



National Transportation Safety Board

Washington, DC 20594

Safety Recommendation

Date: June 3, 2013

In reply refer to: H-13-05 through -08 and -10
H-12-34, -35, -36, and -45 (Reiteration)
H-00-26 (Reclassification)

The Honorable Steve Beshear
Governor of Kentucky
700 Capitol Avenue
Suite 100
Frankfort, KY 40601-3454

The National Transportation Safety Board (NTSB) is an independent federal agency charged by Congress with investigating every civil aviation accident in the United States and significant accidents in other modes of transportation—railroad, highway, marine, and pipeline. The NTSB determines the probable cause of the accidents and issues safety recommendations aimed at preventing future accidents. In addition, the NTSB carries out special studies concerning transportation safety and coordinates the resources of the federal government and other organizations to provide assistance to victims and their family members affected by major transportation disasters.

On May 14, 2013, the NTSB adopted its safety report concerning alcohol-impaired driving, which addressed a variety of safety issues associated with alcohol-impaired driving and described countermeasures to prevent crashes caused by alcohol-impaired drivers.¹ This safety report and the resulting recommendations may be accessed at our website, <http://www.nts.gov>, under report number NTSB/SR-13/01.

In this report, the NTSB issued five new recommendations to the states—including Kentucky—as well as the Commonwealth of Puerto Rico and the District of Columbia:

¹ For more information, see *Reaching Zero: Actions to Eliminate Alcohol-Impaired Driving*, Safety Report NTSB/SR-13/01 (Washington, DC: National Transportation Safety Board, 2013), available online at <http://www.nts.gov>.

H-13-05

Establish a per se blood alcohol concentration (BAC) limit of 0.05 or lower for all drivers who are not already required to adhere to lower BAC limits.

H-13-06

Include in your impaired driving prevention plan or highway safety plan provisions for conducting high-visibility enforcement of impaired driving laws using passive alcohol-sensing technology during law enforcement contacts, such as routine traffic stops, saturation patrols, sobriety checkpoints, and accident scene responses.

H-13-07

Include in your impaired driving prevention plan or highway safety plan elements to target repeat offenders and reduce driving while intoxicated (DWI) recidivism; such elements should include measures to improve compliance with alcohol ignition interlock requirements; the plan should also provide a mechanism for regularly assessing the success of these efforts. [*This recommendation supersedes Safety Recommendation H-00-26.*]

H-13-08

Take the following steps to move toward zero deaths from impaired driving: (1) set specific and measurable targets for reducing impaired driving fatalities and injuries, (2) list these targets in your impaired driving prevention plan or highway safety plan, and (3) provide a mechanism for regularly assessing the success of implemented countermeasures and determining whether the targets have been met.

H-13-10

Establish administrative license suspension or revocation laws that require drivers arrested for driving while intoxicated (DWI) to use an alcohol ignition interlock on their vehicle for a period of time before obtaining full license reinstatement.

In addition, the NTSB reiterated the four recommendations listed below concerning the issue of impaired driving. To underscore the importance of this safety topic, as reflected in the newly adopted *Reaching Zero* safety report, we are reiterating these relatively recent recommendations because they are key elements in the effort to eliminate impaired driving.

H-12-34

Increase your collection, documentation, and reporting of blood alcohol concentration (BAC) test results by taking the following actions, as needed, to improve testing and reporting rates: (1) enact legislation, (2) issue regulations, and (3) improve procedures used by law enforcement agencies or testing facilities.

H-12-35

Once the National Highway Traffic Safety Administration has developed the blood alcohol concentration (BAC) testing and reporting guidelines recommended in Safety Recommendation H-12-32, incorporate the guidelines into a statewide action plan to achieve BAC reporting rates of at least 80 percent of fatally injured drivers and at least 60 percent of surviving drivers involved in fatal crashes.

H-12-36

Require law enforcement agencies to collect place of last drink (POLD) data as part of any arrest or accident investigation involving an alcohol-impaired driver.

H-12-45

Enact laws to require the use of alcohol ignition interlock devices for all individuals convicted of driving while intoxicated (DWI) offenses.

Finally, the NTSB reclassified the following Safety Recommendation H-00-26, which is classified “Closed—Superseded” and is superseded by the newly issued Safety Recommendation H-13-07.

H-00-26

Establish a comprehensive program that is designed to reduce the incidence of alcohol-related crashes and fatalities caused by hard core drinking drivers and that includes elements such as those suggested in the National Transportation Safety Board’s model program. [*This recommendation is superseded by Safety Recommendation H-13-07.*]

Chairman HERSMAN, Vice Chairman HART, and Members SUMWALT, ROSEKIND, and WEENER concurred in these recommendations.

The NTSB is vitally interested in these recommendations because they are designed to prevent accidents and save lives. We would appreciate receiving a response from you within 90 days detailing the actions you have taken or intend to take to implement them. When replying, please refer to the safety recommendations by number. We encourage you to submit your response electronically to correspondence@ntsb.gov. If it exceeds 10 megabytes, including attachments, please e-mail us at the same address for instructions. To avoid confusion, please do not submit both an electronic copy and a hard copy of the same response.

[Original Signed]

By: Deborah A.P. Hersman,
Chairman



National Transportation Safety Board

Washington, DC 20594

Safety Recommendation

Date: June 3, 2013

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H-00-26 (Reclassification)

The Honorable Rick Snyder
Governor of Michigan
PO Box 30013
Lansing, MI 48909-7513

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In this report, the NTSB issued five new recommendations to the states—including Michigan—as well as the Commonwealth of Puerto Rico and the District of Columbia:

H-13-05

Establish a per se blood alcohol concentration (BAC) limit of 0.05 or lower for all drivers who are not already required to adhere to lower BAC limits.

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H-13-06

Include in your impaired driving prevention plan or highway safety plan provisions for conducting high-visibility enforcement of impaired driving laws using passive alcohol-sensing technology during law enforcement contacts, such as routine traffic stops, saturation patrols, sobriety checkpoints, and accident scene responses.

H-13-07

Include in your impaired driving prevention plan or highway safety plan elements to target repeat offenders and reduce driving while intoxicated (DWI) recidivism; such elements should include measures to improve compliance with alcohol ignition interlock requirements; the plan should also provide a mechanism for regularly assessing the success of these efforts. [*This recommendation supersedes Safety Recommendation H-00-26.*]

H-13-08

Take the following steps to move toward zero deaths from impaired driving: (1) set specific and measurable targets for reducing impaired driving fatalities and injuries, (2) list these targets in your impaired driving prevention plan or highway safety plan, and (3) provide a mechanism for regularly assessing the success of implemented countermeasures and determining whether the targets have been met.

H-13-10

Establish administrative license suspension or revocation laws that require drivers arrested for driving while intoxicated (DWI) to use an alcohol ignition interlock on their vehicle for a period of time before obtaining full license reinstatement.

In addition, the NTSB reiterated the four recommendations listed below concerning the issue of impaired driving. To underscore the importance of this safety topic, as reflected in the newly adopted *Reaching Zero* safety report, we are reiterating these relatively recent recommendations because they are key elements in the effort to eliminate impaired driving.

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H-12-36

Require law enforcement agencies to collect place of last drink (POLD) data as part of any arrest or accident investigation involving an alcohol-impaired driver.

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Chairman HERSMAN, Vice Chairman HART, and Members SUMWALT, ROSEKIND, and WEENER concurred in these recommendations.

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By: Deborah A.P. Hersman,
Chairman



National Transportation Safety Board

Washington, DC 20594

Safety Recommendation

Date: June 3, 2013

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H-12-45 (Reiteration)
H-00-26 (Reclassification)

The Honorable Steve Bullock
Governor of Montana
State Capitol
PO Box 200801
Helena, MT 59620-0801

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In addition, the NTSB reiterated the recommendation listed below concerning the issue of impaired driving. To underscore the importance of this safety topic, as reflected in the newly adopted *Reaching Zero* safety report, we are reiterating this relatively recent recommendation because it is a key element in the effort to eliminate impaired driving.

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Chairman



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The Honorable Chris Christie
Governor of New Jersey
State House
PO Box 001
Trenton, NJ 08625-0001

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Chairman



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H-00-26 (Reclassification)

The Honorable Tom Corbett
Governor of Pennsylvania
225 Main Capitol Building
Harrisburg, PA 17120-0062

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The Honorable Lincoln Chafee
Governor of Rhode Island
222 State House
Providence, RI 02903-1196

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The Honorable Nikki R. Haley
Governor of South Carolina
1205 Pendleton Street
Columbia, SC 29201-3756

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H-13-05

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¹ For more information, see *Reaching Zero: Actions to Eliminate Alcohol-Impaired Driving*, Safety Report NTSB/SR-13/01 (Washington, DC: National Transportation Safety Board, 2013), available online at <http://www.nts.gov>.

H-13-06

Include in your impaired driving prevention plan or highway safety plan provisions for conducting high-visibility enforcement of impaired driving laws using passive alcohol-sensing technology during law enforcement contacts, such as routine traffic stops, saturation patrols, sobriety checkpoints, and accident scene responses.

H-13-07

Include in your impaired driving prevention plan or highway safety plan elements to target repeat offenders and reduce driving while intoxicated (DWI) recidivism; such elements should include measures to improve compliance with alcohol ignition interlock requirements; the plan should also provide a mechanism for regularly assessing the success of these efforts. [*This recommendation supersedes Safety Recommendation H-00-26.*]

H-13-08

Take the following steps to move toward zero deaths from impaired driving: (1) set specific and measurable targets for reducing impaired driving fatalities and injuries, (2) list these targets in your impaired driving prevention plan or highway safety plan, and (3) provide a mechanism for regularly assessing the success of implemented countermeasures and determining whether the targets have been met.

H-13-10

Establish administrative license suspension or revocation laws that require drivers arrested for driving while intoxicated (DWI) to use an alcohol ignition interlock on their vehicle for a period of time before obtaining full license reinstatement.

In addition, the NTSB reiterated the four recommendations listed below concerning the issue of impaired driving. To underscore the importance of this safety topic, as reflected in the newly adopted *Reaching Zero* safety report, we are reiterating these relatively recent recommendations because they are key elements in the effort to eliminate impaired driving.

H-12-34

Increase your collection, documentation, and reporting of blood alcohol concentration (BAC) test results by taking the following actions, as needed, to improve testing and reporting rates: (1) enact legislation, (2) issue regulations, and (3) improve procedures used by law enforcement agencies or testing facilities.

H-12-35

Once the National Highway Traffic Safety Administration has developed the blood alcohol concentration (BAC) testing and reporting guidelines recommended in Safety Recommendation H-12-32, incorporate the guidelines into a statewide action plan to achieve BAC reporting rates of at least 80 percent of fatally injured drivers and at least 60 percent of surviving drivers involved in fatal crashes.

H-12-36

Require law enforcement agencies to collect place of last drink (POLD) data as part of any arrest or accident investigation involving an alcohol-impaired driver.

H-12-45

Enact laws to require the use of alcohol ignition interlock devices for all individuals convicted of driving while intoxicated (DWI) offenses.

Finally, the NTSB reclassified the following Safety Recommendation H-00-26, which is classified “Closed—Superseded” and is superseded by the newly issued Safety Recommendation H-13-07.

H-00-26

Establish a comprehensive program that is designed to reduce the incidence of alcohol-related crashes and fatalities caused by hard core drinking drivers and that includes elements such as those suggested in the National Transportation Safety Board’s model program. [*This recommendation is superseded by Safety Recommendation H-13-07.*]

Chairman HERSMAN, Vice Chairman HART, and Members SUMWALT, ROSEKIND, and WEENER concurred in these recommendations.

The NTSB is vitally interested in these recommendations because they are designed to prevent accidents and save lives. We would appreciate receiving a response from you within 90 days detailing the actions you have taken or intend to take to implement them. When replying, please refer to the safety recommendations by number. We encourage you to submit your response electronically to correspondence@ntsb.gov. If it exceeds 10 megabytes, including attachments, please e-mail us at the same address for instructions. Please do not submit both an electronic copy and a hard copy of the same response.

[Original Signed]

By: Deborah A.P. Hersman,
Chairman



National Transportation Safety Board

Washington, DC 20594

Safety Recommendation

Date: June 3, 2013

In reply refer to: H-13-05 through -08 and -10
H-12-34, -35, -36, and -45 (Reiteration)
H-00-26 (Reclassification)

The Honorable Dennis Daugaard
Governor of South Dakota
500 East Capitol Avenue
Pierre, SD 57501-5001

The National Transportation Safety Board (NTSB) is an independent federal agency charged by Congress with investigating every civil aviation accident in the United States and significant accidents in other modes of transportation—railroad, highway, marine, and pipeline. The NTSB determines the probable cause of the accidents and issues safety recommendations aimed at preventing future accidents. In addition, the NTSB carries out special studies concerning transportation safety and coordinates the resources of the federal government and other organizations to provide assistance to victims and their family members affected by major transportation disasters.

On May 14, 2013, the NTSB adopted its safety report concerning alcohol-impaired driving, which addressed a variety of safety issues associated with alcohol-impaired driving and described countermeasures to prevent crashes caused by alcohol-impaired drivers.¹ This safety report and the resulting recommendations may be accessed at our website, <http://www.nts.gov>, under report number NTSB/SR-13/01.

In this report, the NTSB issued five new recommendations to the states—including South Dakota—as well as the Commonwealth of Puerto Rico and the District of Columbia:

H-13-05

Establish a per se blood alcohol concentration (BAC) limit of 0.05 or lower for all drivers who are not already required to adhere to lower BAC limits.

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H-13-06

Include in your impaired driving prevention plan or highway safety plan provisions for conducting high-visibility enforcement of impaired driving laws using passive alcohol-sensing technology during law enforcement contacts, such as routine traffic stops, saturation patrols, sobriety checkpoints, and accident scene responses.

H-13-07

Include in your impaired driving prevention plan or highway safety plan elements to target repeat offenders and reduce driving while intoxicated (DWI) recidivism; such elements should include measures to improve compliance with alcohol ignition interlock requirements; the plan should also provide a mechanism for regularly assessing the success of these efforts. [*This recommendation supersedes Safety Recommendation H-00-26.*]

H-13-08

Take the following steps to move toward zero deaths from impaired driving: (1) set specific and measurable targets for reducing impaired driving fatalities and injuries, (2) list these targets in your impaired driving prevention plan or highway safety plan, and (3) provide a mechanism for regularly assessing the success of implemented countermeasures and determining whether the targets have been met.

H-13-10

Establish administrative license suspension or revocation laws that require drivers arrested for driving while intoxicated (DWI) to use an alcohol ignition interlock on their vehicle for a period of time before obtaining full license reinstatement.

In addition, the NTSB reiterated the four recommendations listed below concerning the issue of impaired driving. To underscore the importance of this safety topic, as reflected in the newly adopted *Reaching Zero* safety report, we are reiterating these relatively recent recommendations because they are key elements in the effort to eliminate impaired driving.

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Finally, the NTSB reclassified the following Safety Recommendation H-00-26, which is classified “Closed—Superseded” and is superseded by the newly issued Safety Recommendation H-13-07.

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Chairman HERSMAN, Vice Chairman HART, and Members SUMWALT, ROSEKIND, and WEENER concurred in these recommendations.

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By: Deborah A.P. Hersman,
Chairman



National Transportation Safety Board

Washington, DC 20594

Safety Recommendation

Date: June 3, 2013

In reply refer to: H-13-05 through -08 and -10
H-12-34, -35, -36, and -45 (Reiteration)
H-00-26 (Reclassification)

The Honorable Bill Haslam
Governor of Tennessee
State Capitol
Nashville, TN 37243-0001

The National Transportation Safety Board (NTSB) is an independent federal agency charged by Congress with investigating every civil aviation accident in the United States and significant accidents in other modes of transportation—railroad, highway, marine, and pipeline. The NTSB determines the probable cause of the accidents and issues safety recommendations aimed at preventing future accidents. In addition, the NTSB carries out special studies concerning transportation safety and coordinates the resources of the federal government and other organizations to provide assistance to victims and their family members affected by major transportation disasters.

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By: Deborah A.P. Hersman,
Chairman



National Transportation Safety Board

Washington, DC 20594

Safety Recommendation

Date: June 3, 2013

In reply refer to: H-13-05 through -08 and -10
H-12-34, -35, -36, and -45 (Reiteration)

The Honorable Alejandro Garcia Padilla
Governor of Puerto Rico
La Fortaleza
PO Box 9020082
San Juan, PR 00902-0082

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