenville, and James H.  
Price, III, of Price, Ashmore & Beasley, of  
Greenville, for Respondent.

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**JUSTICE PLEICONES:** The State appeals a pre-trial circuit court order suppressing drugs found after respondent was stopped at a drivers' license checkpoint. We affirm.

FACTS

In response to civilian "crime stoppers" tips of speeding and drug activity, a "Directed Patrol Unit" set up a drivers' license checkpoint one evening in Greenville. A "Directed Patrol

Unit” is a specialized crime suppression group; a K-9 team with a drug dog was assigned to the road-block. The dog and his handler walked up and down the line of cars as they were stopped at the checkpoint.

Respondent was stopped and surrendered his drivers license. As the officer walked back to check respondent’s tag, he radioed in and learned respondent’s license was suspended. Respondent was asked to pull his car into a nearby parking lot, then exit it, and meet the officer at the rear of the vehicle.

The K-9 officer and dog left the line and approached respondent’s car. The dog alerted, the car was searched, and marijuana seeds were found on the floorboards. Respondent was placed in the back of a patrol car before being transported to the law enforcement center. After respondent exited the police vehicle at the center, the officer found a baggie containing two other bags, each having white powder in it. The baggies were found to contain 13.02 grams of cocaine. Respondent was “Mirandized” at the station, and admitted smoking marijuana but denied the cocaine was his.

Respondent moved to suppress the drugs alleging the roadblock was violative of the Fourth Amendment. The trial judge agreed, and the State’s appeal follows.

#### SCOPE OF REVIEW

A trial court’s Fourth Amendment suppression ruling must be affirmed if supported by any evidence, and an appellate court may reverse only when there is clear error. State v. Brockman, 339 S.C. 57, 528 S.E.2d 661 (2000).

#### ISSUES

- 1) Whether the circuit court erred in finding the primary purpose of the checkpoint was for general crime control and therefore it was violative of the Fourth Amendment under City of Indianapolis v. Edmond, 531 U.S. 32 (2000)?
- 2) Whether the circuit court erred in holding that even if the primary purpose was a license checkpoint and there was no Edmond flaw, the roadblock none-the-less violated the Fourth Amendment under Brown v. Texas, 443 U.S. 47 (1979)?

#### ANALYSIS

The controlling decision in this matter is City of Indianapolis v. Edmond, 531 U.S. 32 (2000). In Edmond, the Court held that a police checkpoint whose primary purpose is general crime control- in Edmond narcotics interdiction- is unreasonable under the Fourth Amendment.

Here, the circuit court judge acknowledged there was conflicting evidence on the true purpose of the checkpoint, but was persuaded the primary purpose was general crime suppression rather than merely a drivers’ license checkpoint. He pointed to the following facts to support his conclusion:

There is evidence in the record supporting the trial judge's finding that the primary purpose of this roadblock was general crime suppression and therefore his conclusion that the roadblock violated Edmond must be affirmed. State v. Brockman, *supra*. Even if we were to disagree with this finding, the record supports the trial judge's secondary holding that the State's failure to produce any evidence on the second prong of the Brown v. Texas test renders the checkpoint unconstitutional. *Id.* Accordingly, the order suppressing the evidence is

**AFFIRMED.**

**MOORE, WALLER and BEATTY, JJ., concur. TOAL, C.J., dissenting in a separate opinion.**

**Chief Justice Toal:** I respectfully dissent. I would reverse the trial court's order suppressing the evidence and hold that this checkpoint did not violate the Fourth Amendment.

In *City of Indianapolis v. Edmond*, 531 U.S. 32 (2000), the United States Supreme Court held that the Fourth Amendment prohibits law enforcement from setting up a traffic checkpoint where the "programmatically" primary purpose is general crime control. The relevant jurisprudence instructs that the test to determine the primary purpose of a checkpoint is an objective test, and that the examining court should "consider all the available evidence in order to determine the relevant primary purpose." *Ferguson v. City of Charleston*, 532 U.S. 67, 81 (2001) (citing *Edmond*, 531 U.S. at 45-47).

In my view, there is no evidence in the record to support the trial court's finding that the primary purpose of this checkpoint was general crime control. The record shows that in accordance with the sheriff's department's guidelines, law enforcement officers placed signs on each road approaching the checkpoint alerting drivers to the checkpoint. Law enforcement officers stopped every vehicle, detained the drivers for no more than two minutes, and only after ascertaining probable cause would they ask the driver to pull off the road into a parking lot for further questioning. Additionally, an officer testified that the purpose of the checkpoint was to verify that every driver had a valid license and registration. Considering all the evidence in the record, I do not believe that the primary purpose of this checkpoint was general crime prevention, nor do I believe that this checkpoint allowed officers to exercise standardless and unconstrained discretion. See *Delaware v. Prouse*, 440 U.S. 648, 663 (1979) (invalidating discretionary "spot checking" in which the officer stopped random motorists on public highways solely for the purpose of checking the drivers' license and registration).

Further, in my opinion, the majority errs in suggesting that *Brown v. Texas*, 443 U.S. 47 (1979) requires the State to provide empirical data regarding the effectiveness of checkpoints or that *Mich. Dept. of State Police v. Sitz*, 496 U.S. 444 (1990) retained this requirement. In ruling on the constitutionality of a suspicionless checkpoint in which police stopped every vehicle, the *Sitz* court noted that the case did not involve "a complete absence of empirical data." *Id.* at 454 However, the Supreme Court went on to hold that the second prong of the *Brown* test "was not meant to transfer from politically accountable officials to the courts the decision as to which among reasonable alternative law enforcement techniques should be employed to deal with a serious public danger" and that "for purposes of Fourth Amendment analysis . . . [this decision] remains with the governmental officials." *Sitz*, 496 U.S. at 454.

- 1) the checkpoint was conducted by the Directed Patrol Unit, which is assigned specifically to deal with crime suppression issues;
- 2) a K-9 patrol unit with a nationally certified drug dog team was participating; and,
- 3) the State presented no evidence as to the plan, procedures, or duration of the roadblock, nor was any evidence of a protocol introduced and as the Supreme Court noted in Edmond, without such information “law enforcement authorities would be able to establish checkpoints for virtually any purpose so long as they include a license or sobriety check.”

The circuit court went on to find that even if the primary purpose were a license checkpoint and thus the roadblock passed constitutional muster under Edmond, the roadblock would still violate the Fourth Amendment under Brown v. Texas, 443 U.S. 47 (1979). Brown established a three part balancing test for determining the constitutionality of a traffic checkpoint:

- 1) the gravity of the public interest served by the seizure;
- 2) the degree to which the seizure serves the public interest; and,
- 3) the severity of the interference with individual liberty.

The trial judge held the first and third factors easily weighed in the State’s favor, but found that the State presented no evidence on the second factor.

The State first argues the trial judge erred in finding the primary purpose here was suppression of drug activity. It does not argue that there is no evidence to support the ruling, but instead contends the judge placed “undue emphasis” on certain facts. Under this Court’s limited scope of review, the finding that the primary purpose of the roadblock was general crime suppression is supported by the evidence, and the conclusion that it violated the Fourth Amendment under Edmond must be affirmed. State v. Brockman, *supra*.

The State next argues the trial judge abused his discretion finding the State failed to meet the second Brown factor, the “effectiveness” requirement. The State argues that it need not introduce evidence about the specific effectiveness of this roadblock because, by its very nature, every license check roadblock determines whether the driver is legally licensed.

The State’s position that license check roadblocks are *ipso facto* constitutional, thereby eliminating the requirement of effectiveness from the Brown formula relies upon Michigan Dep’t of State Police v. Sitz, 496 U.S. 444 (1990). While Sitz does criticize “searching examination of effectiveness” by trial courts, it retains the requirement that the State produce empirical data to support the effectiveness of its roadblock. Sitz at 454 (“unlike [Delaware v. Proust, 440 U.S. 648 (1979), this case [does not involve] a complete absence of empirical data . . .”). The record supports the trial court’s finding that the State failed to produce any evidence satisfying the second prong of the Brown test.

## CONCLUSION

In my view, the balance of the public interest and the severity of the interference with individual liberty clearly weighs in favor of this checkpoint. As noted by the trial court, the intrusion on individual liberty was minimal and the State has a high interest in preventing unlicensed or uninsured drivers from operating vehicles. In my opinion, this checkpoint provides an effective method of curtailing this problem in that every vehicle was stopped and every driver was required to produce their license, registration, and proof of insurance. Moreover, the fact remains that decisions regarding the techniques and methods of combating roadway dangers remains with law enforcement. See *Id.* Perhaps most significant, however, is that this checkpoint modeled the types of checkpoints that have been upheld as constitutional under the Fourth Amendment. See *Sitz*, 496 U.S. at 455 (holding that a suspicionless seizure where law enforcement briefly stopped all motorists crossing the checkpoint did not violate the Fourth Amendment); *Prouse*, 440 U.S. at 663 (distinguishing between the unconstitutional seizure of drivers without reasonable suspicion and the “[q]uestioning of all oncoming traffic at roadblock-type stops”); *United States v. Martinez-Fuerte*, 428 U.S. 543, 566 (1976) (holding that “stops for brief questioning routinely conducted at permanent checkpoints are consistent with the Fourth Amendment”). Indeed, while *Edmond* held that the Fourth Amendment prohibits a suspicionless stop whose “programmatically” primary purpose is general crime control, the “holding [] [did] nothing to alter the constitutional status of the sobriety and border checkpoints that [the United States Supreme Court] approved in *Sitz* and *Martinez-Fuerte*, or of the type of traffic checkpoint that we suggested would be lawful in *Prouse*.” *Edmond* at 47.

For these reasons, I would hold that the primary purpose of this checkpoint was not general crime prevention and that the checkpoint did not violate Appellant's Fourth Amendment rights.



**SOUTH CAROLINA COMMISSION ON PROSECUTION COORDINATION**

**“Prosecuting the Impaired Driver”**

South Carolina Sheriffs’ Association  
Columbia, South Carolina  
July 27, 2017

- |                         |                                                                                                                                                                  |
|-------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 8:30 a.m. – 9:00 a.m.   | Registration                                                                                                                                                     |
| 9:00 a.m. – 10:30 a.m.  | Traffic Case Law Update<br><i>Val Valenta, General Counsel</i><br><i>South Carolina Department of Motor Vehicles</i>                                             |
| 10:30 a.m. – 10:45 a.m. | Break                                                                                                                                                            |
| 10:45 a.m. – 12:00 p.m. | Datamaster Testing Do’s & Don’ts<br><i>Debbie Banks, Lieutenant, Implied Consent Division</i><br><i>South Carolina Law Enforcement Division</i>                  |
| 12:00 p.m. – 1:30 p.m.  | Lunch (on your own)                                                                                                                                              |
| 1:30 p.m. – 2:30 p.m.   | DUI Prosecution Issues at Trial<br><i>W. Mattison Gamble, Traffic Safety Resource Prosecutor</i><br><i>South Carolina Commission on Prosecution Coordination</i> |
| 2:30 p.m. – 4:00 p.m.   | DUI Toxicology in the Courtroom<br><i>Tim Grambow, DFTCB, Forensic Toxicologist</i><br><i>South Carolina Law Enforcement Division</i>                            |



South Carolina Commission on Prosecution Coordination

# BEHIND THE WHEEL

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Volume 17, Issue 1

Page 1

## SC Department of Public Safety Office of Highway Safety and Justice Programs Holds 12th Annual DUI Enforcement Recognition and 2016 Law Enforcement DUI Challenge Ceremonies

(SCDPS news release)

The SC Department of Public Safety (SCDPS) recognized law enforcement officers and agencies Tuesday, April 11, for their efforts in 2016 to enforce the state's DUI laws and remove impaired drivers from South Carolina roadways.

SCDPS presented awards to officers and agencies in several categories during the 12th Annual DUI Enforcement Recognition and 2016 Law Enforcement DUI Challenge Ceremonies.

The following is a complete list of winners. See the SCDPS Facebook Page for complete photo ID's.

### Officer of the Year (five categories based on size of agency):

- 1-10 officers: Officer Bryan Snow, Lyman Police Department, 30 DUI arrests
- 11-25 officers: Corporal Christopher Wilson, Port Royal Police Department, 15 DUI arrests
- 26-50 officers: Officer Jeb Fay, Bluffton Police Department, 70 DUI arrests
- 51-100 officers: Deputy Jarrett Greenway, Kershaw County Sheriff's Office, 94 DUI arrests
- 101+ officers: Patrolman First Class Michael Intini, North Charleston Police Department, 150 DUI arrests

### Rookie of the Year:

Officer Tyler Bishop, Walhalla Police Department, 11 DUI arrests (started on the road in April 2016)

### Highway Patrol Trooper of the Year:

Lance Corporal Christopher D. Brigham, Troop 8, Coastal-A Target Zero Team, 54 DUI arrests

### Highway Patrol Troop of the Year:

Troop 5 (Darlington, Dillon, Florence, Georgetown, Horry, Marion, Marlboro and Williamsburg counties), 2,695 DUI arrests

### State Transport Police District of the Year:

Region 3 (Anderson, Greenville, Oconee, Pickens and Spartanburg counties)

### South Carolina Law Enforcement Network (LEN) of the Year:

15th Circuit Law Enforcement Network (Georgetown and Horry counties)

### Agency of the Year (categories based on size of agency):

- 11-25 officers: Isle of Palms Police Department, 51 DUI arrests
- 26-50 officers: Hartsville Police Department, 93 DUI arrests
- 51-100 officers: Kershaw County Sheriff's Office, 189 DUI arrests
- 101+ officers: Myrtle Beach Police Department, 401 DUI arrests

### AAA Carolinas Pedestrian Safety Award:

4th Circuit LEN

### MADD Drug Recognition Expert of the Year:

Corporal Jake McCoy, Univ. of South Carolina Police Dept.

### MADD Barry Barnette DUI Prosecutor of the Year:

Josh Golson, 5th Judicial Circuit Solicitor's Office



5th Circuit Assistant Solicitor Josh Golson (center) accepts the first annual "Barry Barnette DUI Prosecutor of the Year", presented by MADDSC. Pictured with Josh are MADDSC Director Steven Burritt (left) and 7th Circuit Solicitor Barry Barnette. Congratulations, Josh!



**Know a traffic safety professional that would like to receive "Behind the Wheel"?**  
**Email [mgamble@cpc.sc.gov](mailto:mgamble@cpc.sc.gov) to be added to our mailing list!**

This newsletter is supported in part by funds provided by the U. S. Department of Transportation, National Highway Traffic Safety Administration through the Office of Highway Safety and Justice Programs of the South Carolina Department of Public Safety. Points of view or opinions contained within this document are those of the author and do not necessarily represent the official position or policies of the National Highway Traffic Safety Administration or the South Carolina Department of Public Safety. Images used herein are the property of the author, copyright-free, or exempt under Title 17 of the U.S. Code.

## TRAFFIC LAW UPDATE

**Kranichick v. State** - expert witness testimony, post-conviction relief

• Found online at <http://www.sccourts.org/opinions/HTMLFiles/COA/5448.pdf>

Defense attorney's failure to object to expert witness testimony of forensic toxicologist did not prejudice defendant's conviction at trial for Felony DUI. Testimony regarding test results showing high level of intoxicants found in defendant's blood, in addition to evidence presented by investigating officers and MAIT personnel was enough to support jury's guilty verdict. (*Ed. note: forensic toxicologist was qualified as "expert in the field of forensic toxicology" without objection, however the Court found evidence in the record to support the PCR court's determination that the State presented insufficient qualifications for the toxicologist to testify concerning the mental or physical effects of drugs on a person.*)

**Wilson v. SCDMV** - DUI, license suspension, due process

• Found online at <http://www.sccourts.org/opinions/HTMLFiles/COA/5464.pdf>

Defendant was arrested for DUI and plead guilty in June, 2009. Defendant was notified of license suspension as a result of conviction in May, 2014. Defendant brought action against SCDMV for declaratory relief, alleging the suspension imposed after a five-year lapse would violate standards of fundamental fairness, cause hardship, and leave defendant without a remedy at law. The Court distinguished defendant's case from *State v. Chavis, 261 S.C. 408 (1973)* in that defendant attempted to obtain restricted license and inquired as to the delay in her conviction and suspension being imposed, that the delay in suspension was not due to either party's actions, and the defendant would suffer prejudice as a result of the suspension.

**U.S. v. Hill** - extended traffic stop, reasonable suspicion, K9 search

• United States Court of Appeals, Fourth Circuit (Citation: 849 F.3d 195 (2017))

Defendant was a passenger in a vehicle that was stopped for following too closely. Due to conflicting accounts of travel, third-party registration of the vehicle, and the driver's admission of prior felony convictions, the arresting officer eventually called for a K9 unit approximately thirty minutes after the initiation of the stop. Narcotics were found on the person of the passenger, Hill, after the stop and he was tried and convicted in federal court. Arguing the traffic stop exceeded the scope of the initial stop and was unlawfully prolonged, the federal court of appeals upheld defendant's conviction. The court stated that because of the reasons above, the officer has reasonable suspicion to believe that criminal activity was occurring, and confirmed or dispelled that suspicion in a reasonable time, all while issuing a warning for the traffic offense. The thirty minute delay from initial stop to the K9 alerting on the vehicle was not found to be unreasonable.

**Florida v. Worsham** - event data recorder (EDR), search warrant, collision reconstruction

• Westlaw cite 2017 WL 1175880 (not released for publication at time of this article)

Defendant was the driver of a vehicle that wrecked and killed the passenger. Florida law enforcement retrieved the data from defendant's vehicle's EDR while impounded without a search warrant. A search warrant was applied for several days after the data was retrieved, resulting in a denial of issuance of a warrant. Defendant was indicted for DUI manslaughter and vehicular homicide and moved to suppress the information obtained from the EDR at trial. The Florida District Court of Appeals heard the motion, ruling that there is a reasonable expectation of privacy in the information retained by an event data recorder and downloading that information without a warrant from an impounded car in the absence of exigent circumstances violates the Fourth Amendment. (*Ed. note: To summarize: although this is an out-of-state opinion, the practice that absent exigent circumstances, law enforcement should apply for a search warrant when obtaining EDR information should also be followed in South Carolina.*)

**DID YOU  
KNOW** 

NHTSA-published SFST, ARIDE, DRE and other manuals are available FREE to download online! A quick Google search will bring up many sites with the materials. An easy resource is Washington State Patrol's page:

[www.wsp.wa.gov/breathtest/dredocs.php](http://www.wsp.wa.gov/breathtest/dredocs.php)

## NATIONAL CAMPAIGN DATES TO REMEMBER

**May 15—June 4**  
National Enforcement Mobilization  
Occupant Protection  
"Click It or Ticket"



**May 29—September 4**  
"100 Deadly Days of Summer"

**June 19**  
National Ride to Work Day  
Share the Road with Motorcyclists  
and Bicyclists

**July**  
Vehicle Theft Prevention Month

**July 4**  
Impaired Driving Enforcement  
"Drive Sober or Get Pulled Over"  
"Buzzed Driving is Drunk Driving"



**buzzed  
driving is  
drunk  
driving**

## HELPFUL WEBSITES

National Highway Traffic  
Safety Administration  
[www.nhtsa.gov](http://www.nhtsa.gov)

National Association of  
Prosecutor Coordinators  
[www.napc.us](http://www.napc.us)

NDAA's National Traffic Law  
Center (NTLC)  
[www.ndaa.org/ntlc\\_home.html](http://www.ndaa.org/ntlc_home.html)

South Carolina Commission on  
Prosecution Coordination  
P.O. Box 11561  
Columbia, SC 29211-1561





# STATE OF SOUTH CAROLINA

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## Impaired Driving Program Assessment

November 13 – 18, 2016

National Highway Traffic Safety Administration

Technical Assessment Team

Cynthia Burch  
Honorable Linda Chezem  
Rob Lillis  
Michael Stout  
Tom Woodward

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## **ACKNOWLEDGEMENTS**

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The team also thanks each of the participants for the time and energy invested in preparing and delivering their presentations. Their candor and thoroughness in discussing their activities to target impaired driving in South Carolina greatly assisted the team in conducting a complete review.

The team thanks Caroline Cash of the Impaired Driving Division, National Highway Traffic Safety Administration (NHTSA) for coordinating and facilitating the onsite assessment process and Belinda Jackson from NHTSA Region 4 who also participated in the assessment. Their support helped provide a national and regional impaired driving program perspective to the assessment. The team also thanks Laura Nichols, Assessment Administrative Consultant, for her coordination and management of the production of the final report and support to the team.

This report is based on a review of the State's Impaired Driving Program. It is intended to assist South Carolina's efforts to enhance the effectiveness of its impaired driving program by equipping the criminal justice community and law enforcement officials with the knowledge and skills to detect, arrest, and prosecute impaired drivers. The team believes that this report will contribute to the State's efforts to enhance the effectiveness of its impaired driving program in preventing injuries, saving lives, and reducing economic costs of motor vehicle crashes on South Carolina roadways, and commends all who are involved in the day-to-day efforts to reduce impaired driving in South Carolina.

## INTRODUCTION

The mission of the National Highway Traffic Safety Administration (NHTSA) is to reduce deaths, injuries, and economic and property losses resulting from motor vehicle crashes. In its ongoing pursuit to reduce traffic crashes and subsequent fatalities and injuries, NHTSA offers Highway Safety Program Assessments to the States.

The Highway Safety Program Assessment process is an assistance tool that uses an organized approach, along with well-defined procedures, to provide states with a review of their various highway safety and emergency medical services (EMS) programs. Program assessments are provided for impaired driving, occupant protection, traffic records, motorcycle safety, standardized field sobriety testing, driver education, pedestrian and bicycle safety, and EMS.

The purpose of an assessment is to review all components of a given highway safety or EMS program, note the program's strengths and accomplishments, and note where improvements can be made. The assessment can be used as a management tool for planning purposes and for making decisions about how to best use available resources. The assessments are cooperative efforts among state highway safety offices, state EMS offices, and NHTSA. In some instances, the private sector is also a partner in the effort. NHTSA staff facilitates the assessment process by assembling a team composed of experts who have demonstrated competence in highway safety or EMS program development and evaluation to complete the assessment.

Program assessments are based on the "Uniform Guidelines for State Highway Safety Programs," which are required by Congress and periodically updated through a public rulemaking process. For each highway safety program area, the criteria against which each state program is assessed have been developed through use of the uniform guidelines, augmented by current best practices.

Under the Fixing America's Surface Transportation Act (FAST Act), states that have an average impaired driving fatality rate per one hundred million vehicle miles traveled (VMT) that is 0.60 or higher are considered high-range states. States are considered mid-range if their average impaired driving fatality rate is lower than 0.60 but higher than 0.30 and low-range states if it is 0.30 or lower. South Carolina is considered a high-range state and is therefore required to conduct a NHTSA-facilitated assessment of the State's impaired driving program. Furthermore, the State is required to convene a statewide impaired driving task force to develop a statewide impaired driving plan. The plan must address recommendations from the required assessment.

The South Carolina Impaired Driving Program Assessment was conducted at the Embassy Suites, Columbia, SC, from November 14-18, 2016. Under the direction of Phil Riley, Director of the South Carolina Department of Public Safety, Office of Highway Safety and Justice Programs (SCDPS, OHSJP), arrangements were made for impaired driving program partners and stakeholders (see Agenda) to deliver briefings and provide support materials to the team on a wide range of topics over a three-day period.

## STATE BACKGROUND

According to the South Carolina Revenue and Fiscal Affairs Office and the US Census Bureau, in 2015, the population of South Carolina was estimated to be 4,896,146. From 2011 to 2015, South Carolina's population increased by an estimated 4.78 percent, compared to a nationwide population growth of 3.06 percent. In 2015, South Carolina had 3,724,946 licensed drivers who operated 4,336,240 registered motor vehicles on a roadway system of over 66,000 miles of streets and highways. South Carolina has the fifth largest state-maintained highway system in the nation.

Demographic factors to consider when analyzing South Carolina's impaired driving problems are age, race, and gender. In 2015, the South Carolina Revenue and Fiscal Affairs Office and the US Census Bureau reported that 68.4 percent of the State's population was White or Caucasian, 27.9 percent was African American, and 5.5 percent of the population was Hispanic. According to the Statistical Analysis and Research Section of the Office of Highway Safety and Justice Programs (OHSJP), from 2011-2015, the age groups 20-24 (233), 25-29 (217), 30-34 (160), 35-39 (124), 40-44 (115), and 45-49 (118) accounted for 967, or 74 percent, of the at-fault drivers (1,307) involved in impaired-driving fatal collisions in the state. Statistics for 2011-2015 indicate that 65 percent (850) of at-fault drivers involved in impaired-driving fatal collisions in South Carolina were White or Caucasian, while 30 percent (398) were African American. Statistics for 2011-2015 indicate that 82 percent (1,067) of at-fault drivers involved in impaired-driving fatal collisions in South Carolina were male, while females made up 18 percent (235).

In 2014, the South Carolina Revenue and Fiscal Affairs Office and the US Census Bureau reported that 82.7 percent of South Carolina workers drove to work, 9.3 percent carpooled, and only 0.7 percent used public transportation. It is reported that 3.4 percent of the workforce worked at home. Among those who commuted to work, an average of 20-24 minutes was required. From 2010-2014, the median household income of South Carolina residents was \$45,033. However, 18.0 percent of South Carolina residents live in poverty.

Statistical data (Table 1) for calendar year (CY) 2015 shows that 979 people were killed in South Carolina traffic crashes. In the period from 2011 through 2015, the Fatality Analysis Reporting System (FARS) indicates that there were approximately 4,261 motor vehicle-related deaths in South Carolina. This resulted in an average of about 852 traffic fatalities per year over the five-year period. Over this period, annual traffic fatalities fluctuated around the five-year average, starting with 828 in 2011 and ending with 979 in 2015. The 2015 count represents a 19.32 percent increase, when compared to the average of the prior four years (820.5 fatalities), and an 18.24 percent increase when compared to the count in 2011. Total deaths increased from 828 in 2011 to 863 in 2012, before decreasing to 768 in 2013, and then rising to 823 in 2014 and to 979 at the end of the five-year cycle in 2015.

The state's population-based fatality rate (expressed as the number of deaths per 100,000 population) increased by 15.67 percent in 2015, as compared to the prior four-year average population-based fatality rate for the years 2011-2014. South Carolina's 2011-2015 average population-based fatality rate (17.83 deaths per 100,000 residents) was greater than the national rate (10.55).

**Table 1. South Carolina Basic Data**

	2011	2012	2013	2014	2015	% Change: 2011 vs. 2015	% Change: 2015 vs. prior 4-yr Avg.
<b>Total Fatalities</b>	828	863	768	823	979	18.24%	19.32%
<b>VMT*</b>	48,731	49,036	48,986	49,931	51,723	6.14%	5.19%
<b>VMT Rate**</b>	1.70	1.76	1.57	1.65	1.89	11.40%	13.42%
<b>Population</b>	4,672,733	4,721,341	4,768,498	4,829,160	4,896,146	4.78%	3.12%
<b>Pop. Rate**</b>	17.72	18.28	16.11	17.04	20.00	12.84%	15.67%

\* Vehicle Miles of Travel (billions)

\*\*Rate per 100 million miles of travel

\*\*\*Fatality rate per 100,000 population

**VMT Data Source:** 2011-2015 FARS, <http://www-nrd.nhtsa.dot.gov>

Table 2 demonstrates that, during the 2011-2015 timeframe, South Carolina saw its largest increase in traffic fatalities in the category of motorcyclist fatalities, a substantial 42.64 percent increase, from 129 deaths in 2011 to 184 in 2015, far outpacing the national increase of 7.47 percent in this category. It should be noted, however, that FARS data include moped rider fatality statistics in the motorcyclist category, whereas South Carolina state traffic data does not.

Older driver-involved fatalities increased in South Carolina by 41.82 percent, from 110 deaths in 2011 to 156 in 2015, compared to 10.59 percent nationally. South Carolina traffic fatalities involving speed increased 29.86 percent, from 2011 (278) to 2015 (361), during which time the nation experienced a decrease of 4.44 percent. Driver fatalities in general increased 23.52 percent in South Carolina when comparing 2011 (540) to 2015 (667), while at the same time the national increase was 6.41 percent.

Unrestrained occupant fatalities in South Carolina reflect an 18.60 percent increase when comparing 2011 (258) to 2015 (306) and a 3.34 percent decrease nationally.

With regard to the number of alcohol-impaired driving fatalities, South Carolina experienced a decrease of 2.59 percent (from 309 in 2011 to 301 in 2015) compared to the national increase of 4.05 percent during this same time period.

**Table 2- Fatalities by Type**

	2011	2012	2013	2014	2015	Total 2011 -2015	% Change: 2015 vs. 2011	% Change: 2015 vs. prior 4- yr. Avg.
<b>Total Fatalities†</b>								
South Carolina	828	863	768	823	979	4,261	18.24%	19.32%
U.S.	32,479	33,782	32,894	32,744	35,092	166,991	8.05%	6.42%
<b>Driver Fatalities*</b>								
South Carolina	540	589	535	531	667	2,862	23.52%	21.55%
U.S.	20,815	21,490	20,943	20,788	22,150	106,186	6.41%	5.43%
<b>Passenger Fatalities*</b>								
South Carolina	160	138	118	171	173	760	8.13%	17.89%
U.S.	6,256	6,436	6,111	5,751	6,447	31,001	3.05%	5.03%
<b>Motorcyclist Fatalities</b>								
South Carolina	129	146	149	121	184	729	42.64%	35.05%
U.S.	4,630	4,986	4,692	4,594	4,976	23,878	7.47%	5.30%
<b>Pedestrian Fatalities</b>								
South Carolina	113	123	100	107	123	566	8.85%	11.06%
U.S.	4,457	4,818	4,779	4,910	5,376	24,340	20.62%	13.39%
<b>Bicyclist Fatalities</b>								
South Carolina	15	13	15	14	16	73	6.67%	12.28%
U.S.	682	734	749	729	818	3,712	19.94%	13.06%
<b>Impaired Driving Fatalities</b>								
South Carolina	309	348	340	331	301	1,628	-2.59%	-9.27%
U.S.	9,865	10,336	10,076	9,943	10,265	50,485	4.05%	-2.09%
<b>Speeding Fatalities</b>								
South Carolina	278	322	305	307	361	1,573	29.86%	19.14%
U.S.	10,001	10,329	9,613	9,262	9,557	48,762	-4.44%	-2.49%
<b>Unrestrained Occupant Fatalities</b>								
South Carolina	258	313	242	275	306	1,394	18.60%	12.50%
U.S.	10,215	10,370	9,622	9,410	9,874	49,491	-3.34%	-0.31%
<b>Young Driver-Involved Fatalities</b>								
South Carolina	107	126	98	119	121	571	13.08%	7.56%
U.S.	4,726	4,596	4,248	4,250	4,667	22,487	-1.25%	4.76%
<b>Older Driver-Involved Fatalities</b>								
South Carolina	110	118	104	136	156	624	41.82%	33.33%
U.S.	5,636	5,940	6,014	5,709	6,233	29,532	10.59%	7.01%

\*Fatality types cross multiple categories; therefore, some fatalities contribute to multiple categories (row) in this table.

†Total includes unknown occupant fatalities.

Also, as shown in Table 2, the total number of pedestrian fatalities in the state increased 8.85 percent when comparing 2011 to 2015 (from 113 in 2011 to 123 in 2015). The number of national pedestrian fatalities increased 20.62 percent in 2015 (5,376) as compared to 2011 (4,457).

There were 73 bicyclist fatalities in the five-year period 2011-2015, with 16 occurring in 2015, representing an increase of 12.28 percent when compared to the average of the previous four-year period (14.25), and a 6.67 percent increase from the level in 2011. Additionally, there was a 19.94 percent increase in nationwide bicyclist fatalities when comparing 2011 to 2015 (682 in 2011 to 818 in 2015).

In order to examine traffic collision trends over time, the OHSJP staff reviewed collision data for the period 2011-2015. During this five-year period, the state's motor vehicle death rate (MDR) of 1.70 in 2011 increased the following year (2012) to 1.76 before decreasing to a historical low of 1.57 in 2013. The State's MDR has been on the rise since 2013 increasing to 1.65 in 2014 and 1.89 in 2015. Collision statistics for the period are presented in the table below.

**Table 3- South Carolina Collision Statistics 2011 - 2015**

<b>Year</b>	<b># Collisions</b>	<b># Deaths</b>	<b># Injuries</b>	<b>Death Rate</b>
2011	101,843	828	46,057	1.70
2012	108,264	863	50,065	1.76
2013	113,281	768	50,946	1.57
2014	119,163	823	53,019	1.65
2015	132,045	979	57,965	1.89

#### SC Traffic Fatality Summary

Total traffic deaths in South Carolina numbered 828 in 2011, increasing to 863 in 2012, before decreasing to 768 in 2013 (the third lowest number of deaths in the prior 50-year state history). The following year (2014), traffic deaths increased to 823 and totaled 979 deaths in 2015. Overall, there was an increase of 151 deaths in comparing 2011 with 2015. It is not certain what effect changes in the economy or other related factors had on the more unfavorable results of 2015.

The only observed statistical decline from 2011 through 2015 was in impaired-driving deaths (-2.59%). The remaining categories all saw increases. The top five increasing categories in traffic fatalities were: Motorcyclists (42.64%); Older Driver-Involved Fatalities (41.82%); Speeding Fatalities (29.86%); Driver Fatalities (23.52%); and Unrestrained Occupant Fatalities (18.60%).

## **PRIORITY RECOMMENDATIONS**

### **I. Program Management and Strategic Planning**

- **Convene a Governor's Alcohol and Drug Impaired Driving Task Force that includes both traditional and non-traditional members such as highway safety experts, law enforcement, judiciary, driver licensing services, treatment, alcohol beverage control, businesses, insurance companies, medical and health care representatives, advocacy groups, the media, and higher education, to review existing laws and regulations and make recommendations to the Governor and State Legislature.**
- **Require convicted Driving Under the Influence offenders to pay fines and fees that support the Impaired Driving Countermeasures Program.**
- **Evaluate impaired driving programs to determine if resources are being allocated in the most effective manner.**

### **II. Prevention**

- **Enact Alli's Law or similar legislation to require responsible beverage server training as a condition of liquor licensure.**
- **Coordinate one-shot or single session prevention strategies with evidence-based prevention programs in schools.**

### **III. Criminal Justice System**

- **Repeal the statutory videotaping requirements of the entire traffic stop, including the field sobriety testing and advice of rights.**
- **Convene a Governor's DUI and Drugs Task Force that includes both traditional and non-traditional members such as highway safety experts, law enforcement, judiciary, driver licensing services, treatment, alcohol beverage control, businesses, insurance companies, medical and health care representatives, advocacy groups, the media, and higher education, to review existing laws and regulations and make recommendations to the Governor and State Legislature.**
- **Increase the number of Solicitors to handle DUI cases.**
- **Establish a Judicial Outreach Liaison position with a focus on the summary courts.**

- **Enact Alli's Law or similar legislation to require responsible beverage server training as a condition of liquor licensure.**

#### **IV. Communication Program**

- **Evaluate the Office of Highway Safety and Justice Programs' media plan to ensure its messages are reaching target audiences.**

#### **V. Alcohol and Other Drug Misuse: Screening, Assessment, Treatment and Rehabilitation**

- **Require completion of the Alcohol and Drug Safety Action Program as a condition of license reinstatement for DUI offenders whose license is suspended for an alcohol driving offense.**
- **Enact legislation designating impaired driving as a mandatory reportable condition for all healthcare providers.**

#### **VI. Program Evaluation and Data**

- **Support the implementation of the South Carolina Uniform Traffic Ticket Information Exchange System to serve as a comprehensive citation tracking system.**

## **I. Program Management and Strategic Planning**

*Effective impaired driving programs begin with strong leadership, sound policy development, effective and efficient program management, and coordinated planning, including strategic planning. Program efforts should be data-driven, focusing on populations and geographic areas that are most at risk; are evidence-based; and determined through independent evaluation as likely to achieve success. Programs and activities should be guided by problem identification, carefully managed and monitored for effectiveness, and have clear measurable outcomes. Adequate resources should be devoted to the problem, and the costs should be borne, to the extent possible, by impaired drivers. Strategic planning should provide policy guidance; include recommended goals and objectives; and identify clear measurable outcomes, resources, and ways to overcome barriers.*

### **A. State and Tribal DWI Task Forces or Commissions<sup>1</sup>**

#### **Advisory**

*States and tribal governments should convene Driving While Impaired (DWI) task forces or commissions to foster leadership, commitment and coordination among all parties interested in impaired driving issues. State-level and tribal task forces and commissions should:*

- *Receive active support and participation from the highest levels of leadership, including the governor and/or governor's highway safety representative.*
- *Include members that represent all interested parties, both traditional and non-traditional, such as representatives of: government – highway safety, enforcement, criminal justice, liquor law enforcement, public health, education, driver licensing and education; business – employers and unions; the military; medical, health care and treatment; multi-cultural, faith-based, advocacy and other community groups; and others.*
- *Recommend goals and objectives, provide policy guidance and identify available resources, based on a wide variety of interests and through leveraging opportunities.*
- *Coordinate programs and activities to ensure that they complement rather than compete with each other.*
- *Operate continuously, based on clear authority and direction.*

#### **Status**

In 2004, a DUI Task Force, the South Carolina Impaired Driving Prevention Council (SCIDPC), was created. It provides leadership and guidance in seeking to significantly reduce the number of collisions, injuries, and deaths caused by impaired drivers. The SCIDPC annually reviews and approves the *South Carolina Impaired Driving Countermeasures Plan*.

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<sup>1</sup> See "A Guide for Statewide Impaired Driving Task Forces" (DOT HS 811 211, September 2009) for a "how to" in support of implementing, making best use of, and continuing a task force.

The SCIDPC membership includes both public and private sector agencies and organizations that have an interest in impaired driving prevention, which include the following:

Office of the Governor  
South Carolina Department of Public Safety  
South Carolina Department of Transportation  
South Carolina Department of Motor Vehicles  
South Carolina Department of Corrections  
South Carolina Department of Alcohol and Other Drug Abuse Services  
Speaker of the House, South Carolina Legislature  
President Pro Tem of the Senate, South Carolina Legislature  
South Carolina Department of Insurance  
South Carolina Commission on Prosecution Coordination  
South Carolina Solicitors Association  
South Carolina Department of Probation, Parole, and Pardon Services  
South Carolina Criminal Justice Academy  
South Carolina State Law Enforcement Division  
South Carolina Department of Education  
South Carolina Judicial Department  
South Carolina Attorney General's Office  
South Carolina Sheriffs Association  
South Carolina Law Enforcement Officers Association  
South Carolina Police Chiefs Association  
South Carolina Summary Court Judges Association  
South Carolina Campus Law Enforcement Association  
South Carolina Coroners Association  
South Carolina Trucking Association  
Behavioral Health Services Association  
South Carolina Victims Assistance Network  
South Carolina Mothers Against Drunk Driving  
Families of Highway Fatalities  
State Office of Victim Assistance  
American College of Emergency Physicians  
Primary Care Physician Association  
American Automobile Association of the Carolinas  
Safety Council of South Carolina  
South Carolina Hospitality Association  
Federal Highway Administration  
National Highway Traffic Safety Administration  
Federal Motor Carrier Safety Administration  
The two immediate past SCIDPC chairmen  
The two immediate past SCIDPC vice chairmen

The SCIDPC meets at least twice annually, approves the State's Impaired Driving Countermeasures Plan, and has four working sub-committees:

- Education/Prevention
- Enforcement/Prosecution/Adjudication
- Treatment/Rehabilitation/Diversion
- Legislation

The SCIDPC reviews and monitors crash, citation, DUI arrests, and fatality data as provided by the South Carolina Department of Public Safety's Office of Highway Safety and Justice Programs (OHSJP). The SCIDPC also reviews enforcement and educational efforts to reduce impaired driving in South Carolina, as well as monitors legislation that impacts impaired driving.

In the past, the SCIDPC was a strong and effective task force that benefited from input by its membership comprised of state, local, and federal governmental agencies and associations. However, during the past two years, participation at task force meetings has suffered, with attending participants being primarily representatives from state agencies, Mothers Against Drunk Driving (MADD), and a few other partners. In addition, some vacancies on the task force exist, thus further eroding the impact this task force once enjoyed.

The complexity of impaired driving laws in South Carolina significantly reduces the chance of attaining DUI convictions. It is reported that an overwhelming number of DUI arrests are reduced to reckless driving plea agreements.

### **Recommendations**

- **Convene a Governor's Alcohol and Drug Impaired Driving Task Force that includes both traditional and non-traditional members such as highway safety experts, law enforcement, judiciary, driver licensing services, treatment, alcohol beverage control, businesses, insurance companies, medical and health care representatives, advocacy groups, the media, and higher education, to review existing laws and regulations and make recommendations to the Governor and State Legislature.**
- Conduct a survey for the members of the South Carolina Impaired Driving Prevention Council that have not regularly attended meetings during the past two years to seek their input on methods to increase participation in the meetings.
- Identify locations in South Carolina where South Carolina Impaired Driving Prevention Council meetings might be held, making attendance more convenient for members residing outside of the Columbia area.

- Provide teleconferencing for South Carolina Impaired Driving Prevention Council members that are unable to participate in person at meetings.
- Fill the vacant South Carolina Impaired Driving Prevention Council positions.

## **B. Strategic Planning**

### *Advisory*

*States should develop and implement an overall plan for short- and long-term impaired driving activities. The plan and its implementation should:*

- *Define a vision for the state that is easily understood and supported by all partners.*
- *Utilize best practices in strategic planning.*
- *Be based on thorough problem identification that uses crash, arrest, conviction, driver record and other available data to identify the populations and geographic areas most at risk.*
- *Allocate resources for countermeasures determined to be effective that will impact the populations and geographic areas most at risk.*
- *Include short-term objectives and long-range goals. Have clear measurable outcomes.*
- *Be an integral part of or coordinate with and support other state plans, including the Highway Safety Plan and Strategic Highway Safety Plan.*
- *Establish or adjust priorities based on recommendations provided to the state as a result of reviews and assessments, including this impaired driving assessment.*
- *Assign responsibility and accountability among the state's partners for the implementation of priority recommendations.*

### **Status**

The South Carolina Highway Safety and Performance Plan (HSPP) is completed annually and submitted to the National Highway Traffic Safety Administration (NHTSA) by July 1 of each year. The HSPP establishes performance measures, strategies, goals, and activities based on five years of data to determine trends and establish reasonable benchmarks. Highway safety funding will be used to reduce the highway fatalities, injuries and property damage in South Carolina.

The South Carolina Department of Public Safety's Office of Highway Safety and Justice Programs (OHSJP) administers projects in accordance with the Highway Safety Act of 1966 (Public Law 89-564) and guidelines promulgated by NHTSA and the Federal Highway Administration (FHWA).

The HSPP data sources include NHTSA's Fatality Analysis Reporting System (FARS), South Carolina Traffic Fatality Register, and South Carolina Collision and Ticket Tracking System (SCCATTS). Additional data sources include:

- FHWA vehicular miles traveled,
- National Occupant Protection Use Survey,
- U.S. Census Bureau,
- NHTSA Assessments and other research reports,
- other state Highway Safety Performance Plans and Annual Reports, and
- South Carolina state agency databases and reports.

The majority of the crash reports (80%) are collected through the SCCATTS system, which is primarily used by the South Carolina Highway Patrol and some local law enforcement agencies. The South Carolina Highway Patrol includes their 800 sworn officers which are housed in seven (7) troops which are comprised of six (6) to eight (8) counties each. There are 46 Sheriffs' Departments. There are approximately 275 other state, university, and other law enforcement agencies.

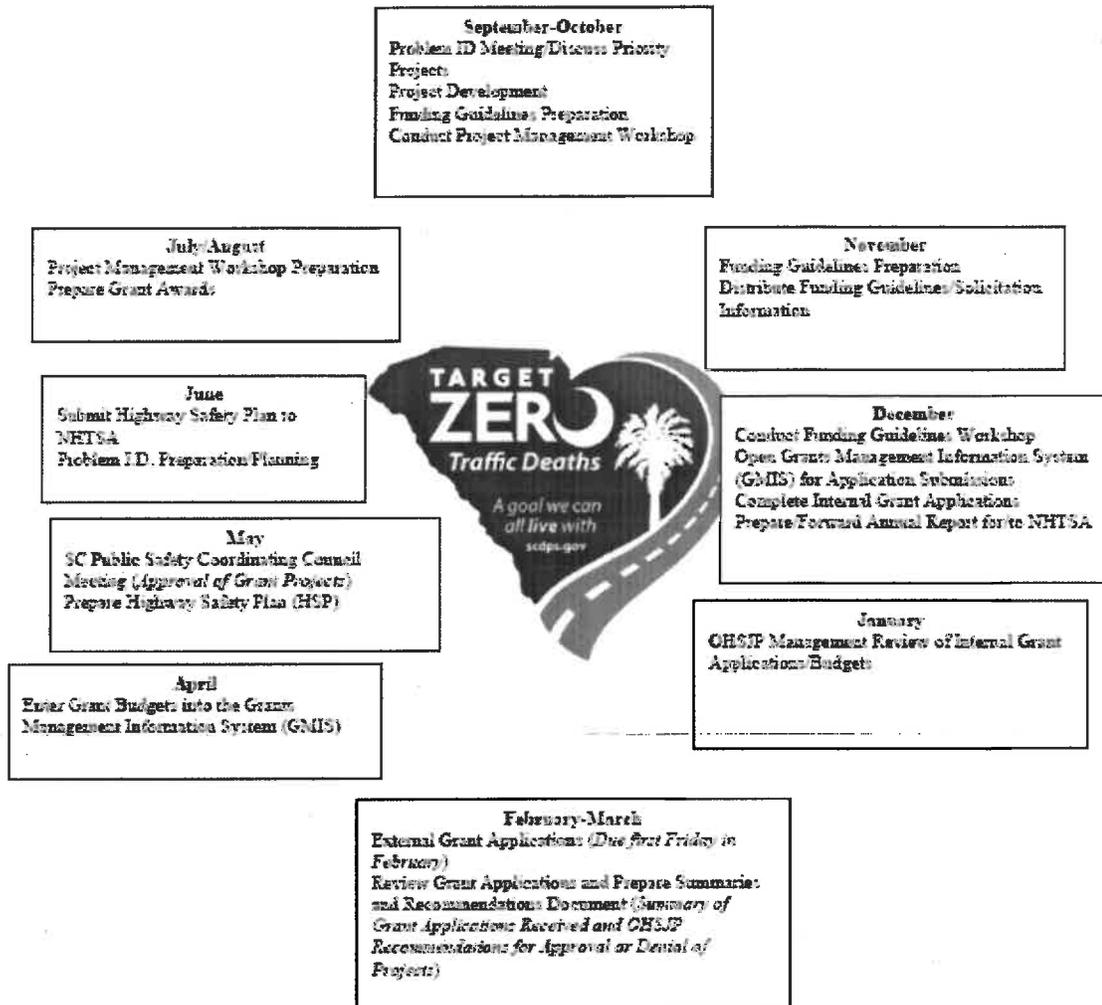
According to data compiled from the OHSJP Statistical Analysis and Research Section and FARS, in South Carolina from 2011 to 2015, the five counties with the most alcohol-impaired driving fatalities were Greenville (127); Lexington (114); Horry (112); Richland (107); and Charleston (102). Of these five counties, the following four showed decreases in the number of 2015 deaths when compared to the respective prior four-year average: Charleston (-31.03%), Richland (-29.67%), Greenville (-6.80%), and Lexington (-4.35%), while Horry experienced a slight increase (3.37%). Throughout the five-year period of 2011-2015, the counties with the highest percentages of alcohol-impaired driving fatalities as compared to the total traffic fatalities were Edgefield (52.38%); Lexington (51.82%); Greenwood (51.11%); Fairfield (50.00%); and McCormick (50.00%).

In the past five years (2011–2015), there have been 4,261 roadway fatalities in South Carolina, of which 1,628 (38%) involved an impaired driver. On the national level during the same period, there were 166,991 fatalities of which 50,485 (30%) involved an impaired driver.

Strategic planning is a measured process conducted by South Carolina which contains a well-defined cycle and several distinct phases. A diagram of the Highway Safety Planning Cycle is presented on the next page to give a calendar-based description of the process.

The planning process is both thorough and comprehensive and includes statistical review, priority emphasis on impaired driving countermeasures, police training, DUI enforcement, impaired driving education, and traffic records.

## Highway Safety Planning Process and Development



The South Carolina Public Safety Coordinating Council (SCPSCC), created in 1993 by the Governor and Legislature, administers certain responsibilities of the Department of Public Safety and coordinates certain activities between the department, the South Carolina Law Enforcement Division, and municipal and county law enforcement agencies.

The SCPSCC is composed of the following persons for terms as indicated:

- the Governor or his designee, to serve as chairman, for the term of the Governor;
- the Chief of the South Carolina Law Enforcement Division for the term of office for which he is appointed;
- the Chairman of the Senate Judiciary Committee for his term of office in the Senate or his designee;
- the Chairman of the House of Representatives Judiciary Committee for his term of office in the House of Representatives or his designee;
- the Director of the Department of Public Safety;
- a sheriff appointed by the Governor for the term of office for which he is elected;
- a municipal police chief appointed by the Governor for a term of two years; and
- a victim representative appointed by the Governor for a term of four years.

The council has the following duties to:

- recommend a hiring and promotion policy for commissioned personnel or officers to be administered under the sole authority of the director;
- establish a process for the solicitation of applications for public safety grants and to review and approve the disbursement of funds available under Section 402 of Chapter 4 of Title 1 of the Federal Highway Safety Program, public law 89-564 in a fair and equitable manner;
- coordinate the use of department personnel by other state or local agencies or political subdivisions;
- advise and consult on questions of jurisdiction and law enforcement and public safety activities between the Department of Public Safety, the South Carolina Law Enforcement Division, and law enforcement agencies of local political subdivisions.

The South Carolina Strategic Highway Safety Plan (SHSP), *Target Zero*, updated in 2015, identified impaired driving as one of its Emphasis Areas, citing the significance of the problem for the State and recommending engineering, education, enforcement, EMS, and public policy strategies for appropriate countermeasures to attack the problem based on data-driven and evidence-based practices.

## **Recommendations**

- Continue to evolve the problem identification process in the Office of Highway Safety and Justice Programs by taking advantage of new and emerging data sources in impaired driving.

### **C. Program Management**

#### *Advisory*

*States should establish procedures and provide sufficient oversight to ensure that program activities are implemented as intended. The procedures should:*

- *Designate a lead agency that is responsible for overall program management and operations;*
- *Ensure that appropriate data are collected to assess program impact and conduct evaluations;*
- *Measure progress in achieving established goals and objectives;*
- *Detect and correct problems quickly;*
- *Identify the authority, roles, and responsibilities of the agencies and personnel for management of the impaired driving program and activities; and*
- *Ensure that the programs that are implemented follow evidence-based best practices.<sup>2</sup>*

#### **Status**

The South Carolina Department of Public Safety's Office of Highway Safety and Justice Programs (OHSJP) serves as the lead agency responsible for overall program management and operations of the State's highway safety program. OHSJP administers the State's highway safety grant program in accordance with the provisions of the Highway Safety Act of 1966 (Public Law 89-564) and amendments thereto and federal rules and regulations as may be adopted in implementation thereof. South Carolina's highway safety program is designed to reduce traffic crashes and the resulting deaths, injuries, and property damage. Programs and projects are administered in accordance with uniform guidelines promulgated by the National Highway Traffic Safety Administration (NHTSA) and Federal Highway Administration (FHWA).

The OHSJP's Statistical Analysis and Research Section collects and analyzes crash data which are used to assist in highway safety planning and programming. The Section does not use medical data. OHSJP communicates public highway safety issues through educational and public

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<sup>2</sup> See "Countermeasures That Work: A Highway Safety Countermeasure Guide for State Highway Offices," Sixth Edition, 2011.

outreach campaigns; administers federally funded grants; serves as a custodian of statewide collision statistics; and acts as a coordinator of highway safety activities throughout the State.

Major Functions of the OHSJP:

- Administers the highway safety grant funds from its federal partner, the National Highway Traffic Safety Administration (NHTSA), and state funds.
- Houses the Statistical Analysis and Research Section for the agency, which conducts statistical research and analysis to determine the specific causes, locations, and other information regarding traffic collisions. This information is used to determine where best to allocate grant funds and focus enforcement/educational efforts.
- Coordinates statewide highway safety enforcement and public information and education campaigns (e.g., *Sober or Slammer!* and *Buckle Up, South Carolina, It's the Law and it's Enforced.*, which correspond respectively to the national *Drive Sober or Get Pulled Over* and *Click it or Ticket* campaigns). Coordination includes garnering law enforcement support for these campaigns, conducting statewide press events, and producing TV/radio/print ads to support the stepped-up enforcement effort, etc.
- Supports the SC Law Enforcement Network (SCLLEN) system. The SCLLEN is subdivided into 16 separate networks (based on judicial circuit), each of which meets regularly to share and disseminate traffic safety information, coordinates joint traffic enforcement and media efforts, identifies and provides training for network members, and participates in statewide enforcement mobilization efforts.
- Develops and implements the South Carolina Strategic Highway Safety Plan which is called *Target Zero*.

Other special projects, events, and activities coordinated by the OHSJP:

- Annual Memorial Service for Highway Fatality Victims
- Law Enforcement DUI Challenge
- DUI Enforcement Recognition/Law Enforcement DUI Challenge Ceremony
- Breath Alcohol Testing (BAT) Mobile maintenance
- South Carolina Collision and Ticket Tracking System (SCCATTS)
- Child Passenger Safety Week (in conjunction with the South Carolina Department of Health and Environmental Control)

- School Zone Safety Week
- Families of Highway Fatalities (FHF) – advocacy, victim services

OHSJP assesses the needs of the State, counties, and municipalities as it relates to highway safety and providing necessary solutions to meet those needs. Because federal funding for the highway safety program is minimal, projects implemented by the OHSJP are limited to priority program areas, based on severity of the crash, over-representation, and magnitude of the problem. There are three contributing factors associated with a traffic crash: the roadway and environment, the vehicle, and the driver (human). Human factors also known as behavioral issues such as driving after drinking, speeding, not using occupant protection devices, etc., can contribute to some of the most severe traffic crashes. The South Carolina Highway Safety and Performance Plan seeks to coordinate and unite state and local programs and projects to reduce traffic crashes, deaths, and injuries by focusing on enforcement, public information and education, and legislation.

OHSJP is responsible for coordinating and administering the following:

- Develop and administer the annual Highway Safety and Performance Plan
- Manage traffic safety projects in federally designated priority program areas and in other areas as assigned or determined by problem identification
- Provide oversight to prospective grantees and assist them in development and implementation of traffic safety projects at the local level
- Develop statewide traffic safety policies and procedures using input from stakeholders, partners, and others
- Communicate and coordinate activities with local government, stakeholder groups, and the public
- Ensure compliance with state and federal regulations
- Administer traffic safety evaluation and research
- Provide legislative information on traffic safety issues
- Review, approve, and execute grants, contracts, and subcontracts
- Approve subcontracts or process them for federal approval
- Provide operational oversight to ensure conformity with program and project management policies and procedures

- Monitor the activities, results, and expenditures of approved State agency grants

## **Recommendations**

Integrate medical data into the planning process to enhance the needs for better and more accurate impaired driving analyses.

## **D. Resources**

### *Advisory*

*States should allocate sufficient funding, staffing and other resources to support their impaired driving programs. Programs should aim for self-sufficiency and, to the extent possible, costs should be borne by impaired drivers. The ultimate goal is for impaired driving programs to be fully supported by impaired drivers and to avoid dependence on other funding sources.*

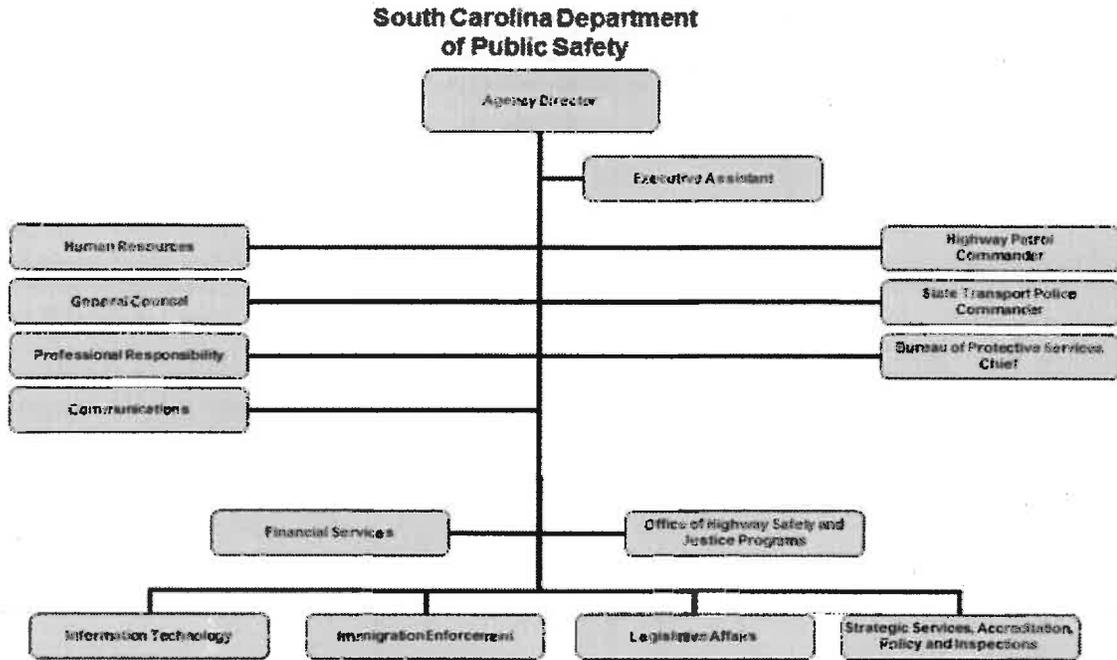
*States should:*

- *Allocate funding, staffing and other resources to impaired driving programs that are:*
  - *Adequate to meet program needs and proportional to the impaired driving problem;*
  - *Steady and derived from dedicated sources, which may include public or private funds; and*
  - *Financially self-sufficient, and to the extent possible paid by the impaired drivers themselves. Some States achieve financial self-sufficiency using fines, fees, assessments, surcharges or taxes. Revenue collected from these sources should be used for impaired driving programs rather than returned to the State Treasury or General Fund.*
- *Meet criteria to enable access to additional funding through various incentive programs.*
- *Identify opportunities and leverage resources on behalf of impaired driving efforts.*
- *Determine the extent and types of resources available from all sources (local, state, and federal; public and private) that are dedicated to impaired driving efforts.*
- *Designate a position and support the individual in that position with sufficient resources to adequately serve as a focal point for impaired driving programs and issues.*

## **Status**

The Office of Highway Safety and Justice Programs (OHSJP) is located in the South Carolina Department of Public Safety (SCDPS). The Director of the SCDPS is appointed by and reports to the Governor. The Director of the OHSJP is a civil service employee that reports directly to the Director of the SCDPS. The Director of the OHSJP meets regularly with the Agency Director

for the purpose of briefing him and seeking guidance on issues of highway safety. The Director of the SCDPS participates regularly in OHSJP initiatives and media events.

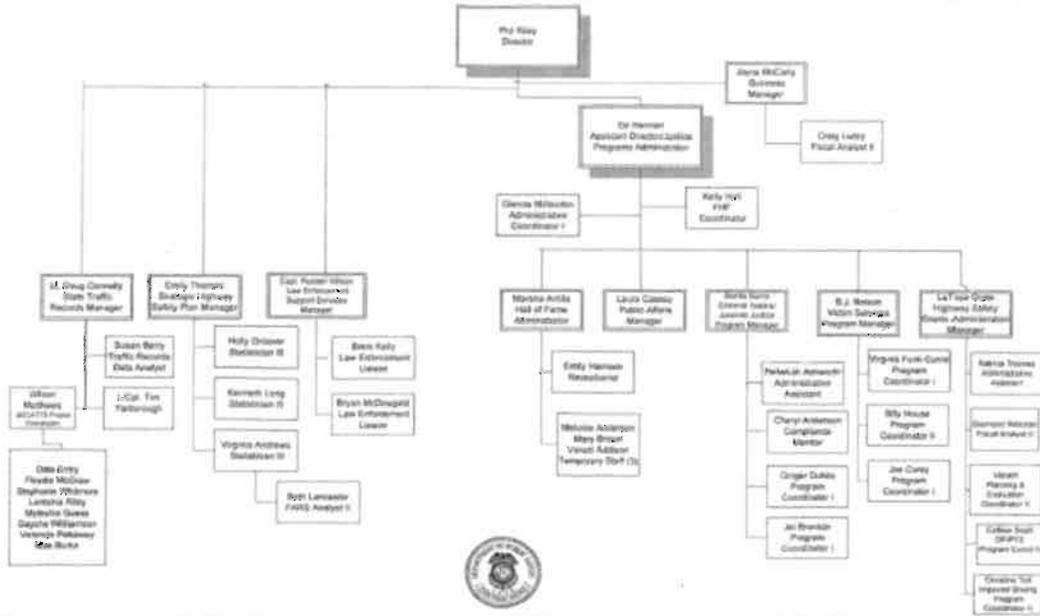


OHSJP is divided into the following primary sections: Grants Administration, Statistical Analysis and Research Section for traffic deaths and crime/victim statistics, Public Affairs, Law Enforcement Support Services, Traffic Records, Families of Highway Fatalities, Business Management, Criminal Justice Grants Programs, Juvenile Justice Grants Programs, Victims Services Grants Programs, and the South Carolina Law Enforcement Officers Hall of Fame.

Over the past five years (2011–2015), impaired drivers have been involved in 38 percent of traffic fatalities. The Impaired Driving Countermeasures Program Coordinator has administrative staff support from the Highway Safety Program’s Administrative Assistant.

# SCDPS/Office of Highway Safety and Justice Programs

August 24, 2010



Below is a listing of grants awarded by the OHSJP for FFY 17:

SOUTH CAROLINA	FY17
<b>\$402</b>	<b>\$5,006,764</b>
<b>\$402 OP</b>	<b>\$ 258,471</b>
<b>\$405 D</b>	<b>\$2,694,276</b>
<b>\$405 C</b>	<b>\$2,310,554</b>
<b>\$405 B</b>	<b>\$ 500,000</b>
<b>\$405 F</b>	<b>\$ 80,000</b>
<b>State Funds</b>	<b>\$ 138,006</b>
<b>TOTAL</b>	<b>\$10,988,071</b>

No funds are generated through DUI offender fees or fines.

## **Recommendations**

- **Require convicted Driving Under the Influence offenders to pay fines and fees that support the Impaired Driving Countermeasures Program.**
- **Evaluate impaired driving programs to determine if resources are being allocated in the most effective manner.**

## **II. Prevention**

*Prevention programs are most effective when they utilize evidence-based strategies, that is, they implement programs and activities that have been evaluated and found to be effective or are at least rooted in evidence-based principles. Effective prevention programs are based on the interaction between the elements of the public health model: 1) using strategies to develop resilient hosts, e.g., increase knowledge and awareness or altering social norms; 2) reducing exposure to the dangerous agent (alcohol), e.g., alcohol control policies and; 3) creating safe environments, e.g., reducing access to alcohol at times and places that result in impaired driving. Prevention programs should employ communication strategies that emphasize and support specific policies and program activities.*

*Prevention programs include responsible alcohol service practices, transportation alternatives, and community-based programs carried out in schools, at work sites, in medical and health care facilities and by community coalitions. Programs should prevent underage drinking or drinking and driving for persons under 21 years of age, and should prevent over-service and impaired driving by persons 21 or older.*

*Prevention efforts should be directed toward populations at greatest risk. Programs and activities should be evidence-based, determined to be effective, and include a communication component.*

### **A. Responsible Alcohol Service**

#### **Advisory**

*States should promote policies and practices that prevent underage drinking and over-service by anyone.*

*States should:*

- *Adopt and enforce programs to prevent sales or service of alcoholic beverages to persons under the age of 21. Conduct compliance checks and "shoulder tap" activities and support the proper use of technology in alcohol retail establishments, particularly those catering to youth, to verify proper and recognize false identification.*
- *Adopt and enforce alcohol beverage control regulations to prevent over-service, service in high risk situations and service to high-risk populations. Prohibit service to visibly intoxicated patrons; restrict alcohol sales promotions, such as "happy hours"; limit hours of sale; establish conditions on the number, density, and locations of establishments to limit impaired driving, e.g., zoning restrictions; and require beer keg registration.*
- *Provide adequate resources including funds, staff, and training to enforce alcohol beverage control regulations. Coordinate with state, county, municipal and tribal law enforcement agencies to determine where impaired drivers had their last drink and use this information to monitor compliance with regulations.*
- *Promote responsible alcohol service programs, written policies, and training.*
- *Provide responsible alcohol service guidelines such as best practices tool kits to organizations that sponsor events at which alcohol is sold or provided.*

- *Encourage alcohol sales and service establishments to display educational information to discourage impaired driving and to actively promote designated driver and alternative transportation programs.*
- *Hold commercial establishments and social hosts responsible for damages caused by a patron or guest who was served alcohol when underage or visibly intoxicated.*

**Status**

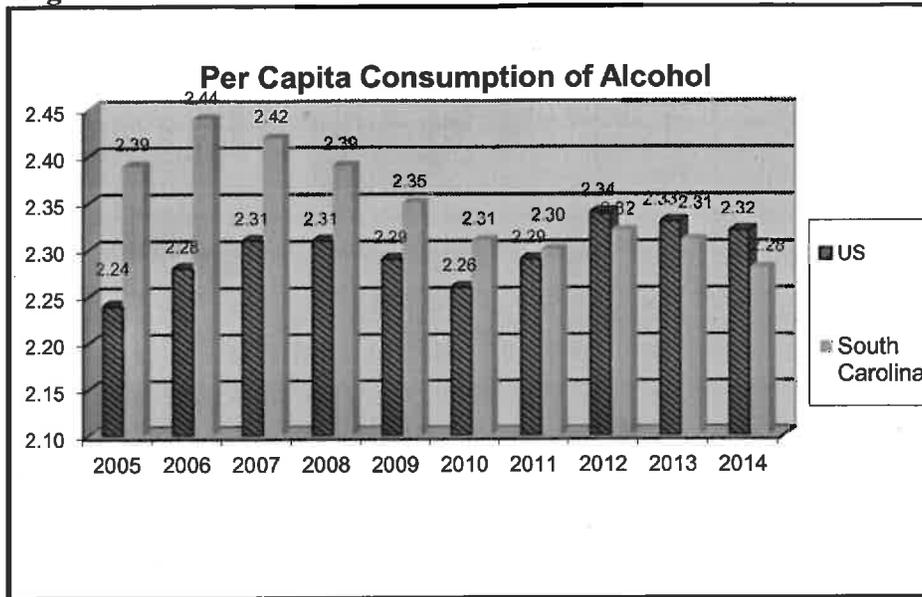
According to the National Institute on Alcohol Abuse and Alcoholism (NIAAA), per capita consumption of alcohol in South Carolina in 2014, the last year for which complete data were available, was slightly below the national average. Alcohol consumption in South Carolina was the equivalent of 2.28 gallons of ethanol per capita compared to the national average of 2.32 gallons. In South Carolina, alcohol consumption, which was previously among the highest rates in the country, has been decreasing for several years. Alcohol consumption in South Carolina (see fig. 2-a-1) was well above (6.7%) the national average 10 years ago; however, the decline in apparent consumption has outpaced the national trend and is now 1.7 percent below the national average. Per capita consumption estimates are based on taxed sales of alcoholic beverages<sup>3</sup>.

**Table 2-a-1**

<b>Year</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>
<b>US</b>	2.24	2.28	2.31	2.31	2.29	2.26	2.29	2.34	2.33	2.32
<b>South Carolina</b>	2.39	2.44	2.42	2.39	2.35	2.31	2.30	2.32	2.31	2.28
<b>Difference</b>	6.7%	7.0%	4.8%	3.5%	2.6%	2.2%	0.4%	0.9%	-0.9%	-1.7%

<sup>3</sup> Estimated per capita consumption estimates for South Carolina must be used with caution because South Carolina has several of the largest tourist destinations in the U.S. with many visitors each year. However, many visitors who consume alcohol also drive on South Carolina highways. Consumption rates are based on resident population.

Figure 2-a-1



Results of the 2015 Youth Risk Behavior Survey show that one in four (24.6%) South Carolina high school students reported using alcohol in the 30 days prior to the survey. This is a substantial decrease from the 2011 level of 39.7 percent. Consistent with the per capita consumption information cited above, in 2011, South Carolina students drank at a rate slightly above the national average (38.7%) and in 2015 the rate was well below the national average (32.8%). Self-reported driving after drinking decreased by more than half (11.1% vs. 4.5%) and is now well below the national average.

Marijuana use by South Carolina high school students shows a trend similar to that for alcohol decreasing from one in four (24.1%) in 2011 (compared to 23.1% nationally) to less than one in five (17.8%) in 2015 (below the national average of 21.7%).

The South Carolina Department of Revenue oversees the regulation of alcoholic beverage commerce through a three-tiered distribution and licensing structure that strictly separates manufacturing, wholesaling, and retailing interests into distinct tiers of operation. Under this three-tier system, licenses issued under Title 61 are generally divided into the following categories:

- Retail Licenses that authorize the sale of alcoholic beverages to the public
- Wholesale Licenses that authorize the purchase of alcoholic beverages from producers for resale to retailers

- Manufacturing and Importing Licenses that authorize the production or importation of alcoholic beverages into the state

The manufacturing, distribution, and sale of beer and wine are regulated by the brewery, winery, wholesale, and retail beer and wine permits authorized under Chapter 4 of Title 61. The manufacturing, distribution, and sale of alcoholic liquors are governed by the liquor manufacturers', wholesalers', and retail dealers' licenses and the liquor-by-the-drink licenses authorized under the Alcoholic Beverage Control (ABC) Act in Chapter 6 of Title 61.

South Carolina is a license state, that is, retail outlets for on- and off-premise sales of alcohol are licensed by the State. Regulations related to wholesale and retail sale of alcohol are contained in Title 61 Chapter 6 of the ABC Act.

Several sections relate to responsible alcohol service. Many of the law's provisions appear to proscribe responsible service but are riddled with exceptions that might compromise their effectiveness.

Off-premise retailers may sell liquor between 9:00 a.m. and 7:00 p.m. Alcohol may be sold for on-premise consumption between 10:00 a.m. and 2:00 a.m. Monday through Friday and from 10:00 a.m. to midnight Saturday. Though the ABC Act prohibits alcohol sales on Sunday, a separate Local Option Permit is offered in most of the larger counties and cities.

South Carolina does not have strict Dram Shop liability. Though a visibly intoxicated person in an establishment is forbidden under statute, South Carolina does not recognize a "first party" cause of action against the tavern owner by an intoxicated adult. While serving a visibly intoxicated person can be considered negligence per se, contributory negligence and breaks in the chain of causation are mitigating factors in legal actions. In *Hartfield v. The Getaway Lounge and Grill, Inc.*, the South Carolina Supreme Court held that a bar that violated the state law against serving alcohol to a "visibly intoxicated" adult could also be held liable if that adult injured someone.

#### SECTION 61-6-2220. Sales to intoxicated persons.

A person or establishment licensed to sell alcoholic liquors or liquor by the drink pursuant to this article may not sell these beverages to persons in an intoxicated condition; these sales are considered violations of the provisions thereof and subject to the penalties contained herein.

South Carolina has a social host liability statute that applies only to providing alcohol to minors. Generally, there is no liability for a social host for the actions of his or her adult guests. Social hosts are liable for actions of any minor resulting from serving that minor alcohol.

South Carolina has an open container statute. The law prohibits open containers of alcohol in the passenger compartment of any motor vehicle.

SECTION 61-6-4020. Transportation in motor vehicle.

(A) A person who is twenty-one years of age or older may transport lawfully acquired alcoholic liquors to and from a place where alcoholic liquors may be lawfully possessed or consumed. If the cap or seal on the container has been opened or broken, it is unlawful to transport the liquors in a motor vehicle, except in a trunk, luggage compartment, or cargo area that is separate and distinct from the driver's and passengers' compartments. For purposes of this exception, the luggage compartment or cargo area is not required to be a closed trunk that is accessible only from the exterior of the motor vehicle. A person who violates this section is guilty of a misdemeanor and, upon conviction, must be fined not more than one hundred dollars or imprisoned for not more than thirty days. For purposes of this section, alcoholic liquors means all distilled spirits regardless of the percentage of alcohol by volume that they contain.

Availability of alcohol is influenced by the environment in which alcohol is sold. South Carolina has some interesting and potentially effective statutes related to the environment of alcohol outlets. For example, section 61-6-1530 requires retail dealers to post signs with the following wording:

(1) "The possession of beer, wine, or alcoholic liquors, by a person under twenty-one years of age is a criminal offense under the laws of this State, and it is also unlawful for a person to knowingly give false information concerning his age for the purpose of purchasing beer, wine, or liquor."

and,

(2) "A person may transport alcoholic liquors to and from a place where alcoholic liquors may be lawfully possessed or consumed; but if the cap or seal on the container has been opened or broken, it is unlawful to transport alcoholic liquors in a motor vehicle, except in the luggage compartment or cargo area."

Under Section 61-6-1510,

...retail dealers are prohibited from using in an advertisement for alcoholic liquor or wine a subject matter, language, or slogans addressed to and intended to encourage persons under twenty-one years of age to purchase or drink alcoholic liquor or wine."

While this statute recognizes the need to remove an environmental risk factor for youth, the definition of "intended to encourage" is subjective rendering enforcement problematic.

SECTION 61-4-170. Beverages resembling vegetable, fruit, or soft drinks.

It is unlawful for a person, with or without a beer or wine permit, to sell or to offer for sale a beverage generally used as and for a soft drink rather than as a medicine or for cooking purposes having an alcoholic content, when the beverage resembles in color and general appearances a vegetable drink, a fruit drink, or a soft drink. A person who violates this section is guilty of a misdemeanor and, upon conviction, must be fined in the discretion of the court or imprisoned not more than three years, or both. In addition, these beverages are contraband and must be seized by an authorized agent or inspector of the division, or by a peace officer, and disposed of in a manner provided for the disposition of unlawful alcoholic liquors.

South Carolina statute also prohibits the sale of powdered alcohol.

A great deal of attention has been directed at enforcement of sales to intoxicated individuals and sales to minors. However, far less, if any attention has been given to enforcement of or compliance with the statutes cited above. For example, despite the prohibition of sale of beverages that “resembles in color and general appearances a vegetable drink, a fruit drink, or a soft drink”, it was reported that beverages such as “hard lemonade” and Not Your Father’s Root Beer are widely available and that the availability of these products to youth is compounded when retailers display these products in proximity to non-alcoholic products to which they resemble. It is unclear how prevalent this is or what effect it has on young people’s decisions about purchasing.



South Carolina has limited restrictions on promotions such as Happy Hours. Licensees may not offer two-or-more-for-the-price-of-one drink specials and may not give free mixed drinks, beer or wine. However, regular drink prices may be reduced between 4:00 p.m. and 8:00 p.m. essentially allowing for Happy Hours. In addition, there appears to be a liberal interpretation of "regular" price. For example, if a bar sells a bucket of beers for a low price every Monday, that is interpreted as the "regular price" on Monday.

Section 61-6-2230 prohibits drinking contests or games in licensed establishments.

For purposes of this section, "drinking contest" or "drinking game" includes, but is not limited to, a contest, game, event, or other endeavor which encourages or promotes the consumption of alcoholic beverages by participants at extraordinary speed or in increased quantities or in more potent form. "Drinking contest" or "drinking game" does not include a contest, game, event, or endeavor in which alcoholic beverages are not used or consumed by participants as part of the contest, game, event, or endeavor but instead are used solely as a reward or prize. Selling alcoholic beverages in the regular course of business is not considered a violation of this section.

Server training is available in South Carolina but it is voluntary. The Palmetto Retailers Education Program (PREP) course is intended to reduce underage access to alcohol and to reduce its over-service. PREP is approved by the Department of Revenue and the Department of Alcohol and Other Drug Abuse Services (DAODAS). PREP is available from local organizations including local Alcohol and Substance Abuse Commissions. All server training programs must be approved by the Department of Revenue. There are several of these merchant education curricula used nationally and in South Carolina, though the county authorities are now exclusively using the PREP curriculum.

Licensees who violate regulations may be required to complete server training, however, there are no other incentives for completing training. Some states offer liability insurance discounts or impose reduced sanctions on licensees who have provided training for their employees should an employee violate regulations.

SECTION 61-6-4080 addresses the sale of alcohol to persons under the age of twenty-one years. Sub-section (C) provides for required server training for those who violate the statute.

- (A) A person engaged in the sale of alcoholic liquors who knowingly sells the alcoholic liquors to a person under the age of twenty-one is guilty of a misdemeanor and, upon conviction:
- (1) for a first offense, must be fined not less than two hundred dollars nor more than three hundred dollars or imprisoned not more than thirty days, or both; and
  - (2) for a second or subsequent offense, must be fined not less than four hundred

dollars nor more than five hundred dollars or imprisoned not more than thirty days, or both.

(B) Failure of a person to require identification to verify a person's age is prima facie evidence of a violation of this section.

(C) A person who violates the provisions of this section also is required to successfully complete a DAODAS approved merchant alcohol enforcement education program. The program must be a minimum of two hours and the cost to the person may not exceed fifty dollars.

The Alcohol Education Program is designed to combat underage drinking and the high-risk behavior that goes with it. In South Carolina, a conviction for a minor in possession can result in fines, suspension of a driver's license, loss of financial aid/scholarships, and a criminal record that may have lingering effects on the ability to seek employment. This program is offered as an alternative to a conviction, and includes guidance, education, and community service.

To qualify, the young person must be between the ages of 17 and 20, and be referred to the program by the court. Only certain alcohol-related charges qualify, including minor in possession of beer/alcohol, open container, possession of a fake or altered ID, public disorderly conduct, or littering. This program is not open to those charged with a DUI/Driving with an Unlawful Alcohol Concentration (DUAC). *Alive at 25* is required for young people convicted of underage alcohol possession and opting for the Alcohol Education Program.

SC Code § 61-4-1920 defines a beer keg registration program for South Carolina.

(A) A retail licensee shall not sell a keg of beer without:

(1) recording the date of sale, the keg identification number, the name, address, and birth date of the purchaser, and the driver's license or identification card number presented by the purchaser;

(2) requiring the purchaser to sign a statement attesting to the accuracy of the purchaser's information, acknowledging that, unless otherwise permitted by law, it is unlawful to transfer beer to a person under the age of twenty-one, and that, unless otherwise permitted by law, the beer in the keg will not be consumed by a person under the age of twenty-one; and

(3) attaching an identification tag to the keg with the name, address, and license number of the retail licensee and the keg identification number. An identification tag must consist of paper, plastic, metal, or durable material that is not easily damaged or destroyed. An identification tag must be attached to the keg at the time of the sale with a nylon tie or cording, wire tie or other metal attachment device, or other durable means of tying or attaching the tag to the keg.

South Carolina abolished the statewide Alcohol Beverage Control Board several years ago at which time licensing functions became the responsibility of the Department of Revenue and enforcement responsibilities were placed with the South Carolina Law

Enforcement Division (SLED). Recently, additional agents were hired, bringing the total to 32 assigned to alcohol enforcement. Local law enforcement agencies can also enforce alcohol control laws but cases are then turned over to SLED who in turn notifies the Department of Revenue to take license action.

Fines for violation of liquor law are minimal. Violators also have the option of paying an additional fine to shorten any period of license suspension. It was stated that this creates a situation where fines become just another cost of doing business.

There are 32 local Alcohol and Drug Abuse Commissions with oversight from DAODAS and supported with federal block grant funds. The local Commissions include Alcohol Enforcement Teams (AET). The AET model includes community coalition maintenance and development, merchant education, and law enforcement partnership. It specifies a multi- or single-jurisdictional alcohol law enforcement approach depending on the needs and participation of law enforcement within the target area in a community to:

- reduce youth access to alcohol utilizing various strategies (social and retail access);
- measure, track and improve merchant compliance with alcohol laws;
- provide research-based merchant education;
- build community support for enforcement of underage drinking laws through media advocacy and community coalition maintenance and development; and
- develop local law enforcement support for underage drinking prevention and enforcement efforts.

AETs also conduct compliance checks that include the following components:

- publicity to alcohol and tobacco sales staff that enforcement operations will be increasing;
- awareness-raising with the community to increase its acceptance of compliance operations;
- law enforcement operations involving the use of underage buyers attempting to purchase alcohol or tobacco with charges being brought against the clerk and establishment license holder if a sale is made; and
- regularly offered merchant education to help merchants improve their underage sales, policies, and practices.

In FY2015, county authority prevention staff reported 8,499 alcohol compliance checks with 11.5 percent of attempts generating sales. This is a decrease over the FY 2013 rate of 14.5 percent. Having posted signage about checking IDs or having age verification equipment were both statistically significantly associated with outlets being less likely to sell alcohol. Alcohol Enforcement Teams also conducted 130 underage drinking party dispersals during which 484 underage drinking violations were written.

AETs conducted the “Out of Their Hands” (OOTH) project that includes strict enforcement of underage drinking laws coupled with strong media messages throughout the month. During April, AETs and their enforcement and education partners engage community residents, businesses, and others to deny alcohol access to youth who are less than 21 years of age. The simple message of the OOTH campaign was that the AET works with the community to keep alcohol “out of their hands”.

The Solicitor’s Alcohol Education Program (AEP) is a program many under age first-time DUI offenders are offered in lieu of a conviction. There were more than 2,000 youth served in AEP in FY2015, an increase from FY2013 when there were 1,800 youth served.

## **Recommendations**

- Enact statewide social host liability laws that include liability for serving to adults who are visibly impaired.
- Enact comprehensive dram shop liability laws.
- **Enact Alli’s Law or similar legislation to require responsible beverage server training as a condition of liquor licensure.**
- Conduct an assessment of the availability and product placement of alcoholic beverages that resemble non-alcoholic beverages.

## **B. Community-Based Programs**

### **B-1. Schools**

#### ***Advisory***

*School-based prevention programs, beginning in elementary school and continuing through college and trade school, can play a critical role in preventing underage*

*drinking and impaired driving. These programs should be developmentally appropriate, culturally relevant and coordinated with drug prevention and health promotion programs.*

*States should:*

- *Implement K-12 traffic safety education, with appropriate emphasis on underage drinking and impaired driving, as part of state learning standards and comprehensive health education programs;*
- *Promote alcohol-and drug-free events throughout the year, with particular emphasis on high-risk times, such as homecoming, spring break, prom and graduation;*
- *Establish and enforce clear student alcohol and substance use policies including procedures for intervention with students identified as using alcohol or other substances, sanctions for students using at school, and additional sanctions for alcohol and substance use by students involved in athletics and other extra-curricular activities;*
- *Provide training for alcohol and drug impaired driving, and Screening and Brief Intervention (SBI) to school personnel such as resource officers, health care providers, counselors, health educators and coaches to enable them to provide information to students about traffic safety and responsible decisions, and identify students who may have used alcohol or other drugs;*
- *Encourage colleges, universities and trade schools to establish and enforce policies to reduce alcohol, other drug, and traffic safety problems on campus, and to work with local businesses and law enforcement agencies to reduce such problems in neighboring communities;*
- *Provide training for alcohol and drug impaired driving, and Screening and Brief Intervention (SBI), to college personnel such as student affairs, student housing, health care providers, counselors, health educators and coaches to enable them to provide information to students about traffic safety and responsible decisions, and identify students who may have used alcohol or other drugs; and*
- *Establish and support student organizations that promote traffic safety and responsible decisions; encourage statewide coordination among these groups.*

## **Status**

South Carolina benefits from comprehensive and coordinated alcohol and other drug abuse prevention including evidence-based school (and community) based programs and strategies. There are 32 local Alcohol and Drug Abuse Commissions housed in agencies that are certified by the Department of Alcohol and Other Drug Abuse Services (DAODAS) and supported, in part, with funds from the federal Substance Abuse Mental Health Services Administration (SAMHSA) block grant. The local Commissions provide prevention services, are certified treatment providers, and serve

as coordinating bodies with law enforcement to conduct compliance checks and other prevention activities.<sup>4</sup>

The Department of Alcohol and Other Drug Abuse Services (DAODAS) *Prevention Outcomes Annual Report 2015*, prepared by Pacific Institute for Research and Evaluation, describes the numerous evidence-based prevention strategies that have been implemented in schools throughout South Carolina. The report also documents changes in alcohol use, as well as risk factors that predict not only alcohol use, but high-risk behavior including impaired driving. The impact evaluation documented that young people who participate in prevention activities showed significant decreases in risk factors including: lack of perceived risk of harm from drugs; poor decision making; perceived disapproval of use; and peer norms. The evaluation also found significant decreases in use of alcohol, cigarettes, marijuana, non-medical use of prescription drugs, and over-the-counter drugs.

South Carolina does not mandate an impaired driving, substance abuse, or other related curricula in schools but, like most states, has clearly defined, mandated education standards. Content Area IV, "Alcohol, Tobacco and Other Drugs", specifies a variety of learning objectives for all grades. These objectives address knowledge about alcohol and other substances and their negative effects and calls for developing competency in resisting media messages promoting use of alcohol. However, there are no standards that directly include impaired driving or other highway safety issues.

Some schools implement the *Alive at 25* program developed by the National Safety Council and require students to complete the program as a condition of parking on the school campus. In some localities, *Alive at 25* is also required for young people convicted of underage alcohol possession and opting for the Alcohol Education Program. *Alive at 25* is an interactive 4.5-hour program encouraging young drivers between the ages of 16 and 24 to take responsibility for their driving behavior. Skill practices and on-the-spot defensive driving techniques help increase confidence levels. *Alive at 25* instructors use workbook exercises, interactive media segments, group discussions, role-playing, and short lectures to help young drivers develop attitudes and strategies that will keep them safer on the road.

There is no statewide student organization addressing impaired driving or traffic safety, and there is no evidence of any active chapters of Students Against Destructive Decisions (SADD). However, the local Alcohol and Drug Abuse Commissions include Youth Boards to give young people a voice in planning and implementing prevention strategies.

Mothers Against Drunk Driving (MADD) offers their evidence-based program *Power of Parents*®. The MADD *Power of Parents*® program includes a high school handbook giving parents tools to start the conversation about teen drinking, set family rules, and enforce consequences. Over 200 parents have participated.

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<sup>4</sup> Alcohol Enforcement Teams are described in section II-A.

MADD *Power of You(th)*® provides underage drinking toolkits specifically designed for Student Leaders, Educators, School Resource Officers, and Community Partners. *Power of You(th)*® has been used with over 3,000 students in South Carolina.

The South Carolina Highway Patrol (SCHP) operates a Community Relations Program with a significant emphasis on underage drinking. SCHP incorporates DUI in every program. SCHP provides a program called *Families of Highway Fatalities*. They partner with parents or families of DUI fatalities to provide informational and motivational presentations in schools.

Some school personnel have been trained in Drug Impairment Training for Educational Professionals (DITEP). DITEP allows teachers, counselors, and school administrators to identify students who are impaired at school. The resulting intervention can prevent further alcohol or drug use and prevent impaired driving incidents.

Palmetto Health provides an underage drinking prevention strategy called Realistic Education About Dying Young (READY). During a Project READY session, participants:

- Talk with trauma surgeons and Emergency Room (ER) doctors
- Touch and feel the real equipment used to treat injuries in the operating room
- See inside a real ER, trauma bay, and morgue
- Witness a pretend trauma patient scene in the ER
- Interact with physical, occupational, and speech therapists and experience firsthand the daily challenges experienced by injured trauma patients.

Presenters in READY include the South Carolina Department of Public Safety, the State Law Enforcement Division (SLED), or the National Safety Council of South Carolina *Alive at 25* program. Some presentations include graphic images of injured trauma patients which may be disturbing to teens.

Local Commissions, state and local law enforcement agencies and other traffic safety partners often use demonstrations and one-shot programs such as Fatal Vision Goggles, mock crashes, and dramatic speakers to motivate groups of students to avoid impaired driving and/or underage drinking. One-shot or single exposure programs, especially those that use graphic or emotional images, can have a dramatic effect on young participants. However, in isolation these strategies have a very limited long-term impact on behavior. Coordinating these strategies with the evidence-based prevention programs that South Carolina supports can greatly enhance the impact of both.

Several colleges and universities in South Carolina have alcohol and substance abuse prevention efforts that address impaired driving. Programs use a variety of strategies including providing information, interactive demonstrations, and environmental changes. Some colleges have developed collaboration with law enforcement in surrounding communities. College programs generally subscribe to a harm reduction model, that is, concentrate on preventing the negative consequences of drinking rather than directly preventing alcohol consumption. Programs such as those that promote designated drivers or provide safe rides for alcohol impaired students are intended to prevent impaired driving. However, they can enable underage drinking by protecting young drinkers from consequences of use. This presents a challenge for colleges which have become accustomed to a culture of tolerance for alcohol use.

Several colleges in South Carolina utilize the AlcoholEdu survey and online curriculum. The survey has been used as a source of vital needs assessment data for developing prevention strategies. At Clemson, more than 200 students have been referred to MADD victim impact panels.

Major campuses do not prohibit alcohol use, and tailgating and other drinking events are generally tolerated though measures are taken to reduce consequences such as driving after drinking. However, alcohol is not sold in campus sports venues.

Major colleges and universities continue to have a culture of drinking. Some schools are concerned about losing applicants if potential students perceive a campus environment that discourages drinking. In fact, retention of students is a greater concern. Numerous studies have demonstrated the relationship between student drinking and academic failure and drop-out.

In some states colleges have formed consortiums to share resources, develop and make joint funding applications, and to develop consistent policies and programs.

## **Recommendations**

- Provide local Alcohol and Drug Commissions with timely and accurate impaired driving- related information to be integrated into school-based prevention programs.
- Add impaired driving and other traffic safety learning objectives to the South Carolina Health and Safety Education Standards.
- Provide Drug Impairment Training for Educational Professionals to school counselors, teachers, and administrators throughout South Carolina.
- Establish statewide and local student organizations to address impaired driving.
- **Coordinate one-shot or single session prevention strategies with evidence-based prevention programs in schools.**

- Establish a statewide college impaired driving and/or underage drinking prevention consortium to address the drinking culture on South Carolina college campuses.

## B-2. Employers

### *Advisory*

*States should provide information and technical assistance to employers and encourage them to offer programs to reduce underage drinking and impaired driving by employees and their families. These programs can be provided through Employee Assistance Programs (EAP) or Drug Free Workplace programs.*

*These programs should include:*

- *Model policies to address underage drinking, impaired driving and other traffic safety issues, including seat belt use and speeding;*
- *Employee awareness and education programs;*
- *Management training to recognize alcohol and drug use and abuse, and appropriate responses;*
- *Screening and Brief Intervention, assessment and treatment programs for employees identified with alcohol or substance use problems (These services can be provided by internal or outside sources such as through an EAP with participation required by company policy.);*
- *Underage drinking and impaired driving prevention strategies for young employees and programs that address use of prescription or over-the-counter drugs that cause impairment.*

### **Status**

There is currently no statewide traffic safety program for employers. However, several strategies exist that provide related services and could serve as vehicles for delivering timely and effective impaired driving prevention and other traffic safety information to employees of large and small companies in South Carolina.

Many employers utilize the services of Employee Assistance Programs (EAP) from private providers. EAPs generally provide screening and intervention services but potentially could provide impaired driving information.

South Carolina has Drug Free Workplace legislation consistent with federal laws. Employers can receive substantial discounts on workers' compensation insurance for using programs such as those offered by the Council on Alcohol and Drugs. These programs are designed to educate employers, employees, and the public at large about the:

- dangers of substance abuse, especially the abuse of illicit drugs;
- impact of such abuse on the workplace;
- most appropriate, effective, and legally accepted means for employers to address their substance abuse in the workplace problems;
- rights and responsibilities of employers and employees;
- status of legislative, regulatory, and legal developments at the state level, and
- role of employers in national efforts to combat drug abuse.

These programs might benefit from the addition of current, accurate, and South Carolina-specific information about impaired driving.

The Office of Highway Safety and Justice Programs (OHSJP) is considering revitalizing the Network of Employers in Traffic Safety (NETS) program. OHSJP also has excellent media campaigns and materials but messages are not currently targeted at employers.

The military is a major employer in South Carolina. The Safety Through Alcohol Responsibility (STAR) project is intended to reduce availability of alcohol and consumption of alcohol by underage persons serving at Joint Base Charleston. The project grew out of a project funded by the Office of Juvenile Justice and Delinquency Prevention (OJJDP) Enforcing Underage Drinking Law (EUDL) program. The project uses a combination of environmental and individual level strategies.

### **Recommendations**

- Integrate impaired driving information into drug free workplace, employee assistance, and other programs for employees.
- Provide employers with impaired driving media materials for inclusion in company newsletters, posting in facilities and employee work areas, and use in employee safety training.

### B-3. Community Coalitions and Traffic Safety Programs

#### *Advisory*

*Community coalitions and traffic safety programs provide the opportunity to conduct prevention programs collaboratively with other interested parties at the local level. Coalitions should include representatives of: government; highway safety; enforcement; criminal justice; liquor law enforcement; public health; education; driver licensing and education; employers and unions; the military; medical, health care and treatment communities; multi-cultural, faith-based, advocacy and other community groups.*

*States should:*

- *Encourage communities to establish community coalitions or traffic safety programs, comprised of a wide variety of community members and leaders;*
- *Ensure that representatives of local traffic safety programs participate in existing alcohol, substance abuse, injury control and other related coalitions, (e.g., Drug Free Communities, SPF-SIG), to assure that impaired driving is a priority issue;*
- *Provide information and technical assistance to these groups, including data concerning the problem in the community and information identifying evidence-based underage drinking and impaired driving programs;*
- *Encourage these groups to provide support for local law enforcement and prevention efforts aimed at reducing underage drinking and impaired driving; and*
- *Encourage professionals, such as prosecutors, judges, nurses, doctors, emergency medical personnel, law enforcement officers and treatment professionals, to serve as community spokespeople to educate the public about the consequences of underage drinking and impaired driving.*

#### **Status**

Alcohol Enforcement Teams (AET) conducted the “Out of Their Hands” (OOTH) project that includes strict enforcement of underage drinking laws coupled with strong media messages. During April, AETs and their enforcement and education partners engage community residents, businesses, and others to deny alcohol access to youth who are less than 21 years of age. The simple message of the OOTH campaign was that the AET works with the community to keep alcohol “out of their hands”.

The statewide effort on underage drinking enforcement and education involved all 16 AETs that cover the 46 counties in South Carolina. AETs began statewide in 2007 and were modeled on successful environmental strategies to reduce alcohol access to individuals under 21 years old called high visibility enforcement. High visibility enforcement (HVE) implementation has been used to reduce traffic crashes by strictly enforcing seat belt laws and DUI laws.

AETs are a collaborative effort involving the South Carolina Department of Alcohol and Other Drug Abuse Services (DAODAS), the county alcohol and drug abuse authorities, local law enforcement agencies, and community partners. The first year that OOTH was held, the strict enforcement ran for 11 days during the first part of April 2010. The enforcement and education blitz was extended through the entire month of April in 2011 because some South Carolina communities' high schools hold proms and spring breaks at various times starting in late March until early May with most of those events held in April.

Led by DAODAS, the AET Training Team is comprised of personnel from state and local AET partners. The courses are derived from training offered throughout the country by the Underage Drinking Enforcement Training Center (UDETTC). Since late 2007, the AET Training Team has trained hundreds of law enforcement officers and prevention specialists across South Carolina.

South Carolina does not have specific community traffic safety coalitions though many substance abuse programs, college prevention programs, and underage drinking programs collaborate with law enforcement to address impaired driving.

South Carolina enjoys comprehensive and coordinated alcohol and other drug abuse prevention including evidence-based and community-based programs and strategies. There are 32 local Alcohol and Drug Abuse Commissions that are certified by the DAODAS. The local Commissions serve as coordinating bodies, provide prevention services, and are certified treatment providers.

The Office of Highway Safety and Justice Programs (OHSJP) has established the Law Enforcement Networks to assist with enforcement and community outreach.

Local commissions also provide the Palmetto Retailer Education Program (PREP), a certified responsible alcohol service training program. Server training is available in South Carolina, but it is voluntary. The PREP course is intended to reduce underage access to alcohol and to reduce over-service of alcohol. PREP is approved by the Department of Revenue and the DAODAS.

Local commissions also implement environmental strategies through multi-jurisdictional AETs. Local law enforcement agencies work together to enforce South Carolina's underage drinking laws. Enforcement efforts employed by the AETs include compliance checks of locations that sell alcoholic beverages; party patrols; sobriety checkpoints; community policing; and other strategies to reduce youth access to alcohol and underage drinking.

County authorities often play a role in the post-arrest process for youth violators of alcohol or tobacco laws. Related to alcohol, county providers often offer programming as part of their solicitor's Alcohol Education Program (AEP), a program many first-time offenders are offered in lieu of a conviction.

Federal prevention funds, as well as most states' prevention programs, have increasingly been restricted to coalition building. In some cases, community coalitions generate some prevention strategies but the majority of resources are often dedicated to maintaining or expanding coalitions. The Alcohol and Drug Abuse Commissions in South Carolina are unique in their ability to provide comprehensive prevention services, environmental strategies, interventions, and treatment without diverting critical resources to coalition building at the expense of providing services.

## **Recommendations**

- Support and expand the resources of Alcohol and Drug Commissions, Alcohol Enforcement Teams, and Law Enforcement Networks.
- Provide timely and accurate impaired driving information and technical assistance to Alcohol and Drug Commissions and Alcohol Enforcement Teams.

### **B-4. Transportation Alternatives**

#### ***Advisory***

*Alternative transportation describes methods by which people can get to and from places where they drink without having to drive. Alternative transportation includes normal public transportation provided by subways, buses, taxis, and other means. Designated driver programs are one example of these alternatives.*

*States should:*

- *Actively promote the use of designated driver and safe ride programs, especially during high-risk times, such as holidays or special events;*
- *Encourage the formation of public and private partnerships to financially support these programs;*
- *Establish policies and procedures that ensure designated driver and alternative transportation programs do not enable over consumption by passengers or any consumption by drivers or anyone under 21 years old; and*
- *Evaluate alternative transportation programs to determine effectiveness.*

## **Status**

Many state and local impaired driving prevention organizations promote designated driver or safe ride programs. Some local programs and law enforcement agencies promote safe-ride programs, and some college prevention programs promote or provide safe ride programs in cooperation with local drinking establishments.

The “Be a S. A. N. T. A. – A Sober All Night Totally Awesome Designated Driver” aired just before the Christmas holiday season during the past several years. The designated driver campaign effort included media spots and billboard advertising promoting the designated driver initiative.

### **Recommendations**

- Ensure that all designated driver programs stress “no use” of alcohol messages for the designated driver.
- Ensure alternative transportation programs do not encourage or enable excessive drinking.
- Ensure that both designated driver and safe ride programs prohibit consumption of alcohol by underage individuals or unintentionally promote over-consumption.

### **III. Criminal Justice System**

*Each State should use the various components of its criminal justice system – laws, enforcement, prosecution, adjudication, criminal penalties, administrative sanctions, and communications, to achieve both specific and general deterrence.*

*Specific deterrence focuses on individual offenders and seeks to ensure that impaired drivers will be detected, arrested, prosecuted and subject to swift, sure and appropriate criminal penalties and administrative sanctions. Using these measures, the criminal justice system seeks to reduce recidivism. General deterrence seeks to increase the perception that impaired drivers will face severe and certain consequences, discouraging individuals from driving impaired.*

*A data-driven, evidence-based, integrated, multidisciplinary approach and close coordination among all components of the criminal justice system are needed to make the system work effectively. In addition, coordination is needed among law enforcement agencies, on the State, county, municipal and tribal levels to create and sustain both specific and general deterrence.*

#### **A. Laws**

##### ***Advisory***

*Each State should enact impaired driving laws that are sound, rigorous and easy to enforce and administer. The laws should clearly: define the offenses; contain provisions that facilitate effective enforcement; and establish effective consequences. Monitoring requirements should be established by law to assure compliance with sanctions by offenders and responsiveness of the judicial system. Noncompliant offenders should be adjudicated swiftly.*

*The offenses should include:*

- *Driving while impaired by alcohol or other drugs (whether illegal, prescription, or over-the-counter), and treating both offenses with similar consequences;*
- *A Blood Alcohol Concentration (BAC) limit of 0.08, making it illegal per se to operate a vehicle at or above this level without having to prove impairment;*
- *Zero Tolerance for underage drivers, making it illegal per se for persons under age 21 to drive with any measurable amount of alcohol;*
- *High BAC (e.g., 0.15 or greater), with enhanced penalties above the standard impaired driving offense;*
- *Repeat offender, with increasing penalties for each subsequent offense;*
- *BAC test refusal, with administrative sanctions at least as strict as the state's highest BAC offense;*
- *Driving with a license suspended or revoked for impaired driving (DWS), vehicular homicide or causing personal injury while driving impaired as separate offenses, with additional penalties;*

- *Open container, which prohibits possession or consumption of any open alcoholic beverage in the passenger area of a motor vehicle located on a public highway or right-of-way; and*
- *Primary seat belt provisions that do not require that officers observe or cite a driver for a separate offense other than a seat belt violation.*

*Facilitate effective enforcement by enacting laws that:*

- *Authorize law enforcement to conduct sobriety checkpoints, in which vehicles are stopped on a nondiscriminatory basis to determine whether operators are driving while impaired by alcohol or other drugs;*
- *Authorize law enforcement to use passive alcohol sensors to improve the detection of alcohol in drivers;*
- *Authorize law enforcement to obtain more than one chemical test from an operator suspected of impaired driving, including preliminary breath tests, evidentiary breath tests and screening and confirmatory tests for alcohol or other impairing drugs;*
- *Authorize law enforcement to collect blood sample by search warrant in any chemical test refusal situation, consistent with other provisions of criminal jurisprudence which allows body fluids to be collected as evidence of a crime; and*
- *Require mandatory BAC testing of drivers involved in fatal and serious injury producing crashes.*

*Effective criminal penalties and administrative sanctions should include:*

- *Administrative license suspension or revocation (ALR), for failing or refusing to submit to a BAC or other drug test;*
- *Prompt and certain administrative license suspension of at least 90 days for first offenders determined by chemical test(s) to have a BAC at or above the State's per se level or of at least 15 days followed immediately by a restricted, provisional or conditional license for at least 75 days, if such license restricts the offender to operating only vehicles equipped with an ignition interlock;*
- *Enhanced penalties for test refusals, high BAC, repeat offenders, driving with a suspended or revoked license, driving impaired with a minor in the vehicle, vehicular homicide or causing personal injury while driving impaired, including: longer license suspension or revocation; installation of ignition interlock devices; license plate confiscation; vehicle impoundment, immobilization or forfeiture; intensive supervision and electronic monitoring; and imprisonment;<sup>5</sup>*

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<sup>5</sup> Limited exceptions are permitted under Federal statute and regulation, 23 U.S.C. 154 and 23 CFR Part 1270.

- *Separate and distinct criminal penalties for alcohol- and drug-impaired driving to be applied individually or in combination to a single case;*
- *Assessment for alcohol or other drug abuse problems for all impaired driving offenders and, as appropriate, treatment, abstention from use of alcohol and other drugs, and frequent monitoring.*

*Effective monitoring should include:*

- *supervision of out-of-state offenders;*
- *proven technology (e.g., ignition interlock device, electronic confinement and monitoring) and its capability to produce reports on compliance;*
- *impaired driver tracking systems; and*
- *periodic reports on offender compliance with administrative or judicially imposed sanctions;*
- *Driver license suspension for persons under age 21 for any violation of law involving the use or possession of alcohol or illicit drugs; and*
- *Statutory and rule support for DWI Courts as a sentencing alternative for persistent DWI offenders.*

## **Status**

The National Highway Traffic Safety Administration (NHTSA) encourages each state to enact impaired driving laws that are sound, rigorous, and easy to enforce and administer. The South Carolina statutory scheme complies with the NHTSA recommendations in several ways. South Carolina treats driving under the influence of alcohol or other drugs (whether illegal, prescription, or over-the counter) with similar consequences. The statutory Blood Alcohol Concentration (BAC) limit is 0.08, making it illegal per se to operate a vehicle at or above this level without having to prove impairment.

Additionally, the following South Carolina statutory provisions are congruent with the NHTSA recommendations.

- **Impose Zero Tolerance for underage drivers, making it illegal per se for persons under age 21 to drive with any measurable amount of alcohol**
- **High BAC (e.g., .15 or greater), with enhanced penalties above the standard impaired driving offense**
- **Repeat offender, with increasing penalties for each subsequent offense**

- BAC test refusal, with administrative sanctions at least as strict as the state's highest BAC offense
- Driving with a license suspended or revoked for impaired driving (DWS), vehicular homicide or causing personal injury while driving impaired as separate offenses, with additional penalties
- Open container, which prohibits possession or consumption of any open alcoholic beverage in the passenger area of a motor vehicle located on a public highway or right-of-way
- Primary seat belt provisions that do not require that officers observe or cite a driver for a separate offense other than a seat belt violation
- Require mandatory BAC testing of drivers involved in fatal and serious injury producing crashes

In considering what statutory provisions are desirable to deter driving under the influence, NHTSA also recommends that effective criminal penalties and administrative sanctions be enacted. South Carolina has enacted statutes that provide for:

- Administrative license suspension or revocation (ALR), for failing or refusing to submit to a BAC or other drug test
- Prompt and certain administrative license suspension of at least 90 days for first offenders determined by chemical test(s) to have a BAC at or above the State's per se level or of at least 15 days followed immediately by a restricted, provisional, or conditional license for at least 75 days, if such license restricts the offender to operating only vehicles equipped with an ignition interlock
- Enhanced penalties for test refusals, high BAC, repeat offenders, driving with a suspended or revoked license, vehicular homicide, or causing personal injury while driving impaired, including: longer license suspension or revocation; and installation of ignition interlock devices
- Assessment for alcohol or other drug abuse problems for all convicted impaired driving offenders and, as appropriate, treatment, abstention from use of alcohol and other drugs, and frequent monitoring. Effective monitoring should include:
  - Proven technology (e.g., ignition interlock device, electronic confinement and monitoring) and its capability to produce reports on compliance
  - Periodic reports on offender compliance with administrative or judicially imposed sanctions

- Driver license suspension for persons under age 21 for any violation of driving law involving the use or possession of alcohol or illicit drugs
- The statutes allow DUI Courts as a sentencing alternative for persistent DUI offenders

Although many of the South Carolina laws clearly define the offenses and provide effective countermeasures to DUI, some contain provisions that prevent effective enforcement. An example of a statute that presents a significant barrier to the efficient prosecution of driving under the influence is the video recording statute, Code of Laws of South Carolina, Section 56-5-2953. The statute requires the video camera recording of all stages of the stop and of advising of the Miranda rights. One can describe the statute as poorly drafted and archaic, but the worst part is that it is ineffective. It fritters away scarce law enforcement resources yet it is not a particularly strong guarantee of defendant's rights. A simple and effective statute could be drafted that would ensure the protection of the defendant's rights after the defendant's arrest without the expense and complications of management of the current videotaping and records.

The statute mandates unsafe roadside practices endangering the public and the officer making the stop.

One South Carolina statute, Section 56-5-2933. Driving with an unlawful alcohol concentration (DUAC) is unique, if not odd.

(A) It is unlawful for a person to drive a motor vehicle within this State while his alcohol concentration is eight one-hundredths of one percent or more. A person who violates the provisions of this section is guilty of the offense of driving with an unlawful alcohol concentration and, upon conviction, entry of a plea of guilty or of nolo contendere, or forfeiture of bail must be punished...

The above statute appears to be a work around or plea bargain agreement to the DUI law.

### **Recommendations**

- **Repeal the statutory videotaping requirements of the entire traffic stop, including the field sobriety testing and advice of rights.**
- **Convene a Governor's DUI and Drugs Task Force that includes both traditional and non-traditional members such as highway safety experts, law enforcement, judiciary, driver licensing services, treatment, alcohol beverage control, businesses, insurance companies, medical and health care representatives, advocacy groups, the media, and higher education, to review existing laws and regulations and make recommendations to the Governor and State Legislature.**

## **B. Enforcement**

### *Advisory*

*States should conduct frequent, highly visible, well publicized and fully coordinated impaired driving (including zero tolerance) law enforcement efforts throughout the State, utilizing data to focus on locations where alcohol related fatalities most often occur. To maximize visibility, the State should conduct frequent sobriety checkpoints, periodic saturation patrols and sustained efforts throughout the year. Both periodic and sustained efforts should be supported by a combination of paid and earned media. To maximize resources, the State should coordinate highly visible, multi-jurisdictional efforts among State, county, municipal and tribal law enforcement agencies to include liquor control enforcement officers. To increase the probability of detection, arrest and prosecution, participating officers should receive training in the latest law enforcement techniques.*

*States should:*

- *Ensure that executive levels of law enforcement and State and local government make impaired driving enforcement a priority and provide adequate resources;*
- *Develop and implement a year round impaired driving law enforcement plan supported by a strategic communication plan which includes:*
  - *periods of heightened enforcement, e.g., three consecutive weekends over a period of 16 days, and frequent sustained coverage throughout the year; and*
  - *high levels of participation and coordination among State, liquor enforcement, county, municipal and tribal law enforcement agencies, such as through law enforcement task forces.*
- *Deploy enforcement resources based on problem identification, particularly at locations where alcohol-related fatal or other serious crashes most often occur;*
- *Conduct highly visible enforcement that maximizes contact between officers and drivers, including frequent, ongoing sobriety checkpoints and saturation patrols, and widely publicize these efforts - before, during and after they occur;*
- *Use technology (e.g., video equipment, portable evidentiary breath tests, passive alcohol sensors and mobile data terminals) to enhance law enforcement efforts;*
- *Require that law enforcement officers involved in traffic enforcement receive standardized state-of-the-art training in the latest law enforcement techniques such as Standardized Field Sobriety Testing (SFST), Advanced Roadside Impaired Driving Enforcement, (ARIDE) emerging technologies for the detection of alcohol and other drugs; selected officers should receive training in media relations and Drug Evaluation and Classification (DEC);*

- *Ensure that officers involved in traffic enforcement receive ongoing refresher training in SFST;*
- *Evaluate the effectiveness of advanced training in the identification and apprehension of drug impaired drivers;*
- *Provide training to enhance law enforcement officers understanding of ignition interlock devices;*
- *Expedite the arrest process, e.g., by reducing paperwork and processing time from the time of arrest to booking and/or release;*
  
- *Evaluate program effectiveness and efficiency through the use of both output and outcome based performance measures including:*
  - *the level of effort, e.g., number of participating agencies, checkpoints conducted, arrests made;*
  - *public awareness;*
  - *reported changes in behavior, e.g., reported number of drinking driving trips; and*
  - *consequences including alcohol-related fatalities, injuries and crashes.*
  
- *Use law enforcement professionals to serve as law enforcement liaisons within the State. Their activities would include:*
  - *Serving as a communication bridge between the highway safety office and law enforcement agencies;*
  - *Enhancing law enforcement agencies coordination in support of traffic safety activities;*
  - *Encouraging participation in high visibility enforcement of impaired driving, occupant protection and other traffic safety enforcement mobilizations; and*
  - *Improving collaboration with local chapters of police groups and associations that represent state, county, municipal, and tribal law enforcement.*

## **Status**

The reduction of impaired driving related crashes is clearly a priority for the South Carolina Department of Public Safety's Office of Highway Safety and Justice Programs (OHSJP). It is not as clear that it is a priority for all law enforcement executives throughout the State. The South Carolina Highway Patrol (SCHP) has six four-member traffic enforcement teams, referred to as *Target Zero* teams, which are funded by the South Carolina Department of Transportation (SCDOT). These teams concentrate their efforts on locating impaired drivers, drivers not using occupant protection devices, and

those who are speeding. Special traffic enforcement teams are also funded in Charleston, Berkeley, Richland, and Darlington Counties. It is not evident that agencies not receiving this special funding give impaired driving the same degree of emphasis. However, there are some agencies involved in these efforts, like the Kershaw County Sheriff's Office and the Lexington Police Department, which place a consistent year-round emphasis on impaired driving enforcement.

South Carolina is divided into 16 Law Enforcement Networks. Funding is allocated to each Network to facilitate activities aimed at encouraging law enforcement agencies in each region to participate in traffic safety initiatives, including impaired driving enforcement. This funding has traditionally been used for meetings, awards, and incentive items. Funding for each Law Enforcement Network was cut dramatically for the 2017 federal fiscal year. OHSJP does not allocate monies for law enforcement overtime to augment impaired driving enforcement efforts. Instead, the emphasis is on getting state, county, and local law enforcement agencies to work collaboratively to remove impaired drivers from the roads.

OHSJP funds two full-time Law Enforcement Liaisons (LEL) who are responsible for engaging law enforcement agencies throughout the state to participate in highway safety programs including those aimed at reducing impaired driving. These LELs also coordinate and monitor funding to the Law Enforcement Networks. Each LEL is responsible for the coordination of services in 23 counties.

The Alcohol Enforcement Unit of the State Law Enforcement Division (SLED) has primary responsibility for inspection and enforcement actions related to the 14,000 liquor sales establishments throughout the 46 counties. To accomplish this, and to help ensure establishments are not over-serving their customers or making alcohol available to persons under 21 years of age, the officers of the SLED Alcohol Enforcement Unit frequently partner with allied law enforcement agencies. It was reported that about 75 percent of complaints concerning alcohol violations come to SLED from law enforcement agencies.

SLED personnel are also responsible for trying to determine the last place alcohol was consumed by any driver involved in a fatal motor vehicle crash. A separate organization, the Alcohol Enforcement Team (AET) of the Department of Alcohol and Other Drug Abuse Services (DAODAS), has the responsibility for investigating other alcohol source issues. Between 40 to 50 percent of law enforcement agencies participate in AET investigative and enforcement activities. The AETs are currently funded by DAODAS with Substance Abuse and Mental Health Services Administration (SAMHSA) block grant funds.

Alcohol related crash data are used by OHSJP to help determine where grant funding will be allocated. Additionally, the SCHP *Target Zero* enforcement teams are deployed based on crash data analysis. State crash data are combined with data from the Fatality Analysis Reporting System (FARS) to identify target areas for impaired driving enforcement teams that are grant funded. Counties identified as DUI priority include

Greenville, Horry, Richland, Lexington, Spartanburg, Anderson, Berkeley, Charleston, York, Aiken, Florence, Orangeburg, Pickens, Laurens, Sumter, Colleton, Kershaw, Dorchester, Beaufort, and Darlington. Although DUI enforcement grants are represented in only four (Charleston, Berkeley, Richland, and Darlington) of the above-referenced counties comprising the DUI priority counties, Police Traffic Services (PTS) grants are located in an additional ten priority counties (Greenville, Lexington, Spartanburg, Anderson, York, Florence, Laurens, Colleton, Dorchester, and Beaufort). Every PTS grant has a DUI enforcement component; as a result, fourteen of the twenty DUI priority counties identified have a grant with DUI enforcement.

The Highway Safety and Performance Plan for South Carolina calls for a high visibility enforcement and education initiative that has been labeled the Law Enforcement DUI Challenge (*Sober or Slammer*). This initiative is conducted in conjunction with the national *Drive Sober or Get Pulled Over* impaired driving enforcement and education campaigns throughout the year. In addition to an enforcement component, the Law Enforcement DUI Challenge (*Sober or Slammer*) initiative incorporates education, media, and diversity components. Law enforcement agencies throughout the state are encouraged to participate during these campaign dates but it is unclear how many actually do. It was reported that only about 25 percent of sheriffs' departments throughout the state conduct any type of traffic enforcement. There was little evidence presented of consistent year-round impaired driving enforcement outside of that conducted by the special enforcement teams funded by OHSJP.

After several years of increasing impaired driving arrests (2007 – 2010), there has been a continual decline in the number of such arrests made over the six years leading up to this assessment.

2010 – 26,532	2012 – 24,998	2014 – 23,064
2011 – 25,958	2013 – 23,977	2015 – 21,512

The large reduction noted in 2015 was to some degree attributed to recent social unrest and aggression toward law enforcement actions. Staffing issues also continue to plague a number of law enforcement agencies with some having to reduce staffing of specialized traffic enforcement units or eliminate them all together.

Many training programs are available to law enforcement officers in South Carolina. All new law enforcement officers are trained through the South Carolina Criminal Justice Academy (SCCJA). Each officer is trained to use the National Highway Traffic Safety Administration (NHTSA) Standardized Field Sobriety Tests (SFST) and to administer evidential breath tests on the DataMaster DMT. Advanced Roadside Impaired Driving Enforcement (ARIDE) classes are conducted at locations throughout the state with a minimum of ten classes being offered each year. Two Drug Recognition Expert (DRE) classes are conducted each year with a goal of sixteen students in each class. The use of Preliminary Breath Testing (PBT) devices or Passive Alcohol Sensors (PAS) is prohibited for enforcement purposes in South Carolina so little training is offered in the use of these devices.

SCHP has seven troopers, two corporals, and a sergeant trained as Community Outreach Troopers. The State Transport Police has one Community Outreach Officer as well. Each of these officers is provided with several different social media accounts with which to share information with the public. These social media accounts have proven effective in helping spread the anti-DUI message.

SCCJA requires that each law enforcement officer receive SFST refresher training every two years to maintain SFST certification. SFST Instructors are also required to receive refresher training every two years. Refresher training is accomplished through an online training class that takes about two hours to complete and is followed by a demonstration of test proficiency before an SFST Instructor.

In many jurisdictions, law enforcement officers are required to serve as prosecutor during initial court proceedings for the officer's impaired driving arrest. This practice creates a scenario where a law enforcement officer with little training on legal proceedings can be challenged by a skilled defense attorney. Legal technicalities result in an inordinate number of cases being dismissed or reduced to a non-DUI related offense.

Required videotaping of all impaired driving arrests has created an impediment to effective enforcement and adjudication of those cases. If a law enforcement officer does not have a video camera available it is an almost universal practice for that officer to request another officer, possibly from a different agency, to handle the arrest. This results in multiple witnesses having to take time from other duties to appear in court. Additionally, requiring the videotaping of a suspect during SFST roadside testing creates an unsafe environment for the suspect and law enforcement officer. For an in-car video camera to capture a suspect performing sobriety tests the suspect must frequently be positioned between the front of the police car and the rear of the suspect's vehicle. This creates the distinct probability of severe injury or death to both the suspect and officer if another vehicle were to run into the rear of the police vehicle while tests are being performed. The use of police body cameras, while maybe not as dangerous, is equally as problematic. When conducting sobriety testing, an officer must closely observe the suspect for their safety and to observe clues of impairment that may be exhibited. An officer cannot reasonably watch what is being recorded to ensure all aspects of the testing are captured while giving instructions, test demonstrations, and while still observing the suspect and watching for clues.

Law enforcement officers are also required to videotape the advisement of Miranda warnings regardless of whether questioning is to take place after that point. Given that this warning is to be given to the suspect in the field, it is again a problem if no video recording equipment is available.

SCCJA provides instruction concerning requirements related to the use of ignition interlock devices. There is no evidence that refresher training is offered related to these devices and it appears officers may lack familiarity with them. As the use of interlock

devices becomes more prevalent it will be incumbent for officers to be able to determine if an interlock is required, if it is being used properly, and if it has been tampered with.

The South Carolina Drug Recognition Expert (DRE) program has grown significantly over the past several years, from 97 DREs in 2011 to 149 at the end of 2015. While the program has grown in the number of DREs, it has not kept pace with the number of evaluations completed on suspected drug impaired drivers. In 2011 there were 226 enforcement evaluations reported. That number grew to only 249 in 2015. Clearly the DREs are not being effectively utilized. With 7,544 (35.66% of 21,156) breath tests administered in 2015 yielding results below .08 breath alcohol concentration, there is ample opportunity for a significant increase in the number of DRE evaluations conducted. There is a problem, however, having DREs recognized as experts in court, thus limiting their ability to render opinions. This may discourage DREs and impact their enthusiasm for conducting evaluations. Overtime limitations in some agencies may also impact the availability of DREs during off-duty hours.

OHSJP encourages law enforcement agencies to adopt data-driven targeted enforcement initiatives like the Data-Driven Approaches to Crime and Traffic Safety (DDACTS). Some training classes have been provided on the DDACTS concept but, with limited funding to help agencies implement and augment these programs, few are in use.

## **Recommendations**

- Emphasize year-round high visibility impaired driving enforcement by all law enforcement agencies in South Carolina.
- Engage more Sheriffs Offices in traffic enforcement activities.
- Increase the number of law enforcement agencies that participate in the Law Enforcement DUI Challenge *Sober or Slammer*.
- Evaluate the effectiveness of funding special DUI enforcement teams as opposed to providing funding for more law enforcement agencies to garner more participation in DUI enforcement activities.
- Expand the Drug Recognition Expert program in South Carolina.
- Distribute contact lists and explore the feasibility of on-call procedures to make Drug Recognition Experts more accessible.
- Give training priority to those agencies that are willing to share their Drug Recognition Expert resources with neighboring jurisdictions.
- **Increase the number of Solicitors to handle DUI cases.**

- **Repeal the statutory videotaping requirements of the entire traffic stop, including the field sobriety testing and advice of rights.**

## **C. Prosecution**

### ***Advisory***

*States should implement a comprehensive program to visibly, aggressively and effectively prosecute and publicize impaired driving-related efforts, including use of experienced prosecutors, to help coordinate and deliver training and technical assistance to those prosecutors handling impaired driving cases throughout the State. Effective prosecution can include participation in a DWI Court program.*

*Prosecutors who handle impaired driving cases often have little experience, are responsible for hundreds of cases at a time, and receive insufficient training<sup>6</sup>*

*States should:*

- *Make impaired driving cases a high priority for prosecution and assign these cases to knowledgeable and experienced prosecutors;*
- *Encourage vigorous and consistent prosecution of impaired driving (including youthful offender) cases, particularly when they result in a fatality or injury, under both impaired driving and general criminal statutes;*
- *Provide sufficient resources to prosecute impaired driving cases and develop programs to retain qualified prosecutors;*
- *Employ experienced prosecutors, such as State Traffic Safety Resource Prosecutors, to help coordinate and deliver training and technical assistance to prosecutors handling impaired driving cases throughout the State;*
- *Ensure that prosecutors who handle impaired driving cases receive state-of-the-art training, such as in Standardized Field Sobriety Test (SFST), Drug Recognition Expert (DRE), and emerging technologies for the detection of alcohol and other drugs. Prosecutors should learn about sentencing strategies for offenders who abuse these substances and participate in multi-disciplinary training with law enforcement personnel;*
- *In drug-impaired driving cases, encourage close cooperation between prosecutors, state toxicologists and arresting law enforcement officers (including DRE). Their combined expertise is needed to successfully prosecute these cases;*
- *Establish and adhere to strict policies on plea negotiations and deferrals in impaired driving cases and require that plea negotiations to a lesser offense be made part of the record and count as a prior impaired driving offense; and*
- *Encourage prosecutors' participation in DWI Courts as a sentencing alternative for persistent DWI offenders.*

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<sup>6</sup> Robertson, Robyn D. and Herb M. Simpson "DWI System Improvement for Dealing with Hard Core Drinking Drivers: Prosecution." Ottawa, Traffic Injury Research Foundation, 2002.

## **Status**

The South Carolina Attorney General (SCAG) is the chief prosecuting officer for the State as designated by the South Carolina Constitution. The Attorney General shares responsibility for all criminal matters within the South Carolina judicial system. The majority of cases prosecuted by the SCAG are referred by the local solicitors. The SCAG Prosecution Division handles a broad range of criminal matters, including cases involving securities fraud, insurance fraud, financial fraud, and environmental crimes. The Criminal Appeals Section represents the interests of the State of South Carolina in the Supreme Court, the South Carolina Court of Appeals, and the United States Supreme Court in all appeals from criminal convictions in South Carolina, except appeals arising from murder convictions. However, the bulk of the routine day in, day out, criminal prosecution work is managed by sixteen Circuit Solicitors.

While South Carolina's legislature approved \$7.8 million in this year's state budget with the goal of adding an estimated 104 prosecutors statewide, the state is woefully short of solicitors. As a result, in many summary courts, the arresting police officers have to prosecute his or her own cases. Officers are trained to enforce laws and the best use of their time and skills is to be focused on those duties. Efforts are made to educate and train police to perform the prosecutorial function but such an expectation is inefficient. To require the officer to act as a quasi-lawyer decreases enforcement capacity. The dual role reduces the amount of time the officer can spend on the street and wastes the law enforcement resources and training invested in the officer. The officer is expected to remain current on the finer evidentiary points of case-law, statutes, and rules. The officers have no clerical or research assistance, not even a paralegal. A stop gap measure, providing a paralegal to assist officers who prosecute their own cases, might be better than the current total absence of support. While police officers have the statutory authority to try their cases, such a practice is inefficient and worse, threatens public safety by taking officers off the streets.

The bulk of the criminal justice caseload is managed by the solicitor, an elected official who is responsible for prosecuting criminal cases in South Carolina. Other states refer to this position held by an elected official as the district attorney or prosecutor. There are 16 judicial circuits in South Carolina and each circuit has its own solicitor. The circuits consist of two to five counties. The Office of Solicitor is a constitutional office and each solicitor is elected by the voters within the circuit for a term of four years.

The South Carolina Commission on Prosecution Coordination is a state agency that is expected to support the professionalism and effectiveness of South Carolina's Solicitors and their staff. The Commission is charged with providing legal education and publications, providing technical assistance, coordinating with other state, local, and federal agencies involved in the criminal justice system, providing administrative functions for the solicitors at the state level, as well as being a resource for the General Assembly on a range of issues. The Commission has employed an experienced solicitor to serve as State Traffic Safety Resource Prosecutor (TSRP) to help coordinate and deliver training and technical assistance to prosecutors handling impaired driving cases throughout the State. The TSRP has developed strong programs that help the solicitors

meet their continuing legal education requirements. Some rural, remote, and small areas need extra support to adjudicate impaired driving cases.

Another step taken by the South Carolina Department of Public Safety's Office of Highway Safety and Justice Programs (OHSJP) has been to fund a special driving under the influence (DUI) prosecutor to attack the problem of DUI recidivism and increase the conviction rate of DUI offenders in the 9th Judicial Circuit. This Circuit was chosen because there have been difficulties in obtaining DUI convictions and it has a backlog of DUI cases. SCHP has limited resources and can benefit from Troopers spending more time in enforcement activity as opposed to preparing cases for court. The grant project will also work to reduce the backlog of DUI cases made by SCHP in Berkeley County.

Solicitors are one group in South Carolina who are observing the problems caused by the misuse of law enforcement resources. Their membership organization could undertake to inform the legislature and public about the consequences of the dual roles expected of the police officer.

#### **Recommendations**

- **Increase the number of solicitors to handle DUI cases.**
- Provide paralegal assistants to the police who prosecute in the summary courts.

#### **D. Adjudication**

##### *Advisory*

*States should impose effective, appropriate and research-based sanctions, followed by close supervision, and the threat of harsher consequences for non-compliance when adjudicating cases. Specifically, DWI Courts should be used to reduce recidivism among repeat and high BAC offenders. DWI Courts involve all criminal justice stakeholders (prosecutors, defense attorneys, probation officers and judges) along with alcohol and drug treatment professionals and use a cooperative approach to systematically change participant behavior. Where offender supervision<sup>7</sup> is housed within the judicial branch, the guidelines of Section V(A)(1) should be utilized by the judiciary.*

*The effectiveness of enforcement and prosecution efforts is strengthened by knowledgeable, impartial and effective adjudication. Each State should provide the latest state-of-the-art education to judges, covering Standardized Field Sobriety Testing (SFST), Drug Recognition*

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<sup>7</sup> Robertson, Robyn D. and Herb M. Simpson "DWI System Improvement for Dealing with Hard Core Drinking Drivers: Prosecution. Ottawa, Traffic Injury Research Foundation, 2002.

*Expert (DRE), alternative sanctions and emerging technologies, such as ignition interlock devices (IID).*

*Each State should utilize DWI Courts to help improve case management and to provide access to specialized personnel, speeding up disposition and adjudication. DWI Courts also improve access to assessment, treatment, and sentence monitoring. Each State should provide adequate staffing and training for community supervision programs with the necessary resources, including technology, such as IID, to monitor and guide offender behavior.*

*States should:*

- *Involve the State's highest court in taking a leadership role and engaging judges in effectively adjudicating impaired driving cases and ensuring that these cases are assigned to knowledgeable and experienced judges;*
- *Encourage consistency in the adjudication of impaired driving (including youthful offender) cases, and the imposition of effective and appropriate sanctions, particularly when impaired driving resulted in a fatality or injury;*
- *Provide sufficient resources to adjudicate impaired driving cases in a timely manner and effectively manage dockets brought before judges;*
- *Ensure that judges who handle criminal or administrative impaired driving cases receive state-of-the-art education, such as in technical evidence presented in impaired driving cases, including SFST and DRE testimony, emerging technologies, such as IID, for the detection of alcohol and other drugs, and sentencing strategies for this class of offenders; and*
- *Use court strategies to reduce recidivism through effective sentencing and close monitoring, by either establishing DWI Courts, encouraging drug courts to hear impaired driving cases, or encouraging other courts to adopt DWI/Drug Court practice. These courts increase the use of drug or alcohol assessments, identify offenders with alcohol or drug use problems, apply effective and appropriate sentences to these offenders, including abstinence from alcohol and other drugs and closely monitor compliance, leading to a reduction in recidivism.<sup>8</sup>*
- *Eliminate ethical obstacles, such as ex parte or commitment communications, by adopting the current Model Code of Judicial Conduct so that judges can participate more freely in DWI Court administration;*
- *Provide adequate staffing and training for community supervision programs with the necessary resources, including technology such as IID and electronic confinement, to monitor and guide offender behavior and produce periodic reports on offender compliance; and*
- *Incorporate into judicial education and outreach administration the position of Judicial Outreach Liaison as a judicial educator and resource on highway traffic safety issues including impaired driving, and as an agent to create more DWI Courts.*

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<sup>8</sup> Freeman-Wilson, Karen and Michael P. Wikosz, "Drug Court Publications Resource Guide, Fourth Edition." Alexandria, VA: National Drug Court Institute, 2002.

## **Status**

The Supreme Court is the highest court in South Carolina. The Court has a Chief Justice and four Associate Justices who are elected to ten year terms by the General Assembly. The terms of the justices are staggered and a justice may be reelected to any number of terms.

The Supreme Court has both appellate and original jurisdiction. In its appellate capacity, it has exclusive jurisdiction to hear certain appeals from the circuit court. On its own motion or a motion of a party or the Court of Appeals, the Supreme Court may certify an appeal pending before the Court of Appeals for decision by the Supreme Court. For appeals that have been decided by the Court of Appeals, an aggrieved party may seek a review of the decision of the Court of Appeals by filing a petition for a writ of certiorari. The Supreme Court also reviews judgments of the circuit and family court relating to post-conviction relief actions by writ of certiorari. In its original jurisdiction, the Supreme Court may allow actions to be commenced in the Supreme Court and may issue mandamus, certiorari, and other extraordinary writs. Finally, the Supreme Court can agree to answer questions of law certified to it by the highest court of another state or by a federal court.

The Supreme Court has the additional duties of rulemaking and administration of the lower courts. It promulgates rules governing all the courts of this state including rules governing the practice and procedure before these courts, rules governing the administration of these courts, rules governing the admission of persons to practice law, and the conduct of lawyers, judges, and court personnel. Further, the Chief Justice, as the administrative head of the Judicial Branch, is responsible for administering the courts, setting the terms of court, and assigning judges to preside at those terms.

The Supreme Court is responsible for admitting persons to practice law in South Carolina. In addition, it is responsible for disciplining lawyers and judges who commit ethical misconduct.

The Court of Appeals consists of a Chief Judge and eight associate judges who are elected by the General Assembly to staggered terms of six years each. The Court sits either as three panels of three judges each or as a whole, and it may hear oral arguments and motions in any county of the state.

The Circuit Court is the State's court of general jurisdiction. It is divided into the Court of Common Pleas and a criminal court, the Court of General Sessions. In addition to its general trial jurisdiction, the Circuit Court has limited appellate jurisdiction over appeals from the Probate Court, Magistrate's Court, and Municipal Court.

South Carolina has sixteen judicial circuits. Each circuit has at least one resident circuit judge who maintains an office in the judge's home county within the circuit. There are forty-nine circuit judges who serve the sixteen circuits on a rotating basis, with court terms and assignments determined by the Chief Justice based upon recommendations of

Court Administration. Circuit court judges are elected by the General Assembly to staggered terms of six years.

There are approximately 300 magistrates in South Carolina, each serving the county for which he or she is appointed. They are appointed to four-year terms by the Governor upon the advice and consent of the Senate. Magistrates must also pass a certification examination within one year of their appointment. Magistrates generally have criminal trial jurisdiction over all offenses subject to the penalty of a fine, as set by statute, but generally, not exceeding \$500.00 or imprisonment not exceeding 30 days, or both. In addition, they are responsible for setting bail, conducting preliminary hearings, and issuing arrest and search warrants.

The council of each municipality may establish, by ordinance, a municipal court to hear and determine all cases within its jurisdiction. Such courts are part of the unified judicial system. It should be noted, however, that a municipality may, upon prior agreement with county governing body, prosecute its cases in magistrate court, in lieu of establishing its own municipal court. In addition, the council may establish, by ordinance, a municipal court, and contract with the county governing authority for the services of a magistrate to serve as its municipal judge. The Chief Justice, pursuant to his/her powers as administrative head of the unified judicial system, would, in turn, delegate authority to the Chief Summary Court Judge of the county to assign a specific magistrate as municipal judge.

Municipal courts have jurisdiction over cases arising under ordinances of the municipality. The powers and duties of a municipal judge are the same as those of a magistrate, with regard to criminal matters; however, municipal courts have no civil jurisdiction. The term of a municipal judge is set by the council of the municipality, but cannot exceed four years. Approximately 200 municipalities in South Carolina have chosen to create municipal courts.

In trial courts, the data for DUI cases are incomplete. One cannot track a case from beginning to end.

There are two important things to consider about the adjudication of impaired driving cases in South Carolina. First, the judges are all appointed, many by the legislature. Many legislators are practicing lawyers.

The second factor of significance is that South Carolina judges carry one of the heaviest caseloads in the United States.

The National Highway Traffic Safety Administration (NHTSA) has an advisory for the state courts on how to improve the administration of impaired driving cases. During the assessment, the judges and court staff provided information and data to use in the process. NHTSA notes that the effectiveness of enforcement and prosecution efforts is strengthened by knowledgeable, impartial, and effective adjudication. Some of the NHTSA recommendations are that each state should provide the latest state-of-the-art

education to judges, covering Standardized Field Sobriety Testing (SFST), Drug Recognition Expert (DRE), alternative sanctions, and emerging technologies, such as ignition interlock devices (IID). In South Carolina, some of that education is provided by the Office of the State Court Administration to the summary courts.

All municipal judges are required to complete a training program or pass certification or recertification examinations, or both, within one year of taking office. Members of the South Carolina Bar are exempt from the examination; however, they are required to attend the orientation program. Each municipal judge must pass a recertification examination within eight years after passing the initial certification examination and at least once every eight years thereafter.

The South Carolina Department of Public Safety's Office of Highway Safety and Justice Programs (OHSJP) has funded two DUI Courts to help improve case management and to provide access to specialized personnel, speeding up disposition, and adjudication. The DUI Courts may also improve access to assessment, treatment, and sentence monitoring.

The extent of community supervision programs for DUI cases appears to be very small. The only monitoring is the interlock if the offender gets the interlock. There is no probation in the summary courts with the necessary resources, including technology such as IID, to monitor and guide offender behavior.

No information was presented that shows an effort to encourage consistency in the adjudication of impaired driving (including youthful offender) cases, and the imposition of effective and appropriate sanctions, particularly when impaired driving resulted in a fatality or injury.

South Carolina does not provide sufficient resources to adjudicate impaired driving cases in a timely manner and effectively manage dockets brought before judges.

South Carolina does not have the position of a Judicial Outreach Liaison as a judicial educator and resource on highway traffic safety issues including impaired driving, and as an agent to create more DUI Courts.

OHSJP has funded a Mothers Against Drunk Driving (MADD) Court Monitoring Program to monitor the prosecution of DUI-related cases in the 5th and 13th Judicial Circuits in the State. The program will continue to work to ensure accountability of the judicial process, and ideally increase the DUI conviction rate for the 16 Judicial Circuits in the State. It is likely that the monitoring program may help highlight the lack of judicial resources.

## Recommendations

- Work more closely with the South Carolina Office of Court Administration to improve access to court data.
- **Establish a Judicial Outreach Liaison position with a focus on the summary courts.**

## E. Administrative Sanctions and Driver Licensing Programs

### *Advisory*

*States should use administrative sanctions, including the suspension or revocation of an offender's driver's license; the impoundment, immobilization or forfeiture of a vehicle; the impoundment of a license plate or suspension of a vehicle registration; or the use of ignition interlock devices. These measures are among the most effective actions that can be taken to prevent repeat impaired driving offenses.<sup>9</sup>*

*In addition, other driver licensing activities can prove effective in preventing, deterring and monitoring impaired driving, particularly among novice drivers.*

### E-1. Administrative License Revocation and Vehicle Sanctions:

#### *Advisory*

*Each state's Motor Vehicle Code should authorize the imposition of administrative penalties by the driver licensing agency upon arrest for violation of the state's impaired driving laws. Administrative sanctions allow the licensing agency to maintain its authority to determine the safety and competence of the driver to whom it has issued a license, and to determine whether, at any time, continued provision of driving privileges is warranted. Administrative sanctions provide for consistency and uniformity of both sanction and treatment of offenders, apart from the political or social viewpoints of the various judicial jurisdictions within a state.*

*The code should provide for:*

- *Administrative suspension of the driver's license for alcohol and/or drug test failure or refusal;*
- *The period of suspension for a test refusal should be longer than for a test failure;*

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<sup>9</sup> Robertson, Robyn D. and Herb M. Simpson "DWI System Improvement for Dealing with Hard Core Drinking Drivers: Prosecution. Ottawa, Traffic Injury Research Foundation, 2002

- *Prompt suspension of the driver's license within 30 days of arrest, which should not be delayed, except when necessary, upon request of the State;*
- *Vehicle sanctions, including suspension of the vehicle registration, or impoundment, immobilization or forfeiture of the vehicle(s), of repeat offenders and individuals who have driven with a license suspended or revoked for impaired driving; and*
- *Installation of ignition interlock device(s) on the offender's vehicle(s) until a qualified professional has determined that the licensee's alcohol and/or drug use problem will not interfere with their safe operation of a motor vehicle. Specific agencies within a State should be given responsibility and authority for oversight of the interlock program, including vendor selection, certification, and monitoring; review of data downloaded from the individual devices; and responsibility for administrative rules that guide sanctions for circumvention or other non-compliance with ignition interlock licensure. Licenses for drivers required to have ignition interlock devices installed on vehicles that they operate should be easily identifiable by law enforcement officers, either by virtue of a different colored background on the license or large print indicating that an ignition interlock device is required.*

#### **Status**

The South Carolina Department of Motor Vehicles (SCDMV) is responsible for all processes related to driver licenses from issuance to suspension or revocation. The current data structure is on an Oracle platform, having migrated from a Legacy system that can be difficult to extract data for analytical or tracking purposes. Both systems are still functioning within the SCDMV, but there are plans to move toward more reliance on the Oracle system. The greater data management functionality in the new system will enhance the state's ability to evaluate programs and determine the effectiveness of licensing laws and policies. The Ignition Interlock Device (IID) program is managed by the Department of Probation, Parole, and Pardon Services (DPPPS) and related license information is transmitted to the SCDMV.

The South Carolina Code of Laws includes an implied consent statute and provision for comprehensive administrative licensing sanctions related to impaired driving offenses. These offenses include DUI and Driving with an Unlawful Alcohol Concentration (DUAC). DUI is operating a motor vehicle under the influence of alcohol and DUAC is defined as a person driving with a blood alcohol concentration (BAC) of 0.08 or higher but does not require quantifying impairment. The administrative sanctions for DUI and DUAC are the same, but severity may vary based on driver compliance with testing and recidivism. Both license and vehicle-related penalties are included in the Code and apply to all drivers arrested for impaired driving. This administrative process, known as the Administrative License Revocation (ALR) process, runs independent of, but parallel to, the judicial process and associated penalties for impaired driving. Conducting mutually exclusive processes allows for uniform administrative consequences to be enacted separate from any court proceedings.

In South Carolina impairment is defined as a BAC of 0.08 for adults age 21 and older and 0.02 under age 21 (known as a zero tolerance law). In the case of an alcohol test refusal or failure and administrative conviction, the following sanctions will be imposed:

<u>Offense</u>	<u>Alcohol Concentration</u>	<u>Suspension Duration</u>
<u>Under age 21</u>		
1 <sup>st</sup>	0.02+	3 months (six for refusal)
2 <sup>nd</sup> within 5 years	0.02+	6 months
<u>Age 21 and over</u>		
1 <sup>st</sup> within 10 years	0.08-0.14	6 months
1 <sup>st</sup> within 10 years	0.15+	6 months (IID)
2 <sup>nd</sup> within 10 years	0.08+	1 year (IID for 2 years)
3 <sup>rd</sup> within 5 years	0.08+	4 years (IID for 3-4 years)
4 <sup>th</sup> or more within 10 years	0.08+	7 years (IID for life)
<u>Felony</u>		
Great bodily injury		incarceration + 3 years
Fatality		incarceration + 5 years

Commercial Driver License (CDL) holders are subjected to the same progressive schedule of sanctions listed above with two exceptions: there is no limit for determining repeat offenses and DUI is defined as BAC 0.04. Any impaired offense during a CDL holder's lifetime is counted in the sentencing algorithm. All repeat and high BAC (0.15 and above) offenders are required to enroll in the IID program, while first offenders below BAC of 0.15 have the option to enroll. Upon conviction, offenders are administratively required to enroll in the Alcohol and Drug Safety Action Program (ADSAP) managed by Department of Alcohol and Other Drug Abuse Services (DAODAS) in addition to any other penalties. However, there is no requirement for completion of ADSAP for license reinstatement.

The above penalties result from either deferring an administrative hearing or being found guilty at a hearing. At the point of arrest, the offender's driver license is suspended. The offender has 30 days to request an ALR hearing from the Office of Motor Vehicle Hearings in the South Carolina Administrative Law Court. Once that request is received, the offender may apply for a temporary alcohol restricted license (TARL) until the time of trial. If the violation is dismissed at the ALR hearing, the full license is reinstated. If the suspension is enforced, a driver may apply for a provisional license to permit driving to work or school within South Carolina.

To determine the number of previous impaired driving offenses on a driver's history record, the official files at the SCDMV are queried and efforts are made to receive out-of-state violations. In determining repeat offenses, DUI and DUAC violations are treated equally and count towards identifying a repeat offender. Any arrests made while awaiting an ALR hearing will not be considered for the progressive sanctions for the original offense.

Vehicle sanctions are also imposed, specifically seizure of the license plate and registration of all vehicles registered to a person convicted of a second or subsequent DUI. The vehicle will be immobilized for 30 days. Conditions for reinstatement of those privileges coincide with the driver license suspension and judicial processes.

Ignition Interlock programs have been shown to be successful in other states and have been entered into state law in South Carolina since 2009. In 2014 Emma's Law was enacted which requires all high BAC (0.15 or above) and repeat offenders to enroll in the IID program. Although the IID program is available and required in some cases, only 1,200 people are enrolled in IID at any time with an estimated two-thirds of those cases enrolling after implementation of Emma's Law.

## **Recommendations**

- Expand the use of the Ignition Interlock Device program to include all first time offenders upon conviction regardless of blood alcohol concentration.
- Conduct an evaluation study of the Ignition Interlock Device program to quantify recidivism based on enrollment, length of the program, and as compared to other sanctions and treatment options.

### **E-2. Programs**

#### ***Advisory***

*Each state's driver licensing agency should conduct programs that reinforce and complement the state's overall program to deter and prevent impaired driving, including:*

*(1) Graduated Driver Licensing (GDL) for novice drivers. GDL programs have been widely evaluated and all studies, although results vary significantly, have shown a reduction in crash and fatality rates.*

*States' GDL program should involve a three-stage licensing system for beginning drivers (stage 1 = learner's permit; stage 2 = provisional license; and stage 3 = full license) that slowly introduces the young, novice driver to the driving task by controlling exposure to high risk driving situations (e.g., nighttime driving, driving with passengers, and driving after drinking any amount of alcohol). The three stages of the GDL system include specific components and restrictions to introduce driving privileges gradually to*

*beginning drivers. Novice drivers are required to demonstrate responsible driving behavior during each stage of licensing before advancing to the next level.*

*Each stage includes recommended components and restrictions for States to consider when implementing a GDL system.*

*Stage 1: Learner's Permit*

- *State sets minimum age for a learner's permit at no younger than 16 years of age;*
- *Pass vision and knowledge tests, including rules of the road, signs, and signals;*
- *Completion of basic driver training;*
- *Licensed adult (who is at least 21 years old) required in the vehicle at all times;*
- *All occupants must wear seat belts;*
- *Zero alcohol while driving;*
- *Learners permit is visually distinctive from other driver licenses;*
- *Must remain crash and conviction free, including violations of the seat belt, zero tolerance, speed and other GDL provisions, for at least 6 consecutive months to advance to the next level;*
- *Parental certification of 30 to 50 practice hours; and*
- *No use of portable electronic communication and entertainment devices while driving.*

*Stage 2: Intermediate (Provisional) License*

- *Completion of Stage 1;*
- *State sets minimum age of 16.5 years of age;*
- *Completion of intermediate driver education training (e.g., safe driving decision-making, risk education);*
- *All occupants must wear seat belts;*
- *Licensed adult required in the vehicle from 10 p.m. until 5 a.m. (e.g., nighttime driving restriction) with limited exceptions (i.e., religious, school, medical, or employment related driving);*
- *Zero alcohol while driving;*
- *Driver improvement actions are initiated at lower point level than for regular drivers;*
- *Provisional license is visually distinctive from a regular license;*
- *Teenage passenger restrictions – not more than 1 teenage passenger for the first 12 months of Intermediate License. Afterward, limit the number of teenage passengers to 2 until age 18;*
- *Must remain crash and conviction free, including violations of the seat belt, zero tolerance, speed and other GDL provisions, for at least 6 consecutive months to advance to the next level; and*
- *No use of portable electronic communication and entertainment devices while driving.*

*Stage 3: Full Licensure*

- *Completion of Stage 2;*
- *State sets minimum age of 18 for lifting of passenger and nighttime restrictions;*
- *Zero alcohol while driving; and*
- *Visually distinctive license for drivers under the age of 21.*

- (2) *A program to prevent individuals from obtaining and using a fraudulently obtained, counterfeit, or altered driver's license including:*
- *Training for alcoholic beverage sellers to recognize fraudulent or altered licenses and IDs and what to do with these documents and the individuals attempting to use them;*
  - *Training for license examiners to recognize fraudulent documents and individuals seeking to apply for them; and*
  - *A means by which to ensure that individuals cannot obtain driver licenses using multiple identities.*

### **Status**

South Carolina instituted a Graduated Driver License program with three stages of licensure. A learner's permit can be obtained as early as 15 years of age. Restricted licenses are available at ages 15-16 and unrestricted licenses no earlier than age 16. The requirements and restrictions associated with each stage are below:

#### 1- Beginner's Permit

- Must be accompanied by a licensed driver age  $\geq 21$  riding in front passenger seat
- Must pass written and visual examinations
- At least 15 years of age
- If less than 18 years of age, must have parent/guardian sponsorship
- Minimum holding period is six months
- Must complete 40 hours of supervised driving (10 during nighttime hours)

#### 2- Conditional License

- For those at least 15 ½ years of age but less than 16
- Held a Beginner's Permit for at least 180 days
- Restricted from driving alone between 6pm and 6am EST and 8pm and 6am EDT
- Between midnight and 6am, must be accompanied by licensed parent/guardian

- Complete driver's education course (eight classroom and six behind the wheel hours)
- Currently enrolled in school with satisfactory attendance
- Passengers restricted to no more than two under the age of 21 unless traveling to/from school

### Special Restricted License

- For those at least 16 years of age but less than 17 years of age
- Held a Beginner's Permit for at least 180 days
- Pass vision and skills test or have a conditional license
- Restricted from driving alone between 6pm and 6am EST and 8pm and 6am EDT
- Between midnight and 6am, must be accompanied by licensed parent/guardian
- Complete driver's education course (eight classroom and six behind the wheel hours)
- Currently enrolled in school with satisfactory attendance
- Passengers restricted to no more than two under the age of 21 unless traveling to/from school

### 3- Unrestricted License

- No specific restrictions from previous phases; subject to all South Carolina laws
- May obtain as early as age 16 and 6 months

Several components of the South Carolina law exceed best practice recommendations, such as requiring an experienced adult driver accompany those with a beginner's permit and non-driving nighttime restrictions. However, it is clear that several characteristics do not meet best practices recommendations. The following components are in the *Advisory*, but missing from the South Carolina code: minimum age of 16 to obtain a learner's permit, minimum age of 16.5 to obtain intermediate (restricted) license, passenger restrictions, and minimum age of 18 to obtain unrestricted license.

The South Carolina Department of Alcohol and Other Drug Abuse Services (DAODAS) provides responsible beverage server training throughout the state in addition to private

companies. The training is not mandated by state law except in cases of violation, but a recent bill that would have mandated server training (Bill 428 – Alli’s Law) progressed through the Legislature until the final session. It is anticipated that the same or similar bill will be introduced again. DAODAS trains approximately 2,000-3,000 servers each year, mostly due to violation-related mandates. Three industry-based agencies are approved by the Department of Revenue for providing server training as well. The training is widely available and encouraged throughout the business community.

Within the SCDMV, there are several mechanisms in place to prevent issuance of fraudulent identification cards or licenses, including staff training and database identity confirmation. The driver system also utilizes facial recognition software to identify and deter identity fraud, such as an individual obtaining multiple licenses using different identities. The SCDMV also has processes in place to detect and prevent internal fraud in these processes.

As noted in the previous assessment, there is concern about the immediate availability of almost full licensure following an impaired driving arrest. Upon requesting an administrative hearing, the individual may obtain a temporary alcohol restricted license for driving within South Carolina. While those licenses are not always recognized in neighboring states, they do allow residents to drive freely while awaiting a hearing.

## **Recommendations**

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- **Enact Alli’s Law or similar legislation to require responsible beverage server training as a condition of liquor licensure.**
- Evaluate inexperienced/young driver statistics to identify the degree to which increasing the minimum age for licensure (at each graduated stage) would reduce traffic crashes, injuries, and fatalities.

## **IV. Communication Program**

*States should develop and implement a comprehensive communication program that supports priority policies and program efforts, including high visibility enforcement (HVE).*

*Communication strategies should specifically support efforts to increase the public perception of the risks of detection, arrest, prosecution and sentencing for impaired driving. Additional communication strategies should address underage drinking, impaired driving, and reducing the risk of injury, death and the resulting medical, legal, social and other costs if there are specific programs underway in the community. Communications should highlight and support specific program activities underway in the community and be culturally relevant and appropriate to the audience.*

### **Advisory**

*States should:*

- *Focus their publicity efforts on creating a perception of risk of detection, arrest, prosecution and punishment for impaired driving;*
- *Use clear, concise enforcement messages to increase public awareness of enforcement activities and criminal justice messages that focus on penalties and direct costs to offenders such as loss of license, towing, fines, court costs, lawyer fees, and insurance;*
- *Employ a communications strategy that principally focuses on increasing knowledge and awareness, changing attitudes and influencing and sustaining appropriate behavior;*
- *Develop a year-round, data-driven, strategic and tactical communication plan that supports the state's priority policies and programs such as alcohol's effects on driving and consequences of being caught driving impaired or above the state's zero tolerance limit;*
- *Implement a communication program that:*
  - *Uses messages that are coordinated with National campaigns and messages that are culturally relevant and linguistically appropriate;*
  - *Considers special emphasis during holiday periods and other high risk times throughout the year, such as New Year's, 4th of July, Labor Day, Halloween, prom season and graduation;*
  - *Uses paid, earned and donated media coordinated with advertising, public affairs, news, and advocacy; and*
  - *Encourages communities, businesses and others to financially support and participate in communication efforts.*
- *Direct communication efforts at populations and geographic areas at highest risk or with emerging problems such as youth, young adults, repeat and high BAC offenders and drivers who use prescription or over-the-counter drugs that cause impairment;*

- *Use creativity to encourage earned media coverage, use of a variety of messages or “hooks” such as inviting reporters to “ride-along” with law enforcement officers, conducting “happy hour” checkpoints or observing under-cover liquor law enforcement operations, and use of social media;*
- *Monitor and evaluate the media efforts to measure public awareness and changes in attitudes and behavior; and*
- *Ensure that personnel who are responsible for communications management and media liaison are adequately trained in communication techniques that support impaired driving activities.*

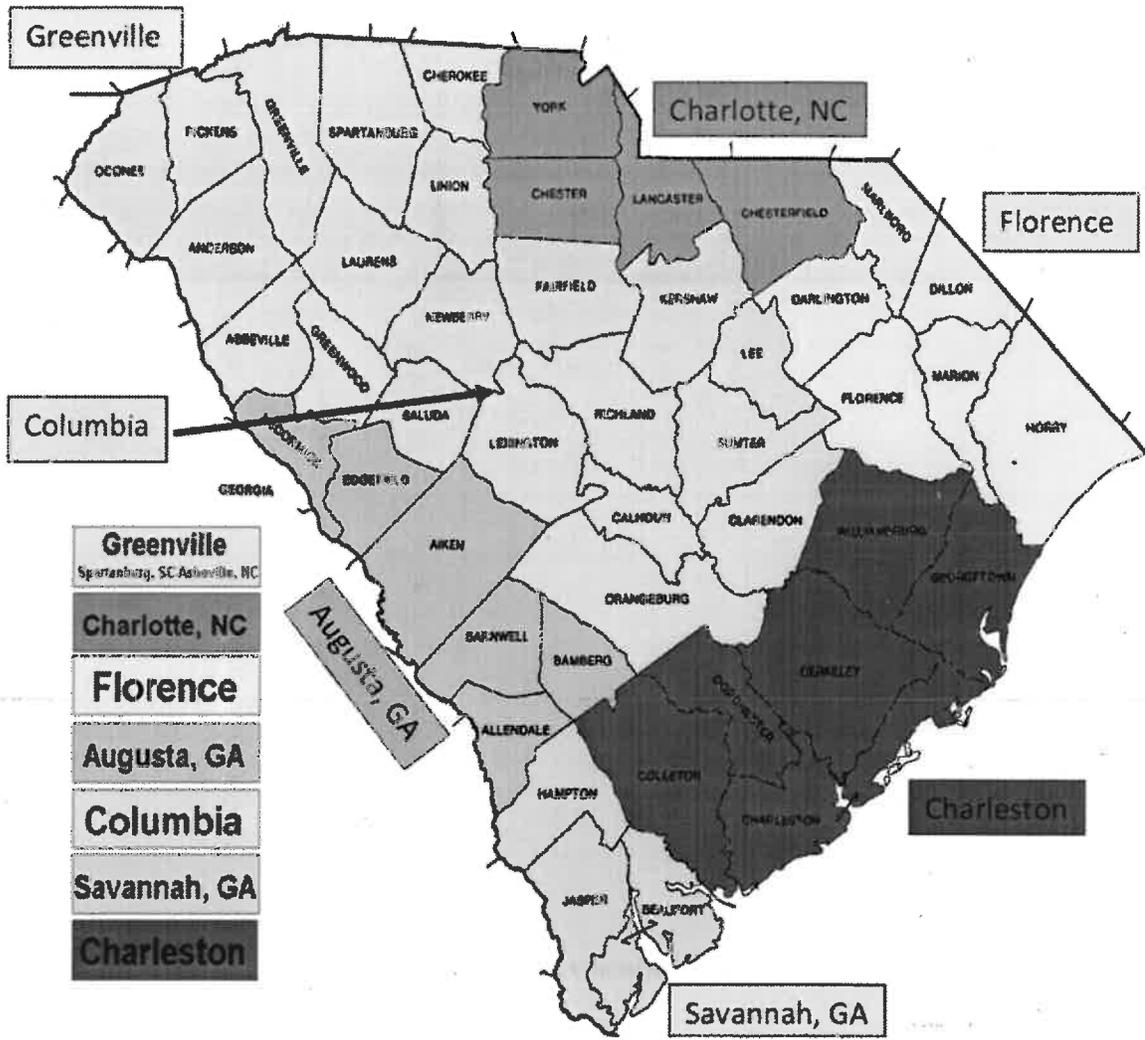
### **Status**

The South Carolina Department of Public Safety (SCDPS) Communications Director serves as the public information officer (PIO) for the Office of Highway Safety and Justice Programs (OHJSP) and oversees the earned media program. The SCDPS office does issue impaired driving mobilization media alerts but has found it difficult to attract media attention. SCDPS maintains a website which includes a highway safety section and utilizes social media through Facebook, Twitter, YouTube, Flickr, Nixle, Periscope, and Instagram.

The South Carolina Highway Patrol (SCHP) community relations program has been very successful in its attempt to deliver a safe driving message that includes impaired driving to the public at numerous civic and school events. This effort is led by a Highway Patrol Sergeant, assisted by two corporals, seven troopers and one State Transport Police officer. The officers’ use of Twitter to update followers has been very successful in reaching both young and older drivers in South Carolina.

The OHSJP Public Affairs Manager works with the paid media contractor, Fisher Communications Inc., focusing on impaired driving through research and development. Impaired driving mobilizations focus on reaching 18 to 34 year old males, as well as the overall public via ESPN, news channels, and other popular programming. Media buys include billboards, radio, television, and other alternative advertising, e.g., ice box wraps, fuel pump handles, convenience store cooler clings, high school tickets, etc. The media markets of Charleston, Columbia, Florence, and Greenville are targeted based on impaired driving fatalities. Once approved, Fisher Communications, Inc. implements the media purchase and provides post reporting and affidavits of performance.

South Carolina Impaired Driving Traffic Fatalities 2011-2015



Greenville	Charlotte, NC	Florence	Augusta, GA	Columbia	Savannah, GA	Charleston
Abbeville - 27	Chester - 48	Darlington - 88	Aiken - 123	Calhoun - 47	Beaufort - 88	Barkeley - 169
Anderson - 261	Chesterfield - 48	Dillon - 53	Allendale - 16	Clarendon - 66	Hampton - 25	Charleston - 256
Cherokee - 64	Lancaster - 69	Florence - 144	Bamberg - 18	Fairfield - 42	Jasper - 78	Colleton - 88
Greenville - 328	York - 124	Horry - 298	Barnwell - 31	Kershaw - 42		Dorchester - 98
Greenwood - 45		Marion - 41	Edgefield - 21	Lee - 27		Georgetown - 58
Laurens - 94		Marlboro - 37	McCormick - 12	Lexington - 220		Williamsburg - 53
Oconee - 64				Newberry - 40		
Pickens - 79				Orangeburg - 144		
Spartanburg - 240				Richland - 240		
Union - 17				Saluda - 23		
				Sumter - 103		

The use of popular emojis to express the idea that driving impaired will result in an arrest in the *Sober or Slammer* campaign is innovative and ground breaking. The incorporation of emojis in impaired driving videos and billboards has been very successful in reaching young and older drivers based on social media analytics.

The total cost of the media buyer's creative, contractual services (including telephone marketing surveys), air time, etc. is \$1,300,000.

### **Recommendations**

- Increase impaired driving message exposure on earned media by partnership with the contracted media consultant and buyer.
- **Evaluate the Office of Highway Safety and Justice Programs' media plan to ensure its messages are reaching target audiences.**
- Plan and coordinate simultaneous press events during *Sober or Slammer* mobilizations and utilize the services of the Governor and other high ranking state officials to deliver the message that impaired driving will be met with strong law enforcement.

## **V. Alcohol and Other Drug Misuse: Screening, Assessment, Treatment and Rehabilitation**

*Impaired driving frequently is a symptom of the larger problem of alcohol or other drug misuse. Many first-time impaired driving offenders and most repeat offenders have alcohol or other drug abuse or dependency problems. Without appropriate assessment and treatment, these offenders are more likely to repeat their crime. One-third of impaired driving arrests each year involve repeat offenders.<sup>11</sup> Moreover, on average, individuals with alcohol or other drug abuse problems, drive several hundred times within two hours of drinking before they are arrested for driving while impaired.<sup>12</sup>*

*States should have a system for identifying, referring and monitoring convicted impaired drivers who are high risk for recidivism for impaired driving.*

*Nationally, the number and diversity of problem solving courts has grown dramatically. One such problem solving model is the DWI Court. These courts provide a dedicated docket, screening, referral and treatment and intensive monitoring of impaired driving offenders. States and localities that implement DWI Courts should ensure that they are established and operated consistent with the Guiding Principles recommended by the National Center for DWI Courts. [www.dwicourts.org/sites/default/files/ncdc/Guiding\\_Principles\\_of\\_DWI\\_Court\\_0.pdf](http://www.dwicourts.org/sites/default/files/ncdc/Guiding_Principles_of_DWI_Court_0.pdf)*

*In addition, alcohol use leads to other injuries and health care problems. Almost one in six vehicular crash victims treated in emergency departments are alcohol positive, and one third or more of crash victims admitted to trauma centers—those with the most serious injuries - test positive for alcohol. In addition, studies report that 24-31 percent of all emergency department patients screen positive for alcohol use problems. Frequent visits to emergency departments present an opportunity for intervention, which might prevent these individuals from being arrested or involved in a motor vehicle crash, and result in decreased alcohol consumption and improved health.*

*Each State should encourage its employers, educators, and health care professionals to implement a system to identify, intervene, and refer individuals for appropriate substance abuse treatment.*

### **A. Screening and Assessment**

*Each State should ensure that all convicted impaired drivers are screened for alcohol or other substance abuse and dependency. The most immediate screening should take place in the criminal justice system. However, states should also encourage its health care professionals, employers and educators to have a systematic program to screen and/or assess drivers to determine whether they have an alcohol or drug abuse problem and, as appropriate, briefly intervene or refer them for appropriate treatment. Many individuals who are drivers and who have alcohol or other drug abuse problems present themselves in a variety of settings, e.g.*

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<sup>11</sup> Repeat DWI Offenders in the United States. "Washington, DC: NHTSA Technology Transfer Series, Traffic Tech No. 85, February 1995.

<sup>12</sup> On average, 772 such episodes, according to Zador, Paul, Sheila Krawchuck, and Brent Moore, "Drinking and Driving Trips, Stops by Police, and Arrests: Analyses of the 1995 National Survey of Drinking and Driving Attitudes and Behavior." Washington, DC: U.S. Department of Transportation, NHTSA Technical Report No. DOT HS 809 184, December 2000.

*emergency departments, in which Screening and Brief Intervention (SBI) and referral are appropriate and serve to prevent the individual from being involved in a future impaired driving crash or arrest.*

#### A-1. Criminal Justice System

##### ***Advisory***

*Within the criminal justice system, people who have been convicted of an impaired driving offense should be assessed to determine whether they have an alcohol or drug abuse problem and to determine their need for treatment. The assessment should be required by law and completed prior to sentencing or reaching a plea agreement.*

*The assessment should be:*

- *Conducted by a licensed counselor or other alcohol or other drug treatment professional or by a probation officer who has completed training in risk assessment and referral procedures;*
- *Used to decide whether a treatment and rehabilitation program should be part of the sanctions imposed and what type of treatment would be most appropriate;*
- *Based on standardized assessment criteria, including validated psychometric instruments, historical information, e.g., prior alcohol or drug-related arrests or convictions, and structured clinical interviews; and*
- *Appropriate for the offender's age and culture using specialized assessment instruments tailored to and validated for youth or multi-cultural groups.*

##### **Status**

South Carolina has established the Alcohol and Drug Safety Action Program (ADSAP), a screening, referral and treatment system for DUI offenders that provides levels of treatment matched to the needs of individual offenders and ensures compliance through monitoring. ADSAP is conducted by local agencies certified by the Department of Alcohol and Other Drug Abuse Services (DAODAS).

All drivers convicted of DUI are required to enroll in and complete ADSAP. Enrollment in ADSAP is also mandated for all drivers with an impaired driving related administrative license suspension regardless of the outcome of the DUI case; however, completion of the program is not required. Continued enrollment is required as a condition of a restricted license and/or as a condition of the Ignition Interlock Device (IID) program.

Once enrolled in ADSAP, local providers inform DAODAS of offenders' completion or failure to comply with the assigned intervention. DAODAS then informs the Division of Motor Vehicles that the offender is eligible for license reinstatement once other requirements and suspension periods are satisfied.

Section 56-5-2930 (H) addresses the requirement of ADSAP for DUI offenders.

A person convicted of violating this section, whether for a first offense or subsequent offense, must enroll in and successfully complete an Alcohol and Drug Safety Action Program certified by the Department of Alcohol and Other Drug Abuse Services. An assessment of the extent and nature of the alcohol and drug abuse problem of the applicant must be prepared and a plan of education or treatment, or both, must be developed for the applicant. The Alcohol and Drug Safety Action Program shall determine if the applicant successfully has completed the services. The applicant must attend the first Alcohol and Drug Safety Action Program available after the date of enrollment. The Department of Alcohol and Other Drug Abuse Services shall determine the cost of services provided by each certified Alcohol and Drug Safety Action Program. Each applicant shall bear the cost of services recommended in the applicant's plan of education or treatment. The cost may not exceed five hundred dollars for education services, two thousand dollars for treatment services, and two thousand five hundred dollars in total for all services. An applicant may not be denied services due to an inability to pay. Inability to pay for services may not be used as a factor in determining if the applicant has successfully completed services. An applicant who is unable to pay for services shall perform fifty hours of community service as arranged by the Alcohol and Drug Safety Action Program, which may use the completion of this community service as a factor in determining if the applicant successfully has completed services. The court must be notified whether an offender failed to enroll in a certified program within thirty days or failed to participate in the plan of education or treatment. The court may hold the individual in contempt of court if the individual cannot show cause as to why no enrollment occurred within the mandated thirty days or why no progress has been made on the plan of education or treatment.

Though ADSAP is a requirement for driver license reinstatement and is mandated upon conviction, it is not used as a component of sentencing for first offenders and appears to be used rarely for second or subsequent offenders.

The requirement for ADSAP for drivers whose license is suspended administratively for breath test refusal is addressed in Title 56-5-2951 (E) and (J) and the requirement for continued enrollment as a condition of a restricted license is addressed in (P).

(E) The notice of suspension must advise the person of his right to obtain a temporary alcohol driver's license and to request an administrative hearing. The notice of suspension also must advise the person that, if he does not request an administrative hearing within thirty days of the issuance of the notice of suspension, he waives his right to the administrative hearing, and the suspension continues for the period provided for in subsection (I). The notice of suspension must also advise the person that if the suspension is upheld at the administrative hearing or if he does not request an administrative hearing, he

must enroll in an Alcohol and Drug Safety Action Program.

(J) A person's driver's license, permit, or nonresident operating privilege must be restored when the person's period of suspension under subsection (I) has concluded, even if the person has not yet completed the Alcohol and Drug Safety Action Program in which he is enrolled. After the person's driving privilege is restored, he must continue the services of the Alcohol and Drug Safety Action Program in which he is enrolled. If the person withdraws from or in any way stops making satisfactory progress toward the completion of the Alcohol and Drug Safety Action Program, the person's license must be suspended until the completion of the Alcohol and Drug Safety Action Program. A person must be attending or have completed an Alcohol and Drug Safety Action Program pursuant to Section 56-5-2990 before his driving privilege can be restored at the conclusion of the suspension period.

(P) ...A restricted license is valid until the person successfully completes a certified Alcohol and Drug Safety Action Program, unless the person fails to complete or make satisfactory progress to complete the program.

Despite the apparent lack of incentives beyond license reinstatement, ADSAP completion rates were reported to be over 85 percent.

Courts are not routinely notified when offenders fail to enroll in a certified ADSAP program within 30 days of conviction or upon failure to participate in the plan of education or treatment. The exception to this is in cases in which offenders are sentenced to the IID program. Courts may hold the individuals in contempt of court if they cannot show cause as to why no enrollment occurred within the 30 days or why no progress had been made in the plan of education or treatment. However, non-compliant offenders are rarely charged with contempt.

Offenders are screened using a Behavioral Health Screening (BHS) that includes the Alcohol Use Disorders Identification Test (AUDIT), a 10-item screening tool developed by the World Health Organization (WHO) to assess alcohol consumption, drinking behaviors, and alcohol-related problems. The screening also includes the Drug Abuse Screening Test (DAST), a 28-item self-report scale that consists of items that parallel those of the Michigan Alcoholism Screening Test (MAST). Other items were added to the BHS to aid clinicians in assigning clients to appropriate levels of intervention based on the American Society of Addiction Medicine (ASAM) criteria.

Few if any offenders are screened pre-trial for purposes of sentencing and/or conditions of probation.

## Recommendations

- **Require completion of the Alcohol and Drug Safety Action Program as a condition of license reinstatement for DUI offenders whose license is suspended for an alcohol driving offense.**

### A-2. Medical and Other Settings

#### *Advisory*

*Within medical or health care settings, any adults or adolescents seen by health care professionals should be screened to determine whether they have an alcohol or drug abuse problem. The American College of Surgeons mandates that all Level I trauma centers, and recommends that all Level II trauma centers, have the capacity to use Screening and Brief Intervention (SBI). SBI is based on the public health model which recognizes a continuum of alcohol use from low risk, to high risk to addiction. Research from the Centers for Disease Control and Prevention indicates that an estimated 25 percent of drinkers are at risk for some harm from alcohol including impaired driving crashes. These individuals' drinking can be significantly influenced by a brief intervention. An estimated four percent of the population has a serious problem with alcohol abuse or dependence. A brief intervention should be conducted and, if appropriate, the person should be referred for assessment and further treatment.*

*SBI can also be implemented in other settings including: Employee Assistance Programs (EAP), schools, correctional facilities, at underage drinking party dispersals and any setting in which at-risk drinkers are likely to make contact with SBI providers.*

*Screening and brief intervention should be:*

- *Conducted by trained professionals in hospitals, emergency departments, ambulatory care facilities, physicians' offices, health clinics, employee assistance programs and other settings;*
- *Used to decide whether an assessment and further treatment is warranted;*
- *Based on standardized screening tools (e.g., CAGE, AUDIT or the AUDIT-C) and brief intervention strategies;<sup>13</sup> and*
- *Designed to result in referral to assessment and treatment when warranted.*

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<sup>13</sup> For a discussion of assessment instruments, see: Allen, John and M. Columbus (Eds.), NIAAA Handbook on Assessment Instruments for Alcohol Researchers (2nd edition). Rockville, MD: National Institute on Alcohol Abuse and Alcoholism, 2003. For an overview of alcohol screening, see: "Screening for Alcohol Problems – An Update," Bethesda, MD: National Institute on Alcohol Abuse and Alcoholism, Alcohol Alert No. 56, April 2002. For a primer on helping patients with alcohol problems, see: "Helping Patients with Alcohol Problems: A Health Practitioner's Guide," Bethesda, MD: National Institute on Alcohol Abuse and Alcoholism, NIH Publication No. 04-3769, Revised February 2004.

## Status

Palmetto Health-Richland, a level I trauma center, has implemented Screening, Brief Intervention and Referral to Treatment (SBIRT) in its emergency department. Patient data indicated that one third of all trauma patients were impaired and a quarter of all impaired trauma patients were injured in a motor vehicle crash.

Injury patients are tested for the presence of alcohol and complete the SBIRT process. Hospital treatment personnel conduct the Alcohol Use Disorders Identification Test (AUDIT). Patients that are determined to display alcohol abuse risk are referred to treatment after receiving a brief intervention.

The South Carolina SBIRT initiative is a five-year cooperative agreement funded by the Substance Abuse and Mental Health Services Administration (SAMHSA) that began August 1, 2013. There are three primary goals associated with the SBIRT initiative. The first goal is to increase access to SBIRT for adults in primary care and community health settings, especially individuals who have been traditionally underserved in behavioral health care. The second goal is to ensure that SBIRT is utilized as the standard of care in South Carolina's healthcare settings through state-level system and policy change. The third goal is to improve health and behavioral outcomes among adults with substance use disorders or substance use with co-occurring mental illness. As part of this initiative, a diverse array of healthcare sites across Barnwell, Georgetown, Greenville, Horry, and York counties have provided over 193,000 initial screens for alcohol, tobacco, and other drugs to nearly 55,000 patients.

The South Carolina SBIRT initiative is in the process of expanding implementation to Emergency Departments (ED) across the state. In service of sustainability, the SBIRT model will be carried out by existing healthcare site staff, as opposed to employing the use of co-located grant-funded staff. In keeping with sustainability efforts, evaluation of reimbursement that could be generated as a result of billing based on the services provided to date through the SBIRT initiative is underway. The South Carolina SBIRT initiative is in the process of reviewing billing capacity, requirements, and challenges within healthcare sites. State SBIRT project staff, the South Carolina Primary Health Care Association (SCPHCA), and the South Carolina Department of Health and Human Services (DHHS) will continue to collaborate to develop and implement a plan for sustainability of SBIRT services.

The project database identified 55,192 initial screens as of July of 2016. Of these, 5,607 (10%) resulted in a full screen for alcohol and drug use; 578 scored in the brief treatment range of which 83 (14%) accepted the referral and 13 (16%) attended an assessment appointment. One percent (700) of patients screened with SBIRT were in the referral to treatment range of which a third accepted treatment.

In an additional project, DAODAS, the South Carolina DHHS, and the Medical Homes Network (MHN) have developed an SBIRT program for Medicaid-eligible pregnant women in South Carolina. This initiative was intended to increase the possibility of healthy births and save money by helping clients access treatment services earlier in their disease, thereby increasing their chances of recovery. The role of the state's 32 county alcohol and drug abuse authorities will be to accept referrals from MHN member organizations and primary care providers (including obstetricians/gynecologists) and to provide any treatment services needed.

It is not clear if SBIRT is being used in non-medical settings such as in schools or jails.

In addition to identifying injured drivers, as well as problem drinkers who are potential impaired drivers, emergency departments are potential sources of identification of impaired drivers. The data cited above indicate that a substantial proportion (one third) of injured drivers had blood alcohol concentrations (BAC) above the legal limit. Many of these drivers are not identified by law enforcement or charged with DUI. Currently, South Carolina law prohibits healthcare providers from reporting impaired injured drivers to law enforcement. At least two states have enacted laws that not only allow such reporting, but classify impaired driving as a mandatory reportable condition like gunshot wounds.

South Carolina is one of approximately 27 states that still have alcohol exclusion statutes. Under this insurance law, car insurance providers may refuse to pay medical and other expenses incurred by injured drivers who are impaired. This creates a disincentive to test and/or record the presence of alcohol in the medical record of an injured driver.

### **Recommendations**

- Expand the South Carolina Screening, Brief Intervention Referral and Treatment project in all hospital emergency departments in South Carolina.
- Implement Screening, Brief Intervention Referral and Treatment in all healthcare settings such as family practices, as well as on college and high school campuses and jails throughout South Carolina.
- **Enact legislation designating impaired driving as a mandatory reportable condition for all healthcare providers.**
- Repeal the South Carolina alcohol exclusion statutes.

## **B. Treatment and Rehabilitation**

### *Advisory*

*Each State should work with health care professionals, public health departments, and third party payers, to establish and maintain programs for persons referred through the criminal justice system, medical or health care professionals, and other sources. This will help ensure that offenders with alcohol or other drug dependencies begin appropriate treatment and complete recommended treatment before their licenses are reinstated.*

*These programs should:*

- *Match treatment and rehabilitation to the diagnosis for each person based on a standardized assessment tool, such as the American Society on Addiction Medicine (ASAM) patient placement criteria;*
- *Provide assessment, treatment and rehabilitation services designed specifically for youth;*
- *Provide culturally appropriate treatment and rehabilitation services;*
- *Ensure that offenders that have been determined to have an alcohol or other drug dependence or abuse problem begin appropriate treatment immediately after conviction, based on an assessment. Educational programs alone are inadequate and ineffective for these offenders;*
- *Provide treatment and rehabilitation services in addition to, and not as a substitute for, license restrictions and other sanctions; and*
- *Require that offenders, who either refused or failed a BAC test, and/or whose driver's license was revoked or suspended, complete recommended treatment, and that a qualified professional has determined the offender has met treatment goals before license reinstatement.*

### **Status**

South Carolina has established the Alcohol and Drug Safety Action Program (ADSAP), a screening, referral and treatment system for DUI offenders that provides levels of treatment matched to the needs of individual offenders and ensures compliance through monitoring. ADSAP is conducted by local agencies certified by the Department of Alcohol and Other Drug Abuse Services (DAODAS).

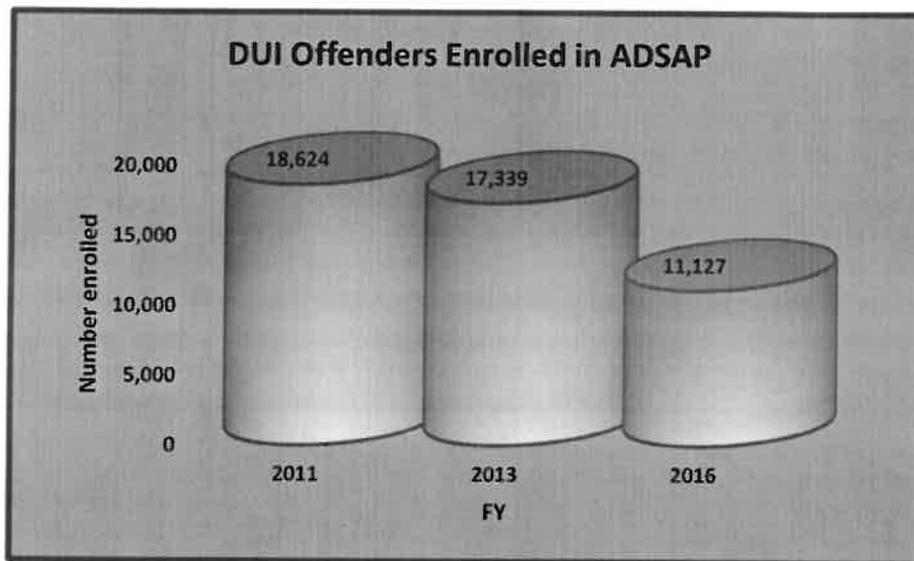
All drivers convicted of DUI are required to enroll in and complete ADSAP. Enrollment in ADSAP is also mandated for all drivers with an impaired driving related administrative license suspension regardless of the outcome of the DUI case however, completion of the program is not required. Continued enrollment is required as a condition of a restricted license.

Once enrolled in ADSAP, local providers inform DAODAS of offenders' completion or failure to comply with the assigned intervention. DAODAS then informs the Division of Motor Vehicles that the offender is eligible for license reinstatement once other requirement and suspension periods are satisfied.

First offense DUI is prosecuted in the summary courts. Second or subsequent DUI offenses are prosecuted in circuit courts. Probation and parole services are only available to the circuit courts. Probation supervision of first offender DUI does not exist.

Under Section 56-5-2930, courts "may" hold the individuals in contempt of court if they cannot show cause as to why no enrollment occurred within the 30 days or why no progress had been made in the plan of education or treatment. The section wording does not mandate a contempt charge. Non-compliant offenders are rarely charged with contempt. It is not clear the extent to which this reflects judicial attitudes or demands on court systems and significant backlogs of court cases. However, despite this apparent lack of consequences, ADSAP completion rates were reported to be over 85 percent.

The number of offenders enrolling in ADSAP has decreased dramatically in recent years. In FY2011, 18,624 DUI offenders enrolled. In FY2013, there were 17,339 but by FY2016 the number had dropped to 11,127, a 40.3 percent decrease since FY2011. Other sections of this assessment report discuss the complex of impediments to prosecution of DUI cases. These factors appear to be contributing to the decline in the number of convictions. However, the decline in convictions does not fully explain the decline in enrollment. Arrests have also declined. In 2011 there were 25,958 DUI arrests reported. The number had decreased to 21,512 in 2015, the last period for which data were available. The proportion of reported arrests that resulted in enrollment in ADSAP decreased from 71.7 percent in 2011 to just over 50 percent last year. It is critical to identify all factors contributing to the decline in DUI offenders enrolling in treatment. For example, it is possible that some drivers are more willing to forego license reinstatement rather than participate in treatment.



Approximately 60 percent of DUI offenders entering ADSAP were assigned to the education level of the program. At this level ADSAP uses the Prime for Life curriculum developed by Prevention Research Institute (PRI). The PRI program has been extensively evaluated and is used in many states. Offenders who are initially referred to PRI are subject to referral to a higher level of treatment if behaviors or additional information indicate a problem. Approximately 40 percent of those who enter the ADSAP program are referred to a higher level of treatment. Approximately 20 percent of ADSAP clients are second or subsequent offenders.

Offenders are expected to pay for all ADSAP services either through insurance or self-pay. Provisions are made for clients that can demonstrate indigence. Providers make special efforts to inform offenders of availability of financial options so no offender avoids treatment because of financial concerns. There are adequate outpatient treatment services in most of the state but inpatient treatment is less available.

Responsibility for monitoring impaired drivers falls primarily with ADSAP.

An Ignition Interlock Device (IID) is mandatory for second or subsequent DUI or high BAC (0.15) first offenders. It provides a post-adjudication tool for monitoring alcohol use, restricting vehicle operation, and altering the drinking behavior of offenders. The IID program is coordinated by the Department of Probation, Parole and Pardon Services (DPPPS). Non-compliance can result in further court sanctions. The South Carolina Department of Motor Vehicles (SCDMV) monitors the licensing of an IID participant. ADSAP reports compliance or failure for most IID cases.

The SCDMV has a key role in maintaining offender records and issuing offender notices. SCDMV collaborates with DPPPS, ADSAP, and the courts in tracking non-compliance.

In 2013, the Office of Highway Safety and Justice Programs issued a request for proposals to fund the start-up costs of two pilot DUI Courts. Two DUI courts are currently operating under these funds. Anecdotal information supported successful implementation and initial outcomes.

### **Recommendations**

- **Require completion of the Alcohol and Drug Safety Action Program as a condition of license reinstatement for DUI offenders whose license is suspended for an alcohol driving offense.**
- Implement additional DUI Courts and conduct an evaluation to determine effectiveness and identify replication issues.

## **VI. Program Evaluation and Data**

### **A. Evaluation**

#### *Advisory*

*Each State should have access to and analyze reliable data sources for problem identification and program planning as well as to routinely evaluate impaired driving programs and activities in order to determine effectiveness. Development of a Strategic Highway Safety Plan and a Highway Safety Plan, are starting points for problem identification and evaluation efforts. Problem identification requires quantifying the problem, determining the causes, and identifying available solutions. Strategies should be evaluated for their cost effectiveness and potential for reducing crash risk. Evaluations should include measurement of activities and outputs (process evaluation) as well as the impact of these activities (outcome evaluation). Evaluations are central to the State's traffic safety endeavors and provide a guide to future projects and evaluations.*

*Evaluations should:*

- *Be planned before programs are initiated to ensure that appropriate data are available and adequate resources are allocated to the programs;*
- *Identify the appropriate indicators to answer the question: What is to be accomplished by this project or program?*
- *Be used to determine whether goals and objectives have been met and to guide future programs and activities;*
- *Be organized and completed at the State and local level; and*
- *Be reported regularly to project and program managers and policy makers.*

*The process for identifying problems to be addressed should be carefully outlined. A means for determining program/project priority should be agreed upon, and a list of proven methodologies and countermeasures should be compiled. Careful analysis of baseline data is necessary, and should include historical information from the crash system. Other data that are useful for evaluation include data from other records systems as well as primary data sources such as surveys. Record systems data include state and driver demographics, driver histories, vehicle miles traveled, urban versus rural settings, weather, and seatbelt use. Survey data can include attitudes knowledge and exposure to risk factors.*

*The Traffic Records Coordinating Committee can serve as a valuable resource to evaluators by providing information about and access to data that are available from various sources.*

#### **Status**

The South Carolina Department of Public Safety's Office of Highway Safety and Justice Programs (OHSJP) is responsible for administering federal traffic safety funds and has developed problem identification and program evaluation processes. These processes

inform the Highway Safety and Performance Plan (HSPP), Strategic Highway Safety Plan (SHSP), and other guiding documents for traffic safety in the state. OHSJP has management responsibilities for the police crash reporting system (the South Carolina Collision and Ticket Tracking System (SCCATTS)) and a statistical section to support all analytical efforts. OHSJP evaluates, or requires an evaluation of, programs funded through that office using process or outcome methods. Process evaluation relates to the conduct of the project and outcome evaluation examines the program's effect on the population.

The OHSJP statistical group is led by the SHSP Manager while the Traffic Records Data Manager is responsible for SCCATTS and related efforts, including the Traffic Records Coordinating Committee. Each year, the OHSJP conducts problem identification data analyses that include prioritization of program areas, goal-setting and tracking, and location-based analyses. Those analyses rely heavily on information from the Fatality Analysis Reporting System (FARS) and are supplemented by state crash data related to injuries, locations, and other variables of interest. Serious injuries, defined as injury level 3 from the crash reports, are considered heavily along with fatalities. This is a valuable analytical concept because, despite high numbers of fatalities in South Carolina, serious injuries may have become a fatality if only a small characteristic of the crash or emergency response was different. Other data sources are also incorporated, such as vehicle miles traveled, seat belt observation rates, and citation/arrest information.

Process evaluations include documentation and tracking of milestones and deliverables for each project. OHSJP requires each grantee to comply with monitoring and auditing practices. Outcome evaluations consist of data collection and analysis efforts related to education and enforcement programs. Some of those analyses rely on data gathered within the conduct of the program and others rely on statewide traffic records datasets. Special impaired driving-related law enforcement activities include reporting of arrests and citations issued during those funded hours. OHSJP produces an annual report for the National Highway Traffic Safety Administration (NHTSA) and makes it available to state and local partners. That report includes outcome evaluations for funded projects and provides overall analyses of crash, conviction, and other safety metrics.

A potentially effective alcohol driving-related program in South Carolina is the Ignition Interlock Device (IID) Program. The IID program began in 2009 and underwent a significant legislative revision in 2014 (Emma's Law). The Department of Probation, Parole, and Pardon Services (DPPPS) is responsible for administering and managing the program, which may be ordered administratively through the Office of Motor Vehicle Hearings (OMVH) or judicially through the court system. At this time there has not been a comprehensive evaluation, process or outcome, of the IID Program. It is estimated that approximately 1,200 individuals are participating in the program at any time. Using those figures, it would be beneficial to evaluate the IID Program with historical data in three phases: before 2009, from 2009-2014, and since the law revision. This will allow the State to quantify the effect of the program in both iterations and support future revisions.

Another program used throughout the state is the *Alive at 25* educational program designed by the National Safety Council. Unfortunately that program has not undergone a comprehensive evaluation at the state or national level, with very few research papers published attempting to evaluate the program in different ways. The state is encouraged to investigate recidivism (crash or citation) among program attendees as compared to those teens with a violation that do not enroll in the program. Such an analysis would greatly benefit the state and the national field of practice.

South Carolina is home to several prominent academic institutions and the traffic safety community has built collaborative relationships with several of them for research and evaluation purposes. Some examples include OHSJP partnering with the University of South Carolina (USC), the South Carolina Department of Transportation (SCDOT) partnering with the Clemson University Institute for Global Road Safety & Security, and the South Carolina Law Enforcement Division (SLED) working closely with USC and Presbyterian College. USC conducts the annual seat belt observation survey for OHSJP and provides use rates and a summary report. In addition to the observational survey, USC also conducts an annual telephone survey to understand the public's perceptions and attitudes related to seat belt use.

In addition to academic research efforts, the OHSJP media partner, Fisher Communications, Inc., evaluates media campaigns. Those evaluations are conducted in several formats (surveys, media hits, etc.) and reports are provided to OHSJP at the conclusion of each campaign effort. The pre- and post-campaign telephone surveys aim to include 400 people with a <5 percent sampling error.

Several law enforcement agencies conduct rolling problem identification and program evaluation efforts. Through ongoing review of crashes and fatalities in conjunction with enforcement plans and activities, the agencies are able to supplement the OHSJP-provided data throughout the year. As problem areas or situations are identified and progress is identified, the agencies redirect efforts for maximum impact.

### **Recommendations**

- Conduct an evaluation of the Ignition Interlock Device and *Alive at 25* programs to quantify their effectiveness and suggest any revisions; such an analysis may include crash/arrest recidivism or behavioral measures.
- Continue to focus problem identification and program evaluation analyses on injuries of all levels (specifically serious injuries) in addition to fatalities.

## **B. Data and Records**

### ***Advisory***

*The impaired driving program should be supported by the State's traffic records system and use data from other sources, such as the U.S. Census, the Fatality Analysis Reporting System (FARS) and the Crash Outcome Data Evaluation System (CODES). The traffic records system should be guided by a statewide traffic records coordinating committee that represents the interests of all public and private sector stakeholders.*

*The state traffic records system should:*

- *Permit the State to quantify:*
  - *the extent of the problem, e.g., alcohol-related crashes and fatalities;*
  - *the impact on various populations;*
  - *the level of effort dedicated to address the problem, e.g., level of enforcement activities, training, paid and earned media; and*
  - *the impact of the effort, e.g., crash reduction, public attitudes, awareness and behavior change.*
- *Contain electronic records of crashes, arrests, dispositions, driver licensing actions and other sanctions of DWI offenders;*
- *Permit offenders to be tracked from arrest through disposition and compliance with sanctions; and*
- *Be accurate, timely, linked and readily accessible to persons authorized to receive the information, such as law enforcement, courts, licensing officials and treatment providers.*

### **Status**

As evidenced in the last Traffic Records Assessment, the South Carolina Traffic Records Coordinating Committee (TRCC) is a comprehensive, functional body of data system managers and stakeholders. The TRCC includes representation from all six core systems (crash, citation/adjudication, driver, vehicle, roadway, injury surveillance system) which allows for access to and analysis of a range of data. The South Carolina Department of Public Safety's Office of Highway Safety and Justice Programs (OHSJP) relies primarily on crash, fatality, and arrest data for problem identification and program evaluation. All levels of government, state to local, are interested in evaluating injuries and serious injuries in addition to fatalities. Those injuries, as reported by law enforcement, are included in state reports and made available to local agencies.

The South Carolina Collision and Ticket Tracking System (SCCATTS) was developed and implemented by OHSJP in 2009 and is poised to undergo further advancements. At this time, it is a data collection and management tool for law enforcement with regard to

traffic crash and citation issuance. It has been deployed throughout the South Carolina Highway Patrol (SCHP) and some municipal law enforcement agencies. Approximately 80 percent of all crash reports are captured in SCCATTS, increasing the quality of data in the system due to validation rules and edit checks that are not part of the paper-based process. The system also has the ability to capture citations and warnings electronically, with the e-warning functionality taking effect in 2013. Recent legislation will require that all traffic citations be issued and managed electronically by January 2018. While some violations are currently captured in SCCATTS, estimated as 60,000 from 25 agencies, the State is focused on bringing all other agencies online by January 2018. The state system is constructed so that all agencies do not have to use particular software, but other vendors may design a bridge to submit data to the State.

A larger integrated system is being implemented by January 2018 known as the South Carolina Uniform Traffic Ticket Information Exchange System (SCUTTIES) which will incorporate most steps in a citation process. SCUTTIES will interface law enforcement (SCCATTS), judicial, and driver licensing systems to construct a citation-tracking system. Impaired driving violations and arrests will be a component of this system, which will enhance data accessibility and analyses significantly. Through SCUTTIES, all components of an ideal impaired driving tracking system will be in place except for the treatment and outcomes component.

There are advances in data collection and quality being planned in other systems that affect the impaired driving analyses in the State. South Carolina has a judicial case management system (CMS), but there is some disconnection across the levels of the judiciary and geographical jurisdictions; all magistrate courts are on the CMS but only 25 municipal courts access the system. Citations are received on paper in the courts and entered into the CMS and convictions of impaired driving offenses are transmitted electronically to the driver history file. The planned mandatory use of SCUTTIES in January 2018 will improve the data timeliness and quality, including the information for impaired driving. Statewide court data is not accessible for analytical and research purposes; information on all citations written and submitted to the courts, regardless of final adjudication, is valuable for evaluating which charges are most likely disposed as guilty, how many impaired driving charges are not found guilty, reduced, or are dismissed, or identifying trends in adjudication by location (geographical, court type, etc.). The SCUTTIES design will provide the data integration, accessibility, and analysis tools necessary to answer such questions.

The South Carolina Department of Motor Vehicles (SCDMV) maintains the driver license history file, which includes impaired driving convictions and crash occurrence. The blood alcohol concentration from an impaired driving incident is not recorded on the license history, but information from other states is captured for commercial driver licenses through the National Driver Registry. SCDMV currently interfaces with the judicial courts case management system and is part of the planned SCUTTIES program. That interface will be critical to the success of field investigations by law enforcement, accurate adjudication by judges, and timely posting of outcomes to the driver history file.

The South Carolina Department of Transportation (SCDOT) also maintains a significant number of roadway databases that enhance traffic safety efforts. SCCATTS has incorporated the state roadway files for identifying crash locations. This collaboration of state data systems is impressive and provides law enforcement officers the opportunity to accurately locate incidents on the official state road map.

Expanding traffic safety analyses beyond the Fatality Analysis Reporting System (FARS) data, crash file, and arrest figures would enrich efforts at OHSJP and for partners across the State. NHTSA does incorporate an imputation model in FARS for estimating alcohol-impaired driving fatalities. Recently, analysts at OHSJP conducted an in-depth investigation of the State's alcohol-related fatality rate from FARS because it has been consistently higher than the national rate and the rates of neighboring states. A variable that is part of the imputation model was misinterpreted and inaccurately coded by the State as instructed by NHTSA/FARS after a FARS recode project in 2014 (a field left blank was entered into FARS as unknown when the true value was intended to be not reported or not suspected). Upon correction of those data, it is expected that the state fatality rate will be adjusted to a more accurate estimate. The FARS analyst currently receives toxicology information from the South Carolina Law Enforcement Division (SLED) for fatally injured drivers, but is encouraged to pursue results for any driver in a fatal crash. Further system advancements, institution of performance measurement, and a quality control program for traffic records systems will assist South Carolina with providing better data to FARS.

In addition to the law enforcement data systems currently used to quantify the traffic safety problems in South Carolina and evaluate programs, the state should pursue access and use of medical information. In the past, there was a South Carolina Crash Outcomes Data Evaluation System (CODES) project that was able to integrate crash, pre-hospital, and hospital databases. Such clinically-based systems will benefit traffic safety and impaired driving efforts in several ways. Initially, analyzing hospital (emergency department, inpatient, and trauma registry) information will allow for the identification of injury severity based on clinical diagnosis and treatment as opposed to law enforcement perception. It has been shown that the clinical Abbreviated Injury Scale (AIS) is a more accurate and reliable measure of injury than the scale included on police crash reports; law enforcement officers are not expected to be clinicians. With regards to impaired driving, access to medical records will bolster current analyses with toxicology results and treatment charges associated with those crashes. At times, monetary consequences of alcohol-impaired driving crashes may be valuable facts to share. Enhancing the OHSJP partnership with the medical community, through the TRCC, may also increase the capture of blood alcohol concentration results for drivers that were injured, but not killed in a fatal crash.

### **Recommendations**

- Pursue medical data access (pre-hospital, trauma registry, emergency department, inpatient) and collaboration to enhance traffic safety efforts; this partnership may

be fostered through the Traffic Records Coordinating Committee.

- Evaluate continuously the Fatality Analysis Reporting System data to ensure the most accurate estimate of alcohol-related fatalities is resulting from the imputation model.
- **Support the implementation of the South Carolina Uniform Traffic Ticket Information Exchange System to serve as a comprehensive citation tracking system.**
- Incorporate information about injuries of all levels (specifically serious injuries) in addition to fatalities into products shared with partners and the public.

### **C. Driver Records Systems**

#### *Advisory*

*Each State's driver licensing agency should maintain a system of records that enables the State to: (1) identify impaired drivers; (2) maintain a complete driving history of impaired drivers; (3) receive timely and accurate arrest and conviction data from law enforcement agencies and the courts, including data on operators as prescribed by the commercial driver licensing (CDL) regulations; and (4) provide timely and accurate driver history records to law enforcement and the courts.*

*The driver license system should:*

- *Include communication protocols that permit real-time linkage and exchange of data between law enforcement, the courts, the State driver licensing and vehicle registration authorities, liquor law enforcement and other parties with a need for this information;*
- *Provide enforcement officers with immediate on-the-road access to an individual's licensing status and driving record;*
- *Provide immediate and up-to-date driving records for use by the courts when adjudicating and sentencing drivers convicted of impaired driving;*
- *Provide for the timely entry of any administrative or judicially imposed license action and the electronic retrieval of conviction records from the courts; and*
- *Provide for the effective exchange of data with State, local, tribal and military agencies, and with other governmental or sovereign entities.*

## **Status**

The South Carolina Department of Motor Vehicles (SCDMV) is responsible for maintaining all driver license and history information for state residents. All convictions from impaired driving offenses are transmitted from the courts to the SCDMV electronically and posted on the driver record. That information includes type of offense (charge), treatment (yes/no), and sanctions, but blood alcohol concentration (BAC) is not held on the driver history. SCDMV is also responsible for enforcing driver license suspension and revocation.

The SCDMV has developed interfaces with the law enforcement and court data systems for exchange of information in near real-time. These protocols allow for accurate evaluation of drivers on the roadside and in the courtroom. The driver data system also complies with national standards and systems in place to reduce identity fraud and track commercial drivers. Facial recognition software is also used at the SCDMV to prevent fraud. In addition, the South Carolina Uniform Traffic Ticket Information Exchange System (SCUTTIES) is being implemented to facilitate data interfaces between law enforcement, courts, and the SCDMV. A recently passed law mandates electronic capture and submission of traffic violations by January 2018. The new system will operate as follows: law enforcement arrests an offender and sends information to SCUTTIES; courts access information through SCUTTIES and relay adjudication information back to the system; and the SCDMV accesses final information from SCUTTIES to apply to the driver history record. Through each step, validation and edit checks are conducted on the data which will increase its quality.

Driver license and history data are maintained on an Oracle database, transitioning from a Legacy mainframe, which now allows for more efficient data extraction. This upgrade is to be commended as most states remain on Legacy systems and South Carolina has more operability with the Oracle system. While the BAC values are not held on the driver history record, they are kept in a separate table that can be accessed for analytical purposes.

The driver system data are complete, accurate, and reliable as shown in the recent Traffic Records Assessment. As administrative sanctions are handled by hearing officers, those data are also transmitted to the driver record immediately and accurately.

## **Recommendations**

- **Support the implementation of the South Carolina Uniform Traffic Ticket Information Exchange System to serve as a comprehensive citation tracking system.**

## APPENDIX

**South Carolina Impaired Driving Assessment  
Embassy Suites by Hilton Hotel  
Columbia, South Carolina  
November 14-18, 2016**

**AGENDA**

**Monday, November 14, 2016**

- |                                |                                                                                                         |
|--------------------------------|---------------------------------------------------------------------------------------------------------|
| <b>8:00 a.m. – 9:00 a.m.</b>   | <b>State Leadership Panel/Introduction</b>                                                              |
| Phil Riley                     | Director, SC Department of Public Safety (SCDPS), Office of Highway Safety and Justice Programs (OHSJP) |
| Dr. Ed Harmon                  | Assistant Director, SCDPS, OHSJP                                                                        |
| LaToya Grate                   | Grants Administration Manager, SCDPS, OHSJP                                                             |
| Christine Tull                 | ID Countermeasures Program Coordinator, SCDPS, OHSJP                                                    |
| Emily Thomas                   | Strategic Highway Safety Plan Manager, SCDPS, OHSJP                                                     |
| <b>9:00 a.m. – 10:30 a.m.</b>  | <b>Traffic Records Data</b>                                                                             |
| Lt. Doug Connelly              | Traffic Records Manager, SCDPS, OHSJP                                                                   |
| Emily Thomas                   | Strategic Highway Safety Plan Manager, SCDPS, OHSJP                                                     |
| Wilson Matthews                | SCCATTS Project Manager, SCDPS, OHSJP                                                                   |
| Beth Lancaster                 | FARS Analyst, SCDPS, OHSJP                                                                              |
| Lt. Dustin Smith               | Forensic Toxicologist, SC Law Enforcement Division (SLED)                                               |
| Gary Watts                     | Richland County Coroner                                                                                 |
| <b>10:30 a.m. – 10:45 a.m.</b> | <b>BREAK</b>                                                                                            |
| <b>10:45 a.m. – 12:00 p.m.</b> | <b>Alcohol Consumption in South Carolina:<br/>Who, What, When, and Where?</b>                           |
| Emily Thomas                   | Strategic Highway Safety Plan Manager, SCDPS, OHSJP                                                     |
| Larry Long                     | Statistician III, SCDPS, OHSJP                                                                          |
| Michelle Nienhius              | Prevention Manager, SC Department of Alcohol and Other Drug Abuse Services (SCDAODAS)                   |
| Dr. Jeremy Reeves              | Trauma Surgeon, Palmetto Health Richland                                                                |
| Dr. Rachel Houchins            | Trauma Psychiatrist, Palmetto Health Richland                                                           |
| <b>12:00 p.m. – 1:00 p.m.</b>  | <b>LUNCH</b>                                                                                            |

**1:00 p.m. – 2:00 p.m.**

**Underage Drinking Programs Provided to  
Schools/Colleges/Military**

Kimberly Smith

SC Department of Education (SCDE), Office of Student  
Intervention Services

Tiffany Robinson  
Sgt. Bob Beres

SCDE  
SCDPS, SC Highway Patrol (SCHP), Community  
Relations Officer

Ashley Bodiford  
Michelle Nienhius

Regional Capacity Coach, LRADAC  
Prevention Manager, SC Department of Alcohol and Other  
Drug Abuse Services (SCDAODAS)

**2:00 p.m. – 2:45 p.m.**

**Education Programs/Successful Strategies**

Steven Burritt  
Aimee Hourigan

Program Director, MADD SC  
Substance Abuse Prevention & Education Director,  
University of South Carolina (USC)

Crystal M. Burnette, Ph.D.

Associate Director of Healthy Campus & Coordinator of  
Alcohol and Other Drug Initiatives, Clemson University

**2:45 p.m. – 3:00 p.m.**

**BREAK**

**3:00 p.m. – 4:00 p.m.**

**Media/Outreach Efforts**

Sherri Iacobelli  
Lt. Kelley Hughes  
Sgt. Bob Beres  
Laura Caskey  
Kevin Fisher  
Michelle Nienhius

Communications Manager, SCDPS  
SCDPS, SCHP  
SCDPS, SCHP  
Public Affairs Manager, SCDPS, OHSJP  
Contractor, Fisher Communications Inc.  
Prevention Manager, SCDAODAS

**4:00 p.m. – 5:00 p.m.**

**Impaired Driving Training**

Lt. Dale Smith  
J. Michael Brantley  
Michelle Nienhius  
Mattison Gamble

Instructor, SC Criminal Justice Academy (CJA)  
Drug Recognition Expert (DRE) Coordinator, CJA  
Prevention Manager, SCDAODAS  
Traffic Safety Resource Prosecutor (TSRP), SC  
Commission on Prosecution Coordination (SCCPC)  
SCDPS, SCHP

Cpl. Calvin Rikard

**5:00 p.m. – 5:30 p.m.**

**Underage Drinking Programs Provided to  
Schools/Colleges/Military**

Terecia Wilson

Project STAR, SCDAODAS

**Tuesday, November 15, 2016**

**8:00 a.m. – 9:45 a.m.**

**Impaired Driving Legislation**

Chief Mark Keel

Director, South Carolina Law Enforcement Division (SLED) (via teleconference)

Val Valenta

General Counsel, SC Department of Motor Vehicles (SCDMV)

William Bilton

Assistant Solicitor/ Director of Affiliate Services, Fifth Judicial Circuit Solicitor's Office

Thomas Nicholson

Legal Counsel, Ignition Interlock, SC Department of Probation, Parole, and Pardon Services

Sid Gaulden

Legislative Liaison, SCDPS, Executive Office

Marc Gore

Assistant General Counsel, SCDPS

Laura Hudson

Legislative Liaison, MADD SC

Lee Dutton

Chief of Staff, DAODAS

**9:45 a.m. – 10:00 a.m.**

**BREAK**

**10:00 a.m. – 11:00 a.m.**

**DUI Enforcement/Law Enforcement Executives**

LTC Chris Williamson

SCDPS, SCHP

Colonel Leroy Taylor

SCDPS, State Transport Police (STP)

Sheriff Jim Matthews

Kershaw County Sheriff's Department

Chief Terrence Green

Lexington Police Department

Jarrod Bruder

Executive Director, South Carolina Sheriffs Association

**11:00 a.m. – 12:30 p.m.**

**DUI Enforcement**

Brent Kelly

Law Enforcement Liaison, SCHP, OHSJP

Lt. Jim Causey

Alcohol Enforcement, SLED

Capt. Jeff Hilton

Lancaster County Sheriff's Office, Patrol Division

Lt. Pat Carter

Community Action Team

9<sup>th</sup> Judicial Circuit Law Enforcement Network Coordinator,

City of Mount Pleasant Police Department

Dr. Michael George

Alcohol Enforcement Team Coordinator, SCDAODAS

**12:30 p.m. – 1:30 p.m.**

**LUNCH**

**1:30 p.m. – 2:30 p.m.**

**DUI Prosecution**

Mattison Gamble

TSRP, SCCPC

Jim Courtney

General Counsel, SCDPS

Sara Lee M. Drawdy

Assistant Solicitor, 13<sup>th</sup> Judicial Circuit Solicitor's Office

Cpl. Cody Bishop

SCDPS, SCHP

Todd Wagoner                      Assistant Solicitor, 11<sup>th</sup> Judicial Circuit Solicitor's Office

**2:30 p.m. – 2:45 p.m.                      BREAK**

**2:45 p.m. – 3:45 p.m.                      Impaired Driving Countermeasures Advocacy Groups**

William Bilton                      Chairman, SC Impaired Driving Prevention Council  
Curtis Reece                      Chairman, Underage Drinking Action Group  
Steven Burritt                      Program Director, MADD SC  
Laura Hudson                      Executive Director, SC Crime Victims' Council

**3:45 p.m. – 5:00 p.m.                      Adjudication of DUI Cases**

Honorable Frank R. Addy, Jr.                      8<sup>th</sup> Judicial Circuit Court Judge  
Honorable John Anthony Love                      Magistrate, Georgetown County  
Honorable Bryan Keith Griffin                      Magistrate, Sumter County  
Honorable Brian N. Buck                      Magistrate, Lexington County  
Todd Tucker                      Deputy Solicitor, 12<sup>th</sup> Judicial Circuit Solicitor's Office

**Wednesday, November 16, 2016**

**8:00 a.m. – 9:00 a.m.                      Screening, Intervention, Treatment and Rehabilitation**

Janet Martini                      Executive Director, Keystone Substance Abuse Services  
Frankie Long                      Manager of Treatment Services, SCDAODAS  
Chris Reid                      Coordinator of ADSAP Services, SCDAODAS  
Jeremy Martin                      Vice President of Treatment and Intervention, LRADAC  
Laura Stuckey                      Executive Director, Behavioral Health Services Association  
Lee Dutton                      Chief of Staff, DAODAS

**9:00 a.m. – 10:00 a.m.                      Driver Licensing/Program Issues/Adjudication Issues**

Shirley Rivers                      Deputy Director, SC Department of Motor Vehicles  
(SCDMV)  
Renee Lipson                      Staff Attorney, SC Court Administration

**10:00 a.m. – 10:15 a.m.                      BREAK**

**10:15 a.m. – 11:15 a.m.                      BAC Reporting**

Emily Thomas                      Strategic Highway Safety Plan Manager, SCDPS, OHSJP  
Larry Long                      Statistician III, SCDPS, OHSJP  
Beth Lancaster                      FARS Analyst, SCDPS, OHSJP  
Virginia Andrews                      Statistician III, SCDPS, OHSJP

**11:15 a.m. – 12:15 p.m.                      State Leadership Panel Returns (Questions/Answers)**

**12:15 p.m. – 1:15 p.m.      LUNCH**

**1:15 p.m. – 5:00 p.m.      Assessment Team Report Development**

**Thursday, November 17, 2016**

**Assessment Team Report Development**

**Friday, November 18, 2016**

**9:00 a.m. – 11:00 a.m.      Assessment Team Presents Report to State**

## TEAM CREDENTIALS

## **CYNTHIA BURCH, MS MPH CAISS**

Cindy began her career as a research analyst at the National Study Center for Trauma & EMS (NSC) in 2001 and went on to serve as epidemiologist/traffic records coordinator for the Georgia Governor's Office of Highway Safety in 2004. There she continued working with traffic records and statewide data projects. In late 2005 she returned to the NSC to serve as an epidemiologist. Cindy works on the Crash Outcome Data Evaluation System (CODES) and the Crash Injury Research and Engineering Network (CIREN) projects in Maryland. She also works closely with the Maryland Department of Transportation's Highway Safety Office on data analyses and traffic records, facilitates the State Traffic Records Coordinating Committee (TRCC), serves as the data coordinator for the Maryland Strategic Highway Safety Plan, and answers data requests from state and local agencies as well as the public at large. She now serves as a Senior Epidemiologist at the NSC, a facilitator and assessor for Traffic Records Assessments at Traffic Safety Analysis Systems & Services, and an Abbreviated Injury Scale (AIS) faculty member for the Association for the Advancement of Automotive Medicine (AAAM).

## **LINDA L. CHEZEM**

### **Formal Educational History**

Indiana State University, (B.S., 1968)

Terre Haute, Indiana

Indiana University School of Law, (J.D., 1971)

Bloomington, Indiana

### **Abstract of Professional Career**

Private Practice of Law, Paoli, Indiana

Judge, Lawrence County Court, Bedford, Indiana

Judge, Lawrence Circuit Court, Bedford, Indiana

Judge, Court of Appeals of Indiana, Indianapolis, Indiana

Department Head, 4-H Youth, 1998 -2000

Professor, Youth Development and Agriculture Education, 1998-2016, Purdue University

Professor Emerita, Youth Development and Agriculture Education, Purdue University

Adjunct Professor, Indiana University, School of Medicine, Department of Medicine.

### **Relevant Awards**

National Highway Traffic Safety Administration Award for Public Service, Nashville Tennessee, March 30, 2009

Chairman's Award, Indiana Governor's Council on Dangerous and Impaired Driving, Indianapolis, Indiana, November 19, 2010

### **Past University Service**

Social Science IRB, Purdue University, West Lafayette

### **Past National Service**

National Advisory Council on Alcohol Abuse and Alcoholism, National Institutes of Health, Bethesda, Maryland

Chezem chairs assessment teams for the National Highway Traffic Safety Administration.

### **Memberships**

American Academy of Forensic Science

American Agriculture Law Association

Indiana State Bar Association

Indiana General Assembly Women's Club

United States Cattlemen's Association

Society of U.S. Belted Galloway

## **ROBERT P. LILLIS**

Rob Lillis is President of Evalumetrics Research and has been providing planning, research and evaluation services to youth development, traffic safety, substance abuse, criminal justice, education, health and mental health programs at the state and local level for over 35 years. He provides evaluation services for school districts for a variety of special programs including 21<sup>st</sup> Century Learning Center programs, after-school mentoring programs and environmental education programs. He also provides planning, research and evaluation services for Drug Free Community Grant programs and serves as evaluation consultant to the Allegany Council on Alcoholism and Substance Abuse (ACASA) and numerous other local substance abuse prevention and youth development programs. Mr. Lillis has served as the evaluator for the Ontario County Juvenile Drug Treatment Court, the Finger Lakes Drug Court, Ontario County Youth Court, the Finger Lakes Child Abuse Response Team-Child Advocacy Center and the Ontario County Family Support Center. He also has conducted outcome studies for the Yes Pa Foundation, character education program.

Mr. Lillis was the primary source of research support to the governor and Legislature during the debate on the 21 year old minimum drinking age law in New York. He also served on the consultant panel for the U.S. General Accounting Office Special review of Minimum Drinking Age Laws.

Since 1991 Mr. Lillis has served as a member of the Impaired Driver Assessment Consultant Team for the National Highway Traffic Safety Administration (NHTSA) and has conducted over 65 assessments of prevention and treatment programs in 38 states, Puerto Rico and for the Indian Nations. He was the 2011 recipient of the NHTSA Public Service Award.

## **MICHAEL R. STOUT**

Mike retired on April 1, 2016 as Business Manager for Illinois State Employees Association – Laborers’ Local 2002. He has held several other positions in organized labor including Director of Governmental Affairs in the Central States for the International Brotherhood of Teamsters and Director of Operations for the Laborers’ International Union of North America, Midwest Region.

Mike was employed by the Illinois Department of Transportation for over 18 years, where he first served in an entry level position as a Transportation Analyst, later as the Deputy Director of Finance and Administration, and seven years as the Director of Traffic Safety and Governor’s Representative for Highway Safety. He was in charge of state and federal oversight of the United States Department of Transportation (USDOT), National Highway Traffic Safety Administration (NHTSA) and USDOT, Federal Motor Carrier Safety Administration programs. In addition, he administered the State’s traffic records, motorcycle training, data, and data evaluation programs. Mike also served on the Governor’s Highway Safety Association (GHSA) Executive Board as a regional representative and was twice elected Treasurer. He has served on numerous traffic safety related boards, committees, and commissions including impaired driving, occupant protection and teen driving. Notably, Mr. Stout served on the Illinois Secretary of State’s Graduated Driver’s License Task Force that drafted the legislation establishing the State’s graduated driver’s license law.

In 2007, Mr. Stout, the Ford Motor Fund, and the Allstate Foundation developed the Illinois Operation Teen Safe Driving (OTSD). The OTSD was a first of its kind in the nation annual program that challenges the creativity of high school students from every geographical area in Illinois to develop and implement community based programs to reduce fatalities and injuries due to motor vehicle crashes. The OTSD has been honored and received numerous awards locally, statewide and in the nation including the Harvard University’s Kennedy School of Government, GHSA’s Peter O’Rourke Special Achievement Award, the Non-Profit Public Relations Awards Luncheon in Washington, D.C., and the USDOT National Roadway Safety Award.

Since 2013, Mike has served as a member of the Impaired Driving and Occupant Protection Consultant Team for NHTSA in Connecticut, New Jersey, Louisiana, Mississippi, Maine, South Carolina, Texas, and West Virginia.

In 2011, Mr. Stout received the USDOT NHTSA, “Safety Champions Award”. In 2011, he was recognized by the Students Against Destructive Decisions (SADD) when awarded the “Outstanding Contributions Award” and the Illinois State Police “Directors Award of Distinction” in 2008.

## **THOMAS H. WOODWARD**

### **PROFESSIONAL BACKGROUND**

Thomas Woodward retired as a Lieutenant from the Maryland State Police on July 1, 2013 after a 36 year law enforcement career. He served with the Maryland State Police for 28 years. He was rehired in a civilian capacity by the Maryland State Police in January 2014 and appointed by the Governor's Highway Safety Representative as the Maryland Drug Recognition Expert (DRE) Coordinator.

At the time of his retirement Mr. Woodward was the Commander of the Maryland State Police, Hagerstown Barrack. He previously served as the Commander of the Chemical Test for Alcohol Unit, a staff officer for the Chief of the Field Operations Bureau, and as the Executive Officer for the Commander of the Transportation Safety Division.

Mr. Woodward has been a Standardized Field Sobriety Testing (SFST) Instructor, certified through the National Highway Traffic Safety Administration (NHTSA), since August 1989. He also instructs the NHTSA SFST Instructor Development Course.

Mr. Woodward was certified as a Drug Recognition Expert (DRE) in July, 1991. He was then certified as a DRE Instructor in April, 1992 and received instruction as a DRE Course Manager in June, 1995. He served as the DRE Coordinator for the state of Maryland for 8 years.

Mr. Woodward's emphasis on occupant protection enforcement helped the Hagerstown Barrack lead the State in barracks of similar size. He was recognized by the Maryland Highway Safety Office for innovative program development for a nighttime seat belt enforcement program he implemented.

Mr. Woodward served as a member of the NHTSA Highway Safety Program Assessment Teams for the states of Ohio, Connecticut, Missouri, Maine, and West Virginia.

### **EDUCATIONAL BACKGROUND**

Mr. Woodward received a Bachelor's Degree in Organizational Leadership and Development from Wheeling Jesuit University in May 2005. He is also a graduate of the Northwestern University School of Police Staff and Command.

### **ORGANIZATIONAL AFFILIATION**

International Association of Chiefs of Police (IACP)

IACP Drug Recognition Expert Section

Officer - 2006-2009

Chair - 2009

Mothers Against Drunk Driving (MADD) – Maryland Advisory Board