

**LHSC Meeting Agenda
February 22, 2011
State Police Headquarters
Baton Rouge, Louisiana**

- I. Call to Order
- II. Prayer
- III. Pledge
- IV. Roll Call
- V. Approval of September 8, 2010 Commission Meeting Minutes
- VI. Chairman's and Executive Director's Welcome Remarks and:
 - Introduction of Colonel Edmonson by Sheriff Mancuso
 - Introduction of fellow Commissioners by Sheriff Mancuso
 - Introduction of LHSC Staff by Colonel LeBlanc
 - Introduction of Special Guests by Colonel LeBlanc
- VII. Preliminary 2010 Crash Data – Dr. Helmut Schneider
- VIII. Review of 2011 Revenue and Program Area Allocations – Linda Tillman
- IX. LHSC 2010 Annual Report – Dortha Cummins
- X. LHSC 2012 Planning
 - Problem Identification/Planning Update – Dortha Cummins
 - Multi-Year Contracting – Ken Trull
- XI. Selected Presentations
 - Motorcycle Safety Program – Jamie Ainsworth
 - Automated DWI Reporting/Traffic Records Update – Chuck Miller
 - Electronic Statistical Reports – Lyrica Johnson
 - Occupant Protection Assessment – Vickie Sims
 - Orange Ribbon Rally/Youth Public Policy Institute – Nichole Davis
 - Alcohol Assessment – Priority Recommendations/No Refusal – Mike Barron
 - Section 154/164 Transfer – Dan Magri
 - E-Tickets – Cory Hutchinson
- XII. Legislative Update – Mike Barron
- XIII. New Business
- XIV. Old Business
- XV. Adjournment/Lunch.

**COMMISSION MEETING
MINUTES**

State Police Headquarters, Classroom C/D
Baton Rouge, Louisiana
February 22, 2010

CALL TO ORDER: The Chairman called the meeting to order at 9:00 a.m. and welcomed everyone to the meeting. Opening prayer and reciting the Pledge of Allegiance was performed by the group.

ROLL CALL: Tony Mancuso, Chairman
Tommy Head
Charles McDonald
Jeffery McKneely
Mark Oxley
Rodney Arbuckle
Randall Bryan
Alexie Guillory
Reggie Skains
Jim Craft
Mark Cooper
Robert Buckley

APPROVAL OF MINUTES: Chairman Mancuso asked for a motion to approve the minutes from the September 8, 2010 commission meeting. Commissioner Head made a motion, which was seconded by Commissioner Morvant, and the motion carried.

PRESENTATIONS: Chairman Mancuso asked the Commission members to introduce themselves and Col. LeBlanc was asked to introduce the LHSC staff as well as other special guest who were in attendance. Col. LeBlanc informed the commissioners that the staff would be briefing everyone on the budget, planning process, and program area presentations made by LHSC staff members. Colonel Mike Edmonson was asked to say a few words.

Dr. Helmut Schneider gave a presentation on the Preliminary 2010 Crash Data (See Attachment #1).

Linda Tillman gave a review of the LHSC's 2011 Revenue and Program Area Allocations (See Attachment #2).

Dortha Cummins gave an overview of the 2010 Annual Report and an update on the 2012 Problem Identification/Planning (See Attachment #3 – Problem Identification).

The LHSC program staff presented presentation on the following program areas:

Ken Trull presented a presentation on Multi-Year Contracts (See Attachment #4). Chairman Mancuso stated that he is in support of multiple year contracts being used and that this would be a tremendous help to the law enforcement agencies as well as to the LHSC program staff.

Jamie Ainsworth presented information pertaining to the Motorcycle Safety Program. (See Attachment #5)

Chuck Miller presented an update on the Automated DWI Reporting System and Traffic Records. This system allows police officers to prepare DWI arrest reports in a web-based environment resulting in a more efficient, cost-saving and timely process (See Attachment #6).

Lyrice Johnson presented a presentation on the Electronic Statistical Reports being used by Law Enforcement. This data base allows LHSC to report timely and accurate data to the National Highway Traffic Safety Administration (NHTSA) while allowing LHSC to track each agency's progress (See Attachment #7).

Vickie Sims presented a presentation on the upcoming 2011 Occupant Protection Assessment to be held in March. A team of traffic safety experts will examine the current program and policies pertaining to seat belts and child passenger safety in Louisiana and assist LHSC by making recommendations on how to improve the current occupant protection program in the state (See Attachment #8). Colonel LeBlanc mentioned that Chairman Mancuso would be taking part in the assessment as an interviewee.

Nichole Davis presented a presentation on the Youth Public Policy Institute Program and the Orange Ribbon Rally. The Youth Public Policy Institute is a retreat for select student for across the states that are recommended by Students Against Drunk Driving Advisors (SADD) and school principals. Students create a policy agenda that address underage drinking and related issues to take back to their SADD clubs to implement in their communities. The Orange Ribbon Rally mission is to promote statewide activities and cultivate local partnerships that raise awareness regarding

underage drinking as well as to advocate for policies that reduce youth access to alcohol (See Attachment #9).

Mike Barron presented a presentation on the Alcohol Assessment – Priority Recommendations and No Refusal. The assessment which was held in 2009 provided Louisiana with recommendations that would help to improve the current alcohol program in the state (See Attachment #10). The No Refusal program is an enforcement strategy that allows an arresting officer to obtain a search warrant for blood (or breath) for testing from a suspected impaired driver, arrested upon probable cause who refuses the breath test under the Implied Consent Law (See Attachment #11).

Dan Magri presented a presentation on the Section 154/164 Transfer. These funds are transferred from DOTD funds and are utilized for safety programs within LHSC.

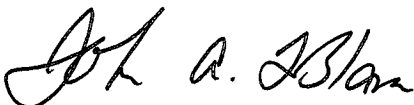
Cory Hutchinson with the LSU Highway Safety Research Group presented a presentation on Electronic Tickets (E-Tickets).

NEW BUSINESS: Chairman Mancuso asked the members if there was any new business to be discussed. No new business was brought up at this time.

OLD BUSINESS: None

ADJOURNMENT: After finding no new or old business, Chairman Mancuso asked for a motion to adjourn the meeting. Commissioner Arbuckle made a motion for adjournment which was seconded by Commissioner Head and the motion was carried. With no further business, the meeting was adjourned at 12:00 p.m.

Respectfully submitted,





John A. LeBlanc
Executive Director

Attachment 1

Attachment 1

Trends in Louisiana Traffic Fatalities

LSU

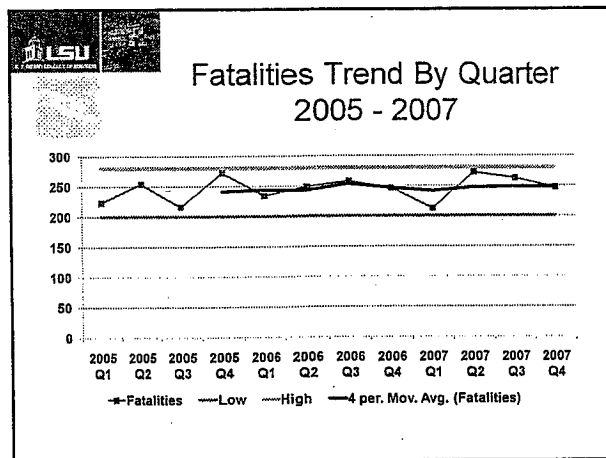
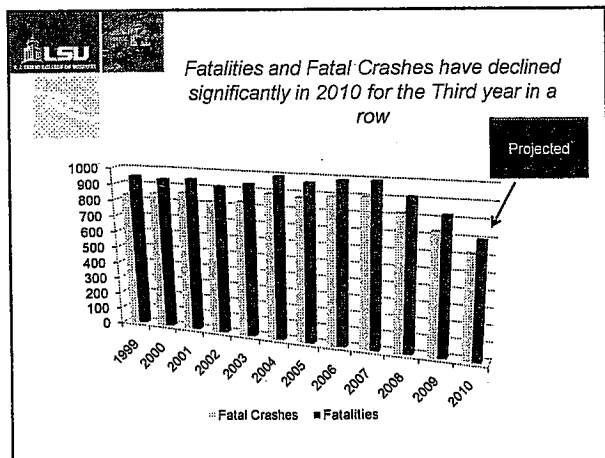
HSRG
Highway Safety Research Group

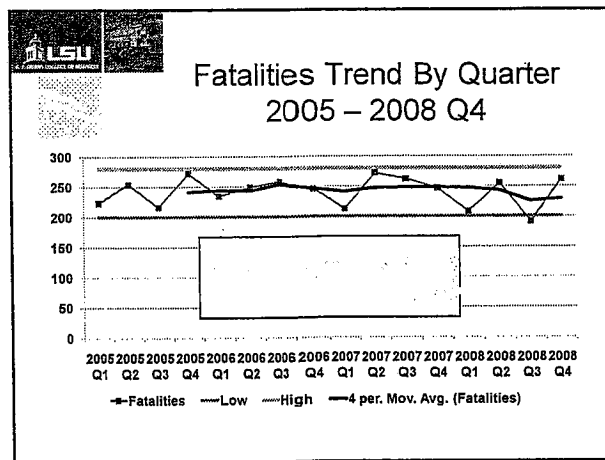
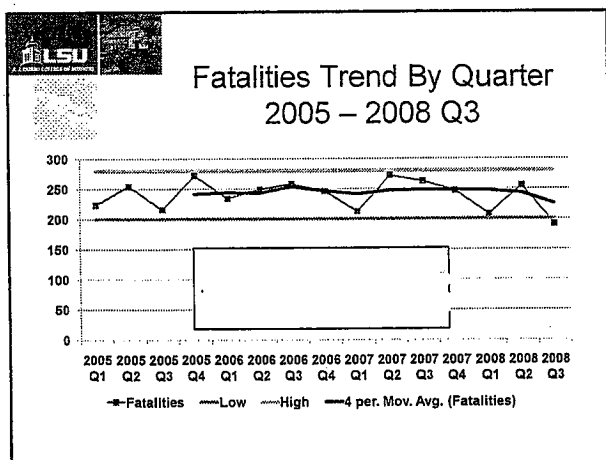
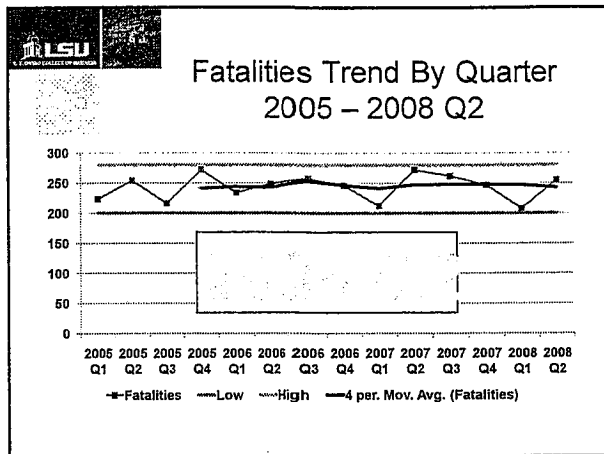
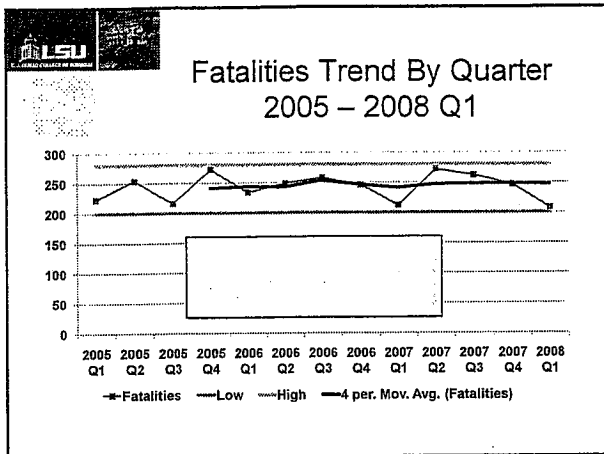
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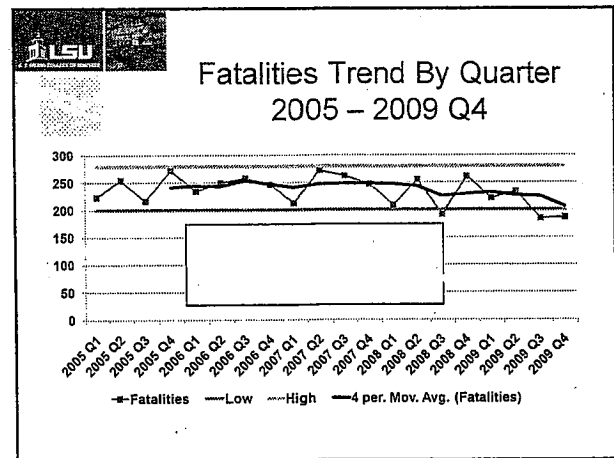
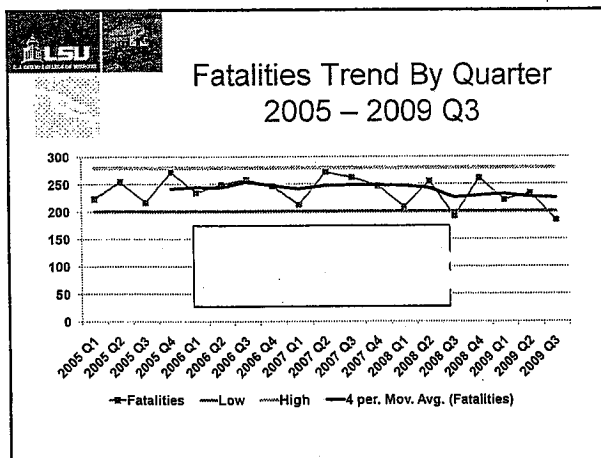
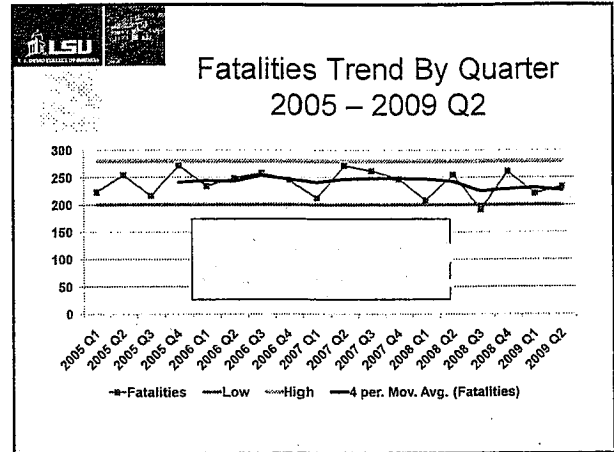
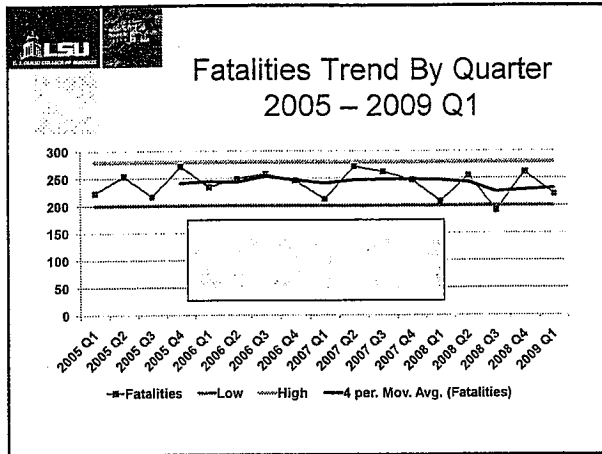
Presented by Dr. Helmut Schneider

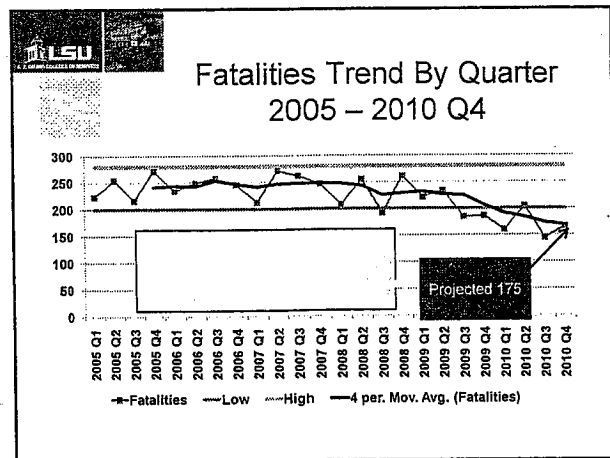
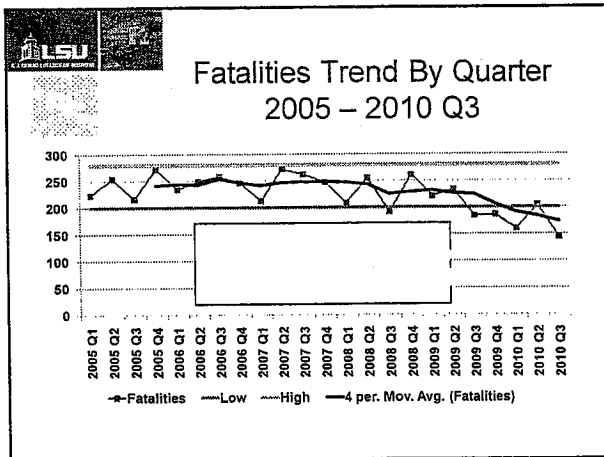
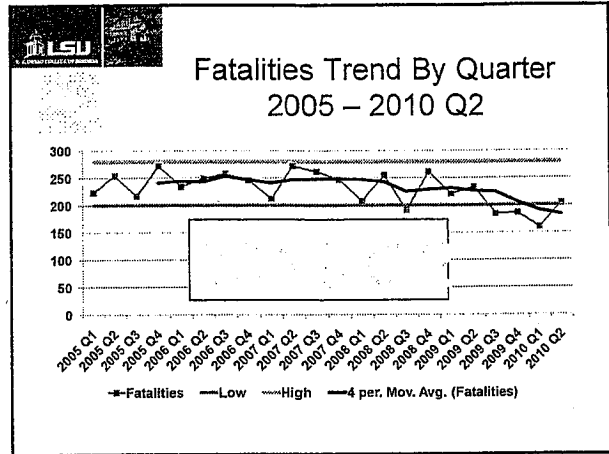
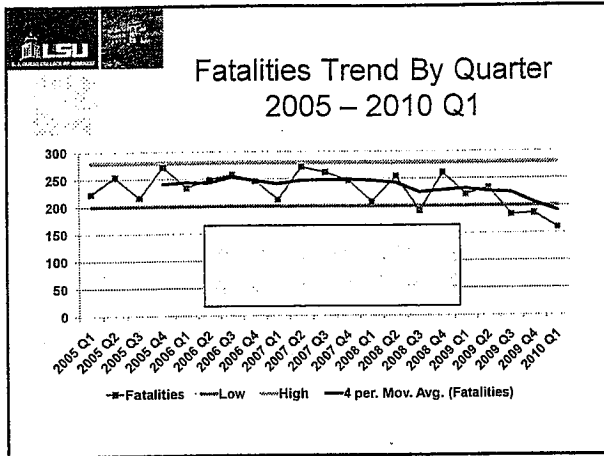
Part I

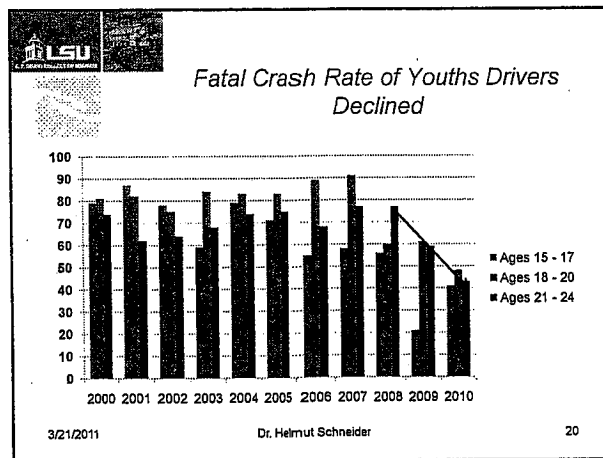
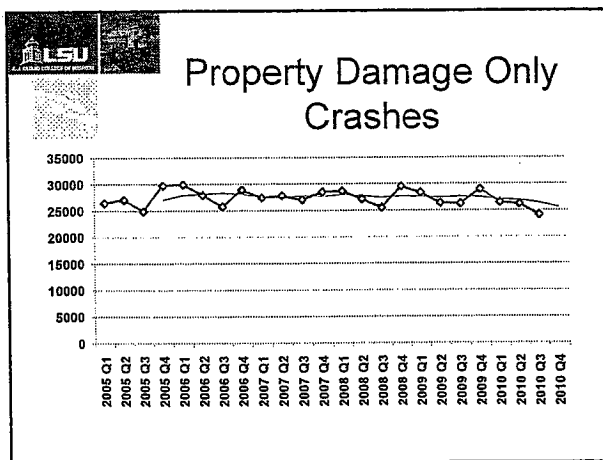
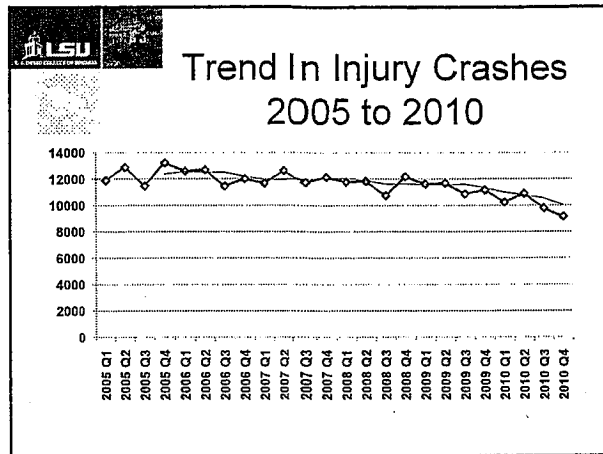
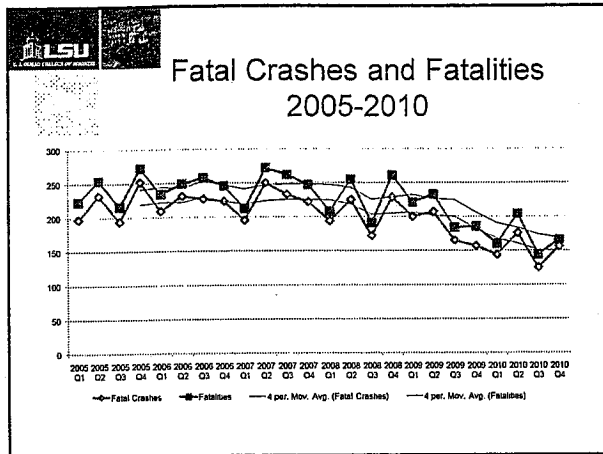
TREND IN FATALITIES AND INJURY CRASHES

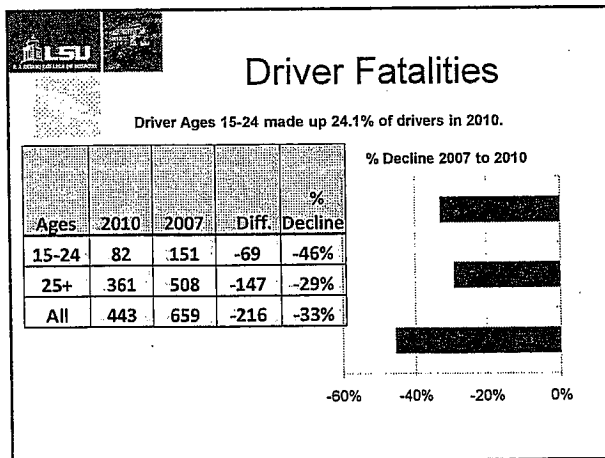
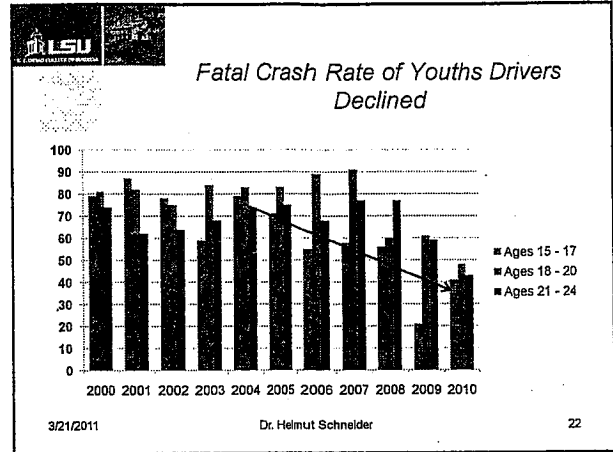
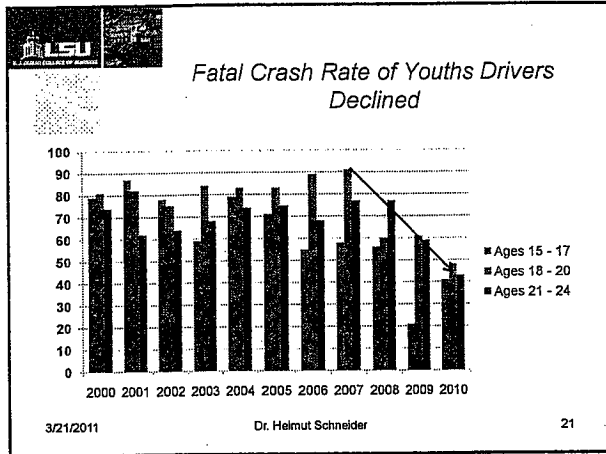








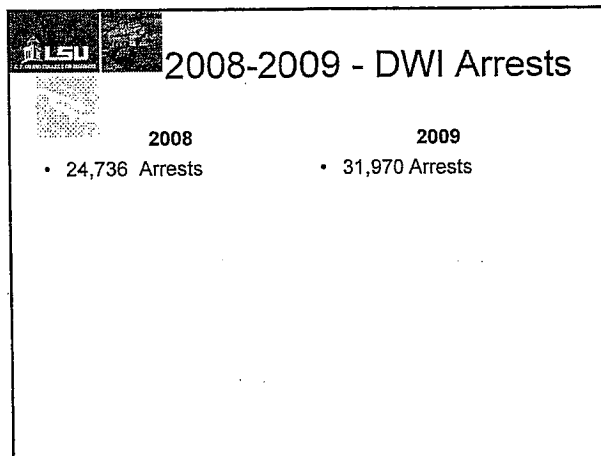
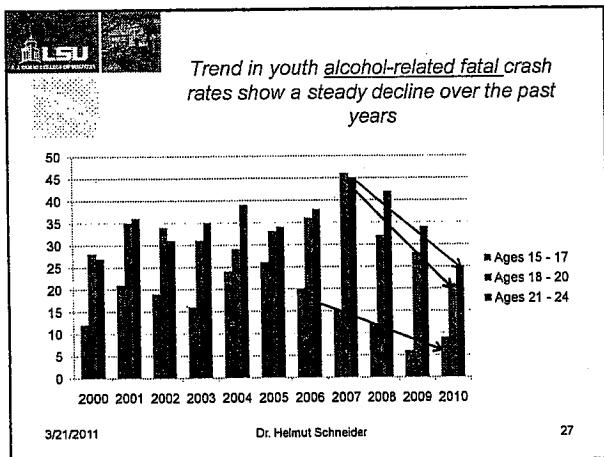
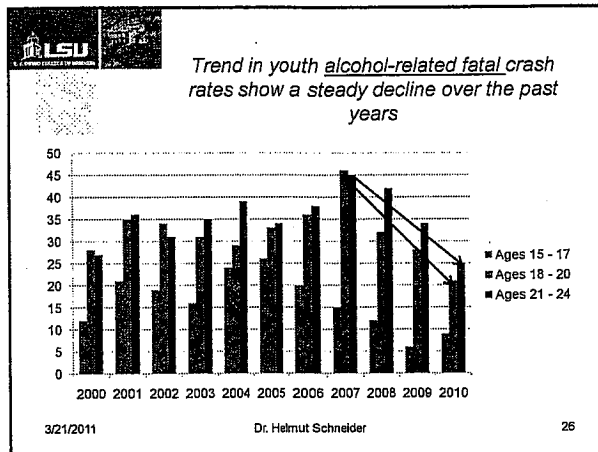
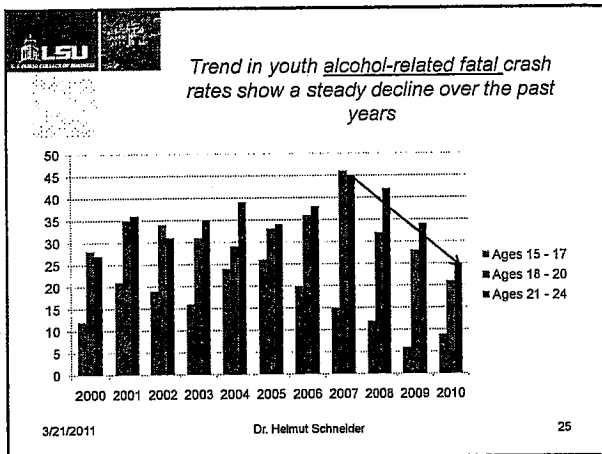





Part 2


TREND IN ALCOHOL-RELATED FATALITIES

3/21/2011 Dr. Helmut Schneider 24




 **2008-2009 - DWI Arrests**


2008	2009
• 24,736 Arrests	• 31,970 Arrests
• 22,478 Adult DWI Arrest	• 29,164 Adult DWI Arrest

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• 24,736 Arrests	• 31,970 Arrests
• 22,478 Adult DWI Arrest	• 29,164 Adult DWI Arrest
• 7,947 Refusals	• 8,858 Refusals

 **2008-2009 - DWI Arrests**


2008	2009
• 24,736 Arrests	• 31,970 Arrests
• 22,478 Adult DWI Arrest	• 29,164 Adult DWI Arrest
• 7,947 Refusals	• 8,858 Refusals
• 1,637 Age 15-20 DWI	• 2,806 Age 15-20 DWI

 **Analysis of Arrest and Convictions**

There is the common believe that repeat offenders are the problem.

Dr. Helmut Schneider, HSRG at LSU

32




Analysis of Arrest and Convictions

There is the common believe that repeat offenders are the problem. However,

- 90% to 95% of impaired drivers in fatal crashes were without an DUI arrest in the prior three years.

33

Dr. Helmut Schneider, HSRG at LSU




Analysis of Arrest and Convictions

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- It takes on the average 27 thousand miles of impaired driving before being arrested.

34

Dr. Helmut Schneider, HSRG at LSU




Analysis of Arrest and Convictions

There is the common believe that repeat offenders are the problem. However,

- 90 to 95% of impaired drivers in fatal crashes were without an DUI arrest in the prior three years.
- It takes on the average 27 thousand miles of impaired driving before being arrested.
- If we put every repeat offender in prison for life we would have eliminated only 5% to 10% of the problem.

35

Dr. Helmut Schneider, HSRG at LSU




Recommendations

PTD or any court program should include:

36


Dr. Helmut Schneider, HSRG at LSU



Recommendations
PTD or any court program
should include:

1. Assessment of all DUI drivers by a professional


Dr. Helmut Schneider, HSRG at LSU 37



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2. Some form of treatment for those at risk


Dr. Helmut Schneider, HSRG at LSU 38



Recommendations
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should include:

1. Assessment of all DUI drivers by a professional
2. Some form of treatment for those at risk
3. A license sanction such as ignition interlock for as long as possible

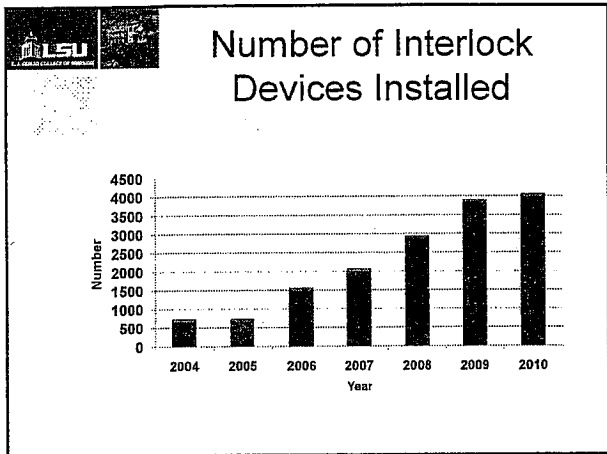
Dr. Helmut Schneider, HSRG at LSU 39



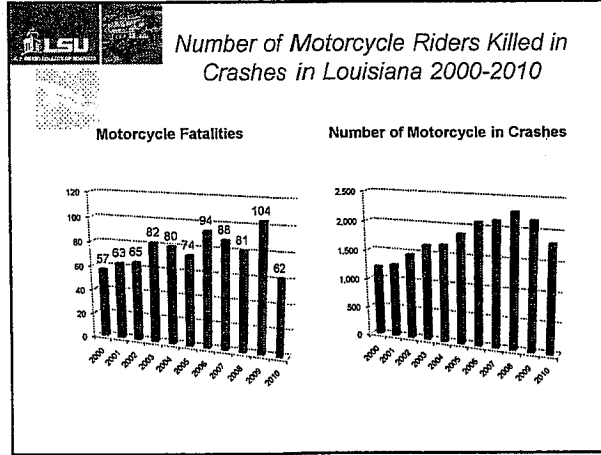
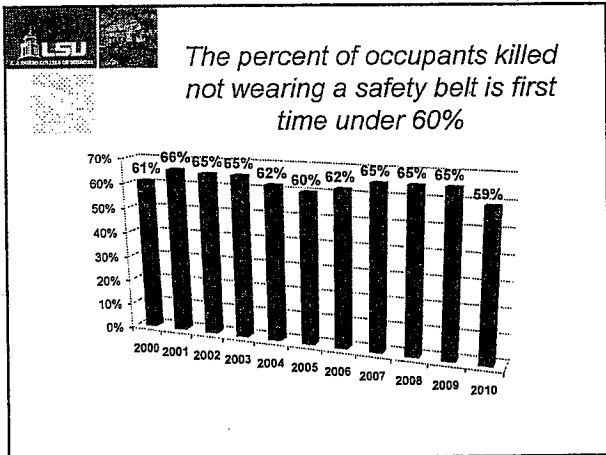
Recommendations
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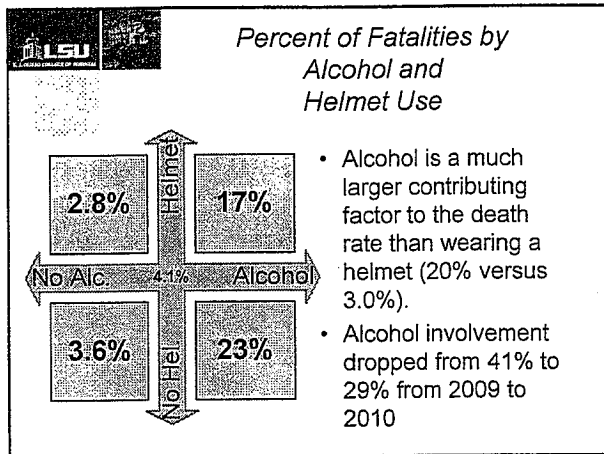
1. Assessment of all DUI drivers by a professional
2. Some form of treatment for those at risk
3. A license sanction such as ignition interlock for as long as possible
4. Strong public awareness campaign about the severity of sanctions to prevent drivers from drinking and driving

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Part 3 TREND IN OCCUPANT PROTECTION





Questions?

GRANT PROGRAMS

Louisiana Highway Safety Commission

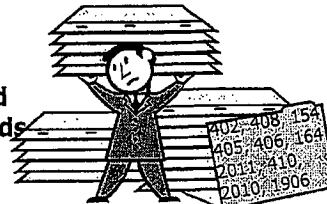
LHSC Commission Meeting
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Baton Rouge, LA

1

SAFETEA-LU Grant Programs

- Authorization continues to ~~Dec 31, 2010~~. Likely extension (extension is now thru 3/4/11)
- Waiting on FY11 Appropriations. Expect CR.
- \$50M Distracted Driving Grant Program proposed from 406

- 8 Grant Programs & 2 Transfer continue @ least thru 03/04/11
 - 402 – State & Community Hwy Safety
 - 408 – Data/Traffic Records –
 - 405 – OP Incentive
 - 406 – Safety Belt Performance
 - 410 – Impaired Driving Incentive
 - 1906 – Racial Profiling
 - 2010 – Motorcycle Safety – Apps Rec'd
 - 2011 – Booster Seat Incentive – Awards
 - 154 – Open Container
 - 164 – Repeat DWI Offender



Obligation Limitation

- Final Stage
- Occurs once the Appropriation is passed by Congress and the President signs
- NHTSA then applies the formula used to compute the Apportionment
- But this time it is used to determine the amount each state will actually receive
- Received partial oblim for period thru March 4, 2011.

3

Report on FFY 2011 Funds

Fund Description	Carryforward Estimated	Actual Carryforward	Difference
<i>Section 402 State and Community Highway Safety</i>	\$1,138,003.00	\$1,088,701.59	-\$49,301.41
<i>Section 402 FFY 2011 Funds (thru 3/4/2011)</i>		\$1,348,540.00	(\$3,310,809.52)
		\$2,437,241.59	\$3,360,628.00
			-49,818.48
<i>Section 405a (K2) Occupant Protection</i>	\$694,041.00	\$598,852.42	-\$95,188.58
<i>Section 406 Seatbelt Incentive</i>	\$275,603.00	\$265,739.75	-\$15,346.25
<i>Section 408 Traffic Records</i>	\$1,225,000.00	\$1,294,159.66	\$69,159.66

4

Report on FFY 2011 Funds

Fund Description	Carryforward Estimated	Actual Carryforward	Difference
Section 410 (K8) Alcohol Programmatic	\$3,197,141.00	\$2,888,904.70	-\$308,236.30
Section 410 (K8HV) High Visibility Enforcement	\$1,910,016.00	\$1,675,275.95	-\$234,740.05
Section 410 (K8FR) High Fatality Rate	\$2,368,988.00	\$1,919,489.84	-\$820,492.16
OVERESTIMATED FY 2010 NEW FUNDS	770,351.00		-\$1,363,468.51
UNDERESTIMATED FY 2010 EXPENDITURES	593,117.51		
New Section 410 Funds (September 2011)			\$3,779,421.00

5

Report on FFY 2011 Funds

Fund Description	Carryforward Estimated	Actual Carryforward	Difference
Section 154 Alcohol	\$1,397,824.25	\$1,404,448.75	\$6,624.50
Section 164 Alcohol	\$1,397,824.25	\$1,404,448.75	\$6,624.50
Awaiting Approval letter to provide FY 2011 funding	\$3,090,550.40		
For DWI Arrest Form Automation	\$2,520,000.00	Appropriation awarded thru 03/04/2011	\$6,000,000
For 154/164 Alcohol Projects	\$570,550.40		1,358,453.33

6

Report on FFY 2011 Funds

Fund Description		Actual Carryforward	New Funding
Section 154 Alcohol		34,156,468.06	\$2,869,796.80
Section 164 Alcohol		34,156,468.06	\$2,869,796.80
Anticipated @ current level	\$7,926,105.45		
TOTAL DOTD Transfer \$\$	\$81,978,635.17		

7

Summary

- Some funding for FFY 2011 was less than planned.
- We are currently still awaiting a Continuing Resolution to fully fund the commission thru September 30, 2011.
- The current CR leaves funding at it's current level including funds for Section 406. However this could change.

8

Total # of Fatal Crashes

Parish # of Fatal Crashes 2005 2006 2007 2008 2009 5 year Avg # of Fatal Crashes

Parish	2005	2006	2007	2008	2009	5 year Avg # of Fatal Crashes
EAST BATON ROUGE	52	51	56	46	46	50
CALCASIEU	40	60	37	44	38	44
ST TAMMANY	46	49	44	37	34	42
CADDO	42	37	45	32	35	38
JEFFERSON	35	51	45	31	28	38
LANGSTON	44	38	35	34	33	37
LAFAYETTE	32	36	38	36	26	34
ORLEANS	32	20	39	35	42	34
LIVINGSTON	29	29	25	40	21	29
TERRIBONNE	17	27	27	28	26	25
LAFOURCHE	20	26	25	30	17	24
ST LANDRY	21	27	24	15	21	22
RAPIDES	22	17	22	16	29	21
ASCENSION	20	26	22	20	17	21
OUACHITA	21	23	19	23	13	20
IBERIA	17	22	18	16	9	16
ACADIA	14	14	13	14	14	14
WEST BATON ROUGE	15	15	16	6	16	14
BOSSIER	13	13	15	16	9	13
ST JOHN THE BAPTIST	12	22	9	16	4	13
ST MARTIN	15	14	10	7	15	12
IBERVILLE	7	15	12	9	16	12
WASHINGTON	14	16	8	12	9	12
ST CHARLES	8	16	16	8	10	12
ST MARY	9	14	15	9	10	11
JEFFERSON DAVIS	11	12	12	15	5	11
NATCHITOCHE	6	7	15	10	16	11
LINCOLN	12	10	11	12	8	11
VERNON	12	6	12	13	10	11
VERMILION	9	13	14	7	8	10
AVOYELLES	17	10	10	7	5	10
POINTE COUPEE	14	7	10	7	10	10

Top 16 Parishes/Tier 1

Tier II

DESOTO	8	9	11	11	6	9
BEAUREGARD	13	7	6	9	9	9
EVANGELINE	9	9	4	8	8	8
ALLEN	12	7	6	10	1	7
WEBSTER	7	5	9	8	6	7
SABINE	8	8	9	5	4	7
ST. JAMES	7	7	7	9	4	7
MOREHOUSE	11	6	9	4	3	7
ST. HELENA	4	7	8	8	5	6
RICHLAND	13	7	5	4	2	6
UNION	8	3	6	7	6	6
ASSUMPTION	3	9	2	8	7	6
EAST FELICIANA	6	6	5	6	6	6
MADISON	11	4	6	4	3	6
PLAQUEMINES	8	7	5	5	3	6
BIENVILLE	4	7	5	5	5	5
GRANT	7	3	7	4	5	5
WINN	5	3	8	7	3	5
CAMERON	4	3	9	3	2	4
FRANKLIN	5	4	5	4	3	4
ST. BERNARD	6	4	5	3	3	4
CONCORDIA	4	2	6	7	1	4
CATAHOULA	3	3	5	4	4	4
RED RIVER	1	2	1	6	8	4
CLAIBORNE	3	5	7	2	0	3
JACKSON	6	1	2	5	3	3
CALDWELL	3	1	4	4	4	3
WEST FELICIANA	3	2	6	4	1	3
LASALLE	4	0	4	2	5	3
WEST CARROLL	3	0	2	2	4	2
EAST CARROLL	3	2	3	1	0	2
TENSAS	1	0	0	0	2	1
Statewide	871	886	896	820	726	840

Total # of Fatalities

Parish

of Fatalities

2005

2006

2007

2008

2009

5 Year Avg # of Fatalities

Top 16 Parishes/Tier 1

EAST BATON ROUGE	56	55	62	53	52	56
ST. TAMMANY	52	57	50	40	43	48
ORLANS	46	67	37	50	38	48
CADDO	46	38	53	34	39	42
TANGIPAHOLA	53	43	38	39	37	42
JEFFERSON	39	55	46	31	29	40
LAFAYETTE	38	44	39	41	30	38
ORLEANS	32	22	41	37	44	35
LIVINGSTON	32	30	31	43	22	32
TERREBONNE	19	28	34	29	32	28
LAFOURCHE	23	27	28	34	17	26
ST. LANDRY	23	29	28	16	25	24
ASCENSION	23	30	22	21	22	24
PAROISSE	24	19	23	20	22	24
OUACHITA	24	27	21	25	15	22
IBERIA	21	24	19	17	9	18
ACADIA	17	15	14	18	17	16
ST. JOHN THE BAPTIST	15	26	9	21	5	15
BOSSIER	14	14	17	17	10	14
ST. MARTIN	17	17	15	7	16	14
IBERVILLE	7	17	14	12	20	14
WEST BATON ROUGE	15	16	16	6	17	14
WASHINGTON	14	18	8	12	11	13
ST. CHARLES	8	18	17	8	11	12
VERNON	13	6	13	17	13	12
NATCHITOCHES	6	8	16	11	20	12
LINGOLN	14	12	11	14	9	12
JEFFERSON DAVIS	12	12	12	18	5	12
ST. MARY	9	14	15	9	12	12
BEAUREGARD	14	9	8	13	10	11
POINTE COUPEE	17	7	10	8	11	11
DESOTO	10	12	12	12	6	10

Tier II

VERMILION	9	14	14	7	8	10
AVOYELLES	18	10	11	7	5	10
ST. JAMES	7	10	9	12	6	9
EVANGELINE	10	10	5	9	8	8
ALLEN	13	10	6	11	1	8
WEBSTER	10	5	11	9	6	8
SABINE	8	9	10	5	6	8
ST. HELENA	4	9	8	9	6	7
RICHLAND	14	7	6	5	3	7
ASSUMPTION	3	11	2	9	9	7
MOREHOUSE	11	6	10	4	3	7
UNION	8	3	7	7	9	7
MADISON	11	4	10	5	3	7
EAST FELICIANA	6	6	5	6	7	6
WINN	5	3	9	9	4	6
BIENVILLE	4	7	6	6	6	6
PLAQUEMINES	8	7	5	5	4	6
GRANT	7	3	8	4	5	5
ST. BERNARD	6	5	6	5	3	5
CATAHOULA	3	3	8	5	5	5
FRANKLIN	7	4	5	4	4	5
CAMERON	4	3	11	3	2	5
CONCORDIA	4	2	6	8	1	4
CLAIBORNE	3	6	8	2	0	4
JACKSON	6	1	2	6	3	4
RED RIVER	1	2	1	6	8	4
LASALLE	4	0	5	2	6	3
WEST FELICIANA	3	2	7	4	1	3
CALDWELL	3	1	4	4	4	3
WEST CARROLL	3	0	2	3	4	2
EAST CARROLL	3	3	3	1	0	2
TENSAS	1	0	0	0	2	1
Statewide	960	982	989	915	821	933

Total # of Fatal and Injury Crashes

Total # of F&I

Parish

Crashes

2005

2006

2007

2008

2009

5 Year AVG
of F&I

Parish	2005	2006	2007	2008	2009	5 Year AVG of F&I
EAST BATON ROUGE	6430	6268	6164	6002	6097	6191
JEFFERSON	4208	4812	4866	4980	3641	4221
ORLEANS	4738	3563	3936	4533	4251	4204
CADDO	3424	3181	3095	3097	3072	3174
LAFAYETTE	2769	3068	3096	2864	2825	2924
CALCASIEU	2425	3226	2736	2598	2353	2808
ST. TAMMANY	2641	2066	1719	1667	1576	1814
RAPIDES	1694	1627	1600	1627	1578	1625
OUACHITA	1564	1596	1649	1577	1695	1616
TANGIPALOA	1534	1578	1535	1502	1237	1477
TERREBONNE	1053	1366	1422	1338	1220	1280
BOSSIER	1304	1216	1194	1195	1285	1239
IRMINGTON	1311	1242	1181	1093	1256	1217
ASCENSION	1017	1400	1205	1150	1205	1135
LAFORCHE	1006	1081	1107	963	847	1001
ST. LANDRY	980	962	966	867	885	932
IBERIA	862	821	817	787	739	805
ACADIA	642	620	673	615	587	627
ST. JOHN THE BAPTIST	666	701	557	558	516	600
VERMILION	603	608	639	505	542	579
ST. CHARLES	535	678	594	562	449	564
ST. MARTIN	542	554	522	517	568	541
ST. MARY	471	519	580	427	469	493
NATCHITOCHE	525	484	471	390	461	466
WEST BATON ROUGE	405	404	423	476	441	430
LINCOLN	431	388	456	411	396	416
AVOUELLES	396	360	416	374	404	390
JEFFERSON DAVIS	430	414	355	371	330	380
WASHINGTON	403	435	360	333	291	364
WEBSTER	382	336	328	342	350	348
IBERVILLE	314	325	393	353	339	345
VERNON	367	306	354	312	343	336

Top 16 Parishes/Tier I

Tier II

EVANGELINE	379	334	310	249	283	311
MOREHOUSE	308	262	294	289	230	277
BEAUREGARD	290	285	291	260	252	276
POINTE COUPEE	241	239	274	203	220	235
ST. JAMES	194	233	241	261	222	230
ST. BERNARD	375	6	240	238	245	221
DESOTO	161	199	251	233	246	218
ASSUMPTION	198	204	202	203	191	200
PLAQUEMINES	166	204	181	159	174	177
UNION	157	126	130	147	149	142
ALLEN	141	172	155	115	121	141
SABINE	138	145	126	113	119	128
CONCORDIA	131	113	109	116	97	113
GRANT	104	98	133	95	99	106
BIENVILLE	110	107	114	92	95	104
RICHLAND	109	92	110	92	86	98
LASALLE	78	91	123	90	73	91
WINN	123	80	98	78	70	90
CLAIBORNE	76	94	78	77	100	85
ST. HELENA	69	81	76	81	65	74
MADISON	78	68	50	80	81	71
CATAHOULA	65	69	66	73	62	67
CAMERON	76	56	78	59	50	64
RED RIVER	55	44	45	66	72	56
JACKSON	51	56	59	72	43	56
CALDWELL	69	51	58	46	54	56
WEST FELICIANA	31	33	72	66	75	55
EAST FELICIANA	54	50	42	57	48	50
WEST CARROLL	33	30	33	35	59	38
FRANKLIN	35	27	38	36	46	36
EAST CARROLL	38	36	30	24	45	35
TENSAS	11	18	16	22	14	16
Statewide	50313	49603	49032	47315	46034	48459.4

Total # of Alcohol-Related Fatal and Injury Crashes

Parish # of ALC F&I Crashes 2005 2006 2007 2008 2009 5 Year AVG of ALC F&I Crashes

Parish	2005	2006	2007	2008	2009	5 Year AVG of ALC F&I Crashes
EAST BATON ROUGE	369	395	374	324	339	369
CADDO	321	320	285	302	284	302
ORLEANS	320	247	282	327	306	300
CALCASIEU	315	303	254	273	243	278
JEFFERSON	246	296	288	282	239	270
LA VERGNE	227	248	274	270	256	255
ST. TAMMANY	187	218	212	199	160	195
TERRIBONNE	136	158	192	166	165	163
LAFOURCHE	128	143	150	142	155	144
ASCENSION	134	135	151	148	143	142
LIVINGSTON	144	143	145	127	133	138
LANGOIRAN	128	128	127	153	105	128
RAPIDES	149	131	118	124	137	126
OUACHITA	128	128	125	130	101	122
ST. LANDRY	124	116	118	116	108	116
IBERIA	109	107	106	103	83	102
VERMILION	100	100	106	86	86	96
BOSSIER	81	86	97	102	96	92
ST. MARTIN	93	94	80	84	80	86
ACADIA	77	72	98	83	83	83
ST. JOHN THE BAPTIST	84	86	65	67	52	71
ST. MARY	45	84	73	40	56	60
AVOUELLES	68	60	54	50	64	59
ST. CHARLES	49	71	65	61	45	58
NATCHITOCHE	64	48	63	44	54	55
WEST BATON ROUGE	42	49	56	54	47	50
JEFFERSON DAVIS	43	57	45	62	34	48
EVANGELINE	49	46	45	36	59	47
VERNON	49	29	58	45	48	46
WEBSTER	45	50	46	44	30	43
IBERVILLE	41	30	51	34	47	41
ASSUMPTION	34	39	39	32	36	36

Top 16 Parishes/Tier I

Tier II

LINCOLN	30	32	36	36	37	34
ST. JAMES	27	27	43	39	30	33
POINTE COUPEE	37	32	44	26	24	33
SABINE	27	39	35	24	29	31
BEAUREGARD	40	23	30	25	33	30
DESOTO	27	31	37	30	25	30
WASHINGTON	28	38	31	27	22	29
MOREHOUSE	20	24	29	25	30	26
ALLEN	26	38	12	19	30	25
UNION	26	18	19	21	28	22
ST. BERNARD	26	4	16	28	26	20
BIENVILLE	19	21	24	18	16	20
GRANT	16	19	23	16	17	18
PLAQUEMINES	22	22	19	12	16	18
WINN	26	14	19	14	15	18
CONCORDIA	8	18	20	25	15	17
ST. HELENA	15	21	11	18	15	16
CAMERON	10	15	15	10	18	14
CLAIBORNE	13	13	11	14	16	13
RICHLAND	11	10	16	15	14	13
LASALLE	12	10	19	9	9	12
CATAHOULA	11	10	8	10	14	11
MADISON	15	10	11	10	7	11
EAST FELICIANA	8	11	10	9	14	10
CALDWELL	16	8	9	7	10	10
JACKSON	10	8	12	11	7	10
RED RIVER	5	8	12	12	11	10
WEST CARROLL	4	7	8	7	21	9
WEST FELICIANA	8	3	15	11	8	9
FRANKLIN	6	7	7	7	14	8
EAST CARROLL	9	1	2	2	8	4
TENSAS	1	4	7	3	5	4
Statewide						

Total # of Motorcycle Fatalities

Parish	MC Fatalities	2005	2006	2007	2008	2009	5 YR AVG
JERFERRON		6	11	7	6	5	7
ORLEANS		2	12	8	6	14	6
EAST BATON ROUGE		5	6	5	3	10	6
ST TAMMANY		2	5	8	4	9	6
LAFAYETTE		4	6	5	8	5	6
CADDO		1	3	8	4	9	5
ONIGASIEU		5	3	3	6	6	5
EVINGSTON		5	6	4	4	3	4
TERREBONNE		3	2	4	4	5	4
LANGIPAHOLA		2	4	2	3	3	3
PARIBES		2	3	3	1	2	2
ASCENSION		2	2	2	3	2	2
ST LANDRY		3	1	2	2	3	2
IBERIA		2	3	4	0	1	2
WEST BATON ROUGE		1	5	1	1	2	2
OUACHITA		1	4	0	1	2	2
NATCHITOCHE		3	3	0	0	2	2
VERMILION		1	1	1	1	2	1
ST MARTIN		1	1	2	1	1	1
ST JOHN		0	3	1	2	0	1
LAFOURGHE		2	2	0	1	0	1
ST MARY		0	1	1	1	2	1
CLAIBORNE		0	4	0	1	0	1
BOSSIER		1	2	0	1	0	1
ACADIA		2	1	0	0	1	1
AVOYELLES		1	1	2	0	0	1
DE SOTO		1	0	0	3	0	1
PLAQUEMINES		3	0	1	0	0	1
WINN		1	1	0	1	1	1
ST CHARLES		1	0	1	1	0	1
VERNON		1	0	1	0	1	1
BEAUREGARD		1	0	0	1	1	1
ST BERNARD		0	0	2	0	1	1

Top 17 Parishes/Tier I

Tier II

Total # of Motorcycle Fatalities and Injuries

Parish	MC F&I	2005	2006	2007	2008	2009	5 YR AVG
EAST BATON ROUGE		140	144	169	202	163	164
ORLEANS		120	102	144	142	153	132
JEFFERSON		125	154	116	139	101	127
LAFAYETTE		109	119	118	142	143	126
CADDO		97	100	111	93	100	100
CALCASIEU		96	82	84	101	95	92
ST. TAMMANY		76	106	84	81	75	84
RAPIDES		47	76	69	78	70	68
TERRIBONNE		47	58	73	90	56	67
LIVINGSTON		74	49	55	81	67	65
BOSSIER		51	43	56	52	58	52
TANGIPAHOLA		37	71	50	52	42	50
ASCENSION		36	39	43	55	62	47
LAFOURCHE		40	45	54	48	37	45
OUACHITA		36	39	45	52	38	42
ST. LANDRY		24	32	37	28	33	31
IBERIA		21	32	23	36	27	28
ST. MARTIN		24	24	39	20	21	26
AGADIA		14	26	22	28	31	24
VERMILION		23	18	22	21	21	21
ST. CHARLES		18	23	22	18	20	20
ST. MARY		12	24	18	22	24	20
VERNON		25	19	22	13	17	19
NATCHITOGHES		19	21	21	18	13	18
ST. JOHN		9	29	20	16	16	18
JEFFERSON DAVIS		7	15	20	21	14	15
WASHINGTON		16	16	19	12	12	15
WEST BATON ROUGE		9	16	7	15	23	14
BEAUREGARD		15	14	13	14	13	14
LINCOLN		14	6	18	12	12	12
WEBSTER		22	11	4	10	14	12
ASSUMPTION		12	14	9	6	13	11

Top 16 Parishes/Tier I

Tier II

AVOYELLES	11	17	11	7	7	11
ST. BERNARD	18	0	11	11	9	10
ST. JAMES	6	13	7	7	16	10
GRANT	7	6	14	7	12	9
EVANGELINE	11	6	8	8	11	9
IBERVILLE	7	7	13	8	7	8
SABINE	12	4	7	4	12	8
PLAQUEMINES	6	6	11	5	4	6
POINTE COUPEE	7	8	2	8	7	6
ALLEN	6	2	4	7	10	6
DE SOTO	6	2	5	12	3	6
CONCORDIA	4	6	3	8	6	5
CAMERON	3	3	12	2	4	5
BIENVILLE	1	8	9	5	0	5
WINN	4	5	4	4	5	4
LASALLE	4	3	7	3		4
CLAIBORNE	1	4	3	6	6	4
UNION	7	3	3	3	3	4
MOREHOUSE	1	3	6	8	0	4
JACKSON	3	5	2	2	3	3
CATAHOULA	1	4	2	4	4	3
RICHLAND	4	1	3	1	5	3
ST. HELENA	3	3	3	0	4	3
CALDWELL	3	2	4	2	1	2
FRANKLIN	0	0	4	4	1	2
WEST FELICIANA	0	1	4	0	4	2
MADISON	3	1	0	2	3	2
RED RIVER	3	1	0	1	3	2
WEST CARROLL	0	0	1	2	3	1
EAST CARROLL	0	1	2	1	2	1
EAST FELICIANA	0	0	0	0	3	1
TENSAS	0	1	0	2	0	1

Total # of Motorcycle Fatal Crashes

Parish	MC Fatal Crashes					5 YR AVG
	2005	2006	2007	2008	2009	
EAST BATON ROUGE	52	51	56	74	116	83
JEFFERSON	35	51	45	111	89	66
LAFAYETTE	32	36	38	117	100	65
CADDO	42	37	45	88	82	59
ORLEANS	33	20	34	92	109	58
CALCASIEU	41	60	37	69	61	54
ST. TAMMANY	47	49	44	59	61	52
LIVINGSTON	29	29	25	62	51	39
TANGIPAHOGA	44	38	37	35	30	37
TERREBONNE	17	27	27	55	54	36
RAPIDES	22	17	22	60	48	34
ASSUMPTION	20	27	22	39	44	30
LAFOURCHE	20	26	25	47	31	30
BOSSIER	13	13	15	41	43	25
OUACHITA	21	23	19	34	27	25
ST. LANDRY	21	27	24	19	26	23
IBERIA	17	22	18	24	20	20
ACADIA	14	14	13	19	24	17
ST. MARTIN	16	15	11	17	20	16
VERMILION	9	13	14	17	19	14
ST. MARY	9	14	15	16	18	14
ST. JOHN	12	22	9	16	13	14
ST. CHARLES	8	16	16	17	14	14
WEST BATON ROUGE	15	15	16	8	12	13
VERNON	12	6	12	11	17	12
JEFFERSON DAVIS	11	12	13	12	10	12
WASHINGTON	14	17	8	6	9	11
LINCOLN	12	10	11	11	6	10
NATCHITOGHES	6	7	15	9	12	10
AVOUELLES	17	10	10	7	4	10
WEBSTER	7	5	9	12	12	9
BEAUREGARD	13	7	6	10	9	9

Top 16 Parishes/Tier I

Tier II

IBERVILLE	7	15	12	5	5	9
POINTE COUPEE	14	7	10	7	5	9
ALLEN	12	7	6	9	9	9
DE SOTO	8	9	11	8	3	8
EVANGELINE	9	9	4	6	8	7
ST. BERNARD	6	4	5	12	8	7
SABINE	8	8	9	2	8	7
ST. JAMES	7	7	7	3	10	7
GRANT	7	3	7	9	6	6
MOREHOUSE	11	6	9	4	0	6
RICHLAND	13	7	5	0	3	6
ASSUMPTION	3	9	2	4	9	5
CLAIBORNE	3	5	7	6	6	5
PLAQUEMINES	8	7	5	2	2	5
CONCORDIA	4	2	6	5	6	5
WINN	5	3	8	3	4	5
CAMERON	4	3	9	2	5	5
MADISON	11	4	6	0	1	4
UNION	8	4	6	0	3	4
BIENVILLE	4	7	5	5	0	4
ST. HELENA	4	7	8	0	1	4
EAST FELICIANA	6	6	5	0	2	4
CATAHOULA	3	3	5	4	3	4
FRANKLIN	5	4	5	2	0	3
LASALLE	4	0	4	4	0	3
WEST FELICIANA	3	2	6	0	4	3
JACKSON	6	1	2	2	2	3
CALDWELL	3	1	4	2	1	2
EAST CARROLL	3	2	3	1	2	2
WEST CARROLL	3	0	2	2	2	2
RED RIVER	1	2	1	1	1	1
TENSAS	1	0	0	2	0	1

Total # of Alcohol-Related Motorcycle Fatalities

Parish MC AR Fatalities 2005 2006 2007 2008 2009 5 YR AVG

Top 18 Parishes

Parish	2005	2006	2007	2008	2009	5 YR AVG
JEFFERSON	3	6	5	3	3	4
LAFAYETTE	3	4	3	7	3	4
ORLEANS	2	4	4	2	7	3
ST. TAMMANY	0	2	3	0	6	2
TENNESSEE	1	2	4	1	3	2
WINGSTON	2	1	1	2	3	2
EASTBATONROUGE	2	3	0	1	1	1
CADDO	0	2	4	1	0	1
CALCASIEU	2	0	2	0	3	1
ASCENSION	1	1	0	1	2	1
RAPIDES	1	0	1	1	1	1
IBERIA	1	0	3	0	0	1
WESTBATONROUGE	0	3	0	1	0	1
ST. LANDRY	2	0	1	0	0	1
ST. MARTIN	0	0	1	1	1	1
ST. JOHN	0	2	0	1	0	1
AVOYELLES	1	0	2	0	0	1
SABINE	2	1	0	0	0	1
TANGIPAHOA	0	0	0	0	2	0
BOSSIER	0	1	0	1	0	0
VERMILION	0	0	1	0	1	0
PLAQUEMINES	2	0	0	0	0	0
ALLEN	0	0	0	2	0	0
ASSUMPTION	0	0	0	0	2	0
WINN	0	0	0	1	1	0
OUACHITA	0	1	0	0	0	0
LAFOURCHE	0	0	0	1	0	0
ST. MARY	0	0	1	0	0	0
BEAUREGARD	0	0	0	0	1	0
NATCHITOCHE	1	0	0	0	0	0
EVANGELINE	0	0	1	0	0	0

Total # of Unbelted Fatalities

PARISH	2005 #	2006	2007	2008	2009	5 year AVG
EAST BATON ROUGE	39	35	32	37	31	35
CADDO	28	25	33	27	28	28
ST TAMMANN	22	37	34	22	25	28
TANGIPAHOA	27	37	27	27	21	28
CALCASIEU	29	41	22	26	13	26
JEFFERSON	23	32	30	23	19	25
LAFAYETTE	23	33	22	27	12	23
ORLEANS	21	15	26	14	38	23
LIVINGSTON	16	21	19	24	17	20
RAPIDES	22	10	19	14	21	17
TERREBONNE	7	21	18	18	13	15
ST LANDRY	6	26	22	10	13	15
ASSUMPTION	18	15	13	14	15	15
OUACHITA	18	15	13	16	5	13
IBERIA	12	19	12	9	9	12
LAFOURCHE	9	13	14	14	9	12
ST MARTIN	14	8	9	5	14	10
NATCHITOGES	3	6	13	11	16	10
WEST BATON ROUGE	7	9	13	4	11	9
ST JOHN	10	12	5	14	3	9
AVOYELLES	13	8	9	5	5	8
ACADIA	2	10	10	8	9	8
POINTE COUPEE	9	7	4	8	9	8
BOSSIER	8	6	9	13	0	7
ST MARY	0	11	12	9	5	7
JEFFERSON DAVIS	9	8	9	8	3	7
IBERVILLE	0	4	10	6	14	7
BEAUREGARD	6	5	4	9	10	7
LINCOLN	5	5	6	9	7	7
WASHINGTON	4	10	5	9	6	7
VERMILION	7	4	10	4	8	7
VERNON	4	4	10	10	6	7

Top 16 Parishes/Tier I

Tier II

ST CHARLES	5	8	10	3	7	7
EVANGELINE	3	8	5	7	6	6
DE SOTO	6	3	9	3	6	6
WINN	5	3	6	9	4	5
ALLEN	9	4	5	8	1	5
ST HELENA	2	9	5	9	2	5
RICHLAND	14	7	0	3	3	5
SABINE	8	5	6	3	3	5
ST JAMES	5	5	5	6	4	5
GRANT	5	3	6	4	5	5
WEBSTER	5	4	5	4	4	4
UNION	8	1	6	3	3	4
BIENVILLE	3	5	6	3	3	4
FRANKLIN	4	2	5	4	4	4
ASSUMPTION	3	8	1	3	5	4
MADISON	9	2	3	3	1	4
PLAQUEMINES	8	4	3	3	0	3
ST BERNARD	6	3	3	5	0	3
EAST FELICIANA	5	2	2	3	6	3
CAMERON	4	3	6	2	0	3
CONCORDIA	2	1	6	4	1	3
CALDWELL	2	0	4	4	4	3
CATAHOULA	3	2	3	0	5	3
JACKSON	6	1	2	4	0	3
LASALLE	3	0	5	2	3	3
RED RIVER	0	1	1	3	8	3
MOREHOUSE	4	2	6	0	2	2
WEST CARROLL	2	0	1	3	4	2
EAST CARROLL	3	3	3	1	0	2
WEST FELICIANA	2	0	4	2	1	2
CLAIBORNE	0	0	3	2	0	1
TENSAS	0	0	0	0	2	0

Adult Safety Belt Observed Usage Rates

2010
5 YR AVG
(2006-2010)

Adult Safety Belt Usage (All Vehicles and All Locations)									
Region	2006	2007	2008	2009	2010				
1-New Orleans	71%	73%	73%	74%	73%	Below State		73%	Below State AVG
2-Baton Rouge	74%	76%	76%	75%	78%			76%	
3-Houma	79%	78%	78%	76%	77%			78%	
4-Lafayette	78%	79%	79%	76%	77%			78%	
5-Lake Charles	73%	71%	71%	77%	74%	Below State		73%	Below State AVG
6-Alexandria	71%	73%	73%	77%	72%	Below State		73%	Below State AVG
7-Shreveport	78%	76%	76%	72%	79%			76%	
8-Monroe	73%	72%	72%	71%	75%	Below State		73%	Below State AVG
Louisiana	75%	75%	75%	75%	76%			75%	

Source: SB Surveys - Applied Technology Research

INTERAGENCY MEMORANDUM

TO: KEN TRULL (LHSC)
FROM: BRANDEE KETCHUM (DPS OLA)
RE: CONTRACT REQUIREMENTS
DATE: February 2, 2011

Ken, you asked that I review the state contract requirements, in comparison with the various grant programs administered by LHSC, to determine whether the LHSC can engage in multi-year contract arrangement with various sub-grantees (that are not contracts accompanying requests for proposals). Specifically, the LHSC would like to engage in two-year contracts with its local government/political subdivision subgrantees.

Broadly, a breakdown of required approvals / contract lengths follows;

- **Under \$50,000 (with any subgrantee, regardless of classification):** Approval from the OCR not needed; multi-year contracts okay for up to three years.
- **Over \$50,000 (with subgrantees which are non-state, local governmental entities/political subdivisions that do not provide social services):** Approval from the OCR not needed; multi-year contracts okay for up to three years.
- **Over \$50,000 (with non-profits/social services groups that are not local governments/political subdivisions or political subdivisions also providing social services):** Approval from the OCR needed; approval needed for extension of contracts in excess of one year.

A. Contracts under \$50,000

The LHSC has delegated authority, under R.S. 39:1488¹, to administer federal subgrants with law enforcement agencies, state agencies, advocate organizations, etc., up to \$50,000, without the direct approval of the Office of Contractual Review (OCR). The form requirements for

¹ La. R.S. §39:1488.

Appointment of assistants and other employees, and delegation of authority by the director of contractual review

The director of the Office of Contractual Review may employ and supervise such assistants and other persons as he determines are necessary to discharge his duties, may fix their compensation, and may delegate such of his authority to such assistants, or to any department, agency, or official as the director deems appropriate, within the applicable provisions of state law and regulations.

contracts, as listed in the Administrative Code, Title 34 (Government Contracts, Procurement and Property Control), are required to be followed in all cases, whether or not prior approval of the contract itself is required. These contracts cannot be for a period over three years, and automatic renewal is not allowed beyond a three year period.² Attached is the memorandum between the OCR and the LHSC, establishing the conditions under which this delegated authority remains in place. In other words, the LHSC may administer these contracts upon its own approval, without waiting for approval from the OCR. However, for contracts extended across fiscal years, a funding-out clause must be included.

B. Contracts over \$50,000 with state subgrantees and non-local-government advocate groups or non-profits; or political subdivisions providing social services

These contracts (for example, 2011-20-06 – Interim LSU Public and 2011-20-08 – Think First or the MADD Louisiana Victim Impact Panel & Court Monitoring Program) require prior approval from the OCR. In general, Title 34 requires such contracts should be for a term no longer than one year, although the OCR may approve contracts with terms up to three years. Prior approval for an extended term, beyond one year, is thus required. In order to receive that approval, all the information required on the DSCS Contract Review Form is required (available at: <http://www.civilservice.la.gov/PROGASST/contracts/contractinformation.asp>). This civil service form is filled out by OCR and submitted to Civil Service for approval prior to submittal of the contract to OCR. The contract contents must contain:

- description of the work to be performed and objectives to be met;
- amount and time of payments to be made;
- description of reports or other deliverables to be received, when applicable;
- date of reports or other deliverables to be received, when applicable;
- responsibility for payment of taxes, when applicable;
- circumstances under which the contract can be terminated either with or without cause;
- remedies for default; and
- a statement giving the legislative auditor the authority to audit records of the individual(s) or firm(s).³

A checklist for the appropriate contract contents is available at the OCR website (<http://doa.louisiana.gov/OCR/checklis.htm>). When the contract includes travel, the provisions of L.A.C. §34:109(C) & (D) apply. Because these contracts are paid for by federal funds (in full or in part), all federal standards and guidelines are to be followed, including any mandatory contractual clauses required by federal statute. The LHSC bears the burden of federal compliance.⁴ For these contracts, if the LHSC would care to amend the contracts, and the amendment includes extending a contract beyond one year, justification for the extension must

² L.A.C. §34:121(E)(4).

³ La. R.S. §39:1498.1.

⁴ L.A.C. §34:109(B).

be submitted.⁵ For contracts that extend across fiscal years, a funding-out clause must be included. Contracts between the LHSC and political subdivisions for *social services* also come into this category. "Social service" is defined as:

Work rendered by a person, firm, corporation, organization, governmental body, or governmental entity in furtherance of the general welfare of the citizens of Louisiana, including by not limited to the following objectives:

- Rehabilitation and health support;
- Habitation and socialization;
- Protection for adults and children;
- Improvement of living conditions and health; or
- Evaluation, testing, and remedial educational services for learning disabled students.⁶

Applicable to the LHSC is "rehabilitation and health support", which services are rendered by a contractor with special knowledge to assist individuals to attain or maintain physical and/or mental health, including, but not limited to, **alcohol or drug abuse training and treatment.**⁷ In other words, LHSC grants to subgrantees who are political subdivisions/local governments but provide rehabilitation and health support social services, require prior approval from the OCR when those contracts involve sums over \$50,000. These may include Project No. 2011-70-07-South Central Safe Community, for example. I am unfamiliar with the nature of the organization; but from name alone, this may fall into the political subdivision/social service provider category. For such social service contracts over \$50,000, awards shall be given without competitive bidding or negotiation upon approval of the OCR under the conditions stated in La. R.S. §39:1494.1.⁸ Because the contracts are likely to generally involve the LHSC

⁵ L.A.C. §34:112.

⁶ L.A.C. §34:103(5).

⁷ L.A.C. §34:103(5)(a).

⁸ §1494.1. **Social service contracts**

A. Contracts for social services may be awarded without the necessity of competitive bidding or competitive negotiation only if the director of the office of contractual review determines that any one of the following conditions is present. The using agency shall document the condition present and such documentation shall be part of the contract record submitted to the office of contractual review.

(1) The services are available only from a single source (sole source). Sole source procurement shall be determined by the director of the office of contractual review. A contract shall also be considered as sole source if a request for proposals is issued in accordance with R.S. 39:1503 and only one or no proposals are received.

(2) The state legislature has made an appropriation for that particular contractor or contractors via the appropriation bill or other statutes.

(3) A quasi-public and/or nonprofit corporation, such as a parish voluntary council on aging, an area agency on aging, an association of retarded citizens or equivalent, an organization serving children, youth, and/or families, or an organization promoting independence from public

and "another governmental body", competitive bidding will generally not be required, in accordance with La. R.S. §39:1794.1(8).

Following the successful completion of performance under the contract, a final report is required within 60 days, evaluating the contract performance and the utility of the final product or service, in accordance with La. R.S. §39:1500.

For contracts that require approval from OCR, the following documents are required to be submitted with the contract:

- A justification for multi-year contracts (where appropriate);
- Cover letter requesting approval for the contract;
- A certification letter, signed by the Executive Director; and
- A BA-22.

These forms are available in sample form on the OCR website (<http://doa.louisiana.gov/OCR/Formsformats.htm>). Reporting guidelines and samples are also available.

When submitting a contract for review and approval, the LHSC should submit the original and two copies of the contract to the OCR prior to the effective date (or with a letter justifying the

assistance has been established in coordination with the state to provide the particular service involved in the contract.

(4) Local matching funds of greater than ten percent of the contract amount are required to be contributed by the contractor. Such matching funds may be in the form of cash, certified expenditures or in-kind contributions, where applicable to the funding source.

(5) The nature of the services being provided necessitates that a continuity of contractors be maintained as in but not limited to therapeutic and crisis support to clients and employment and training programs.

(6) An emergency exists which will not permit the delay in procurement necessitated by the request for proposal procedure given in R.S. 39:1503. Such emergency shall be determined by the director of the office of contractual review.

(7) The total contract amount is less than two hundred fifty thousand dollars per twelve-month period. Service requirements shall not be artificially divided so as to exempt contracts from the request for proposal process.

(8) The contract is with another governmental entity or governmental body.

(9) Funds are specifically designated by the federal government for a particular private or public contractor or political subdivision.

(10) The contract is with a social service contractor who supplies services under a contract in existence as of November 30, 1985, as long as such contractor continues to supply substantially the same services and the using agency certifies:

(a) The services are satisfactory.

(b) They intend to continue contracting with that contractor.

B. If none of the conditions given in R.S. 39:1494.1(A) are determined by the director of the office of contractual review to be present in a contract for social service, then that contract shall be awarded through a request for proposal process in accordance with R.S. 39:1503 under rules and regulations issued by the office of contractual review.

delay if after the effective date, if the contract is submitted 60 days after the start date). If the contractor is a corporation, whether profit or non-profit, a Board resolution must be submitted from the corporation's Board of Directors authorizing the signature for the corporation. If the corporation is not publicly traded, a properly filed disclosure of ownership (from the Secretary of State's office), should be submitted with the contract.

C. Contracts over \$50,000 with non-state, local government (non-social service) subgrantees

These contracts (for example, Project No. 2011-30-20 – Alexandria PD and 2011-30-97 – Zachary PD) are exempt from the requirements of the prior approval requirements of Title 34, as they are not among the categories of regulated contractual services.⁹ However, the general Title 34 regulations apply. For already existing contracts which the LHSC would like to extend beyond a one-year period, such extension can be accomplished by amending the current contract's end date (up to a period of three years).

⁹ La. R.S. §39:1482(A)(2).

Application of Chapter (Procurement of Services)

However, this Chapter shall not apply to the following procurements:
(2) Grants or contracts or like business agreements between the state and its political subdivisions or other governmental entities, . . . except this Chapter shall apply to interagency contracts as defined in R.S. 39:1490(C), and to contracts between the state and its political subdivisions to procure social services.



State of Louisiana
DIVISION OF ADMINISTRATION

OFFICE OF CONTRACTUAL REVIEW

M. J. "MIKE" FOSTER, JR.
GOVERNOR

MARK C. DRENNEN
COMMISSIONER OF ADMINISTRATION

September 24, 2001

Mr. James E. Champagne
Executive Director
Governor's Highway Safety Representative
Department of Public Safety & Corrections
P.O. Box 66336
Baton Rouge, LA 70896

Dear Mr. Champagne:

RE: Delegation of Authority Under R.S.39:1488

I have received your request of August 14, 2001 to be granted special delegation of authority under R.S.39:1488 to approve federal subgrants entered into by the Louisiana Highway Safety Commission with law enforcement agencies, state agencies, safety advocate organizations, etc.

This letter will serve as your authorization to approve these contracts up to \$50,000 under the authority granted to me under La.R.S.39:1488 and this delegation includes the power to make determinations under R.S.39:1497 and 1498 for these contracts provided the following procedures are followed:

1. No changes to the approved contract format submitted to me may be made in order for this delegation to remain in effect. Any changes made to the approved contract format by either your agency or the contractor will require OCR's approval of the contract.
2. You must continue to follow all statutory and regulatory requirements.
3. There must be a contract monitor and a contract monitoring plan in place and completed contract performance reports must be sent to the Office of Contract Review within 60 days after completion of performance.
4. Contracts must be approved by the Executive Director unless a designee is submitted in writing and approved by this office.

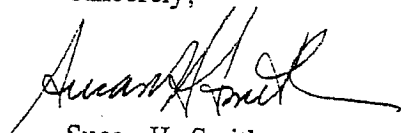
Mr. James E. Champagne
September 24, 2001
Page 2

5. For contract tracking purposes, these contracts **MUST** be entered into the CFMS system as "OTH" document type.
6. Any contracts approved under this special delegation must be reported quarterly separate from the quarterly report for small purchases and must include date approved, contractors name, services performed and amount of compensation.
7. This authority does not include amendments to existing contracts which have been approved by OCR.
8. You may not use this delegation of authority to seek additional staff or level of staff from the Department of Civil Service.

You must notify me immediately if there is a change in staff responsible for handling contracts as this delegation is partially a result of past contract performance and your staff's knowledge of the contract process. This delegation may be rescinded at any time with or without cause.

If you have any questions regarding this matter, please contact me.

Sincerely,



Susan H. Smith
Director

SHS/da



Department of Public Safety and Corrections
Public Safety Services

M. J. "MIKE" FOSTER, JR.
GOVERNOR

JAMES E. CHAMPAGNE
EXECUTIVE DIRECTOR

August 14, 2001

Ms. Susan Smith
Office of Contractual Review
P. O. Box 94095
State Capitol Annex
Baton Rouge, LA 70804-9095

Dear Ms. Smith:

As the Governor's Representative for Highway Safety, I administer hundreds of federal grants awarded by the Louisiana Highway Safety Commission to law enforcement agencies, state agencies, safety advocate organizations, etc. The vast majority of these grants do not exceed \$50,000 in federal funds.

In an effort to remedy the delays associated with the awarding of hundreds of contracts, I am asking that you consider granting to me a special delegation of authority under R.S.39:1488 to approve federal grants (contracts) up to \$50,000.

Employees of the Louisiana Highway Safety Commission with responsibility for handling contracts have many years of experience in negotiating and processing contracts. As a result of their expertise, I feel my request is worthy of your consideration.

Should the delegation of authority be approved, I will abide by whatever procedures you direct.

Sincerely,

A handwritten signature in cursive script that reads "James E. Champagne".

James E. Champagne
Executive Director
Governor's Highway Safety Representative

JEC:vls

Attachment 5




**LOUISIANA HIGHWAY SAFETY
COMMISSION**

Jamie Ainsworth

225-925-6998

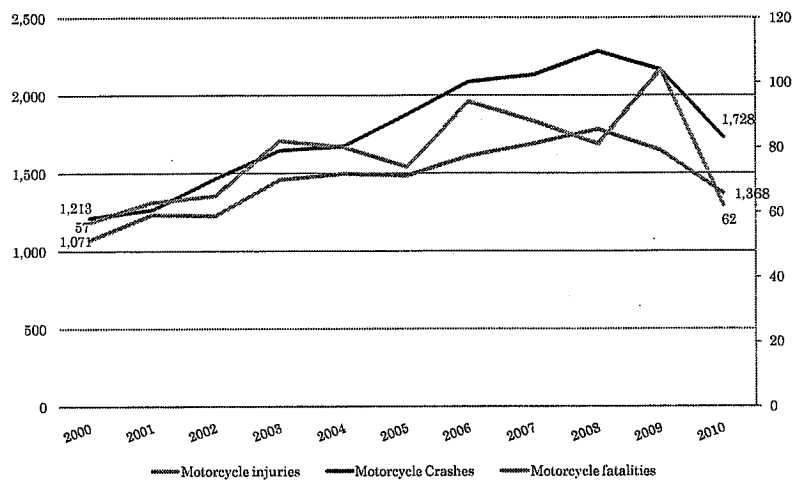
Jamie.ainsworth@dps.la.gov

HISTORY

- 1968 Louisiana adopts motorcycle helmet law for all riders
 - 1976 Law is amended to require use only by riders younger than 18
 - 1982 state reinstates universal helmet law
 - 1999 Law Amended to allow riders 18 and older to ride without a helmet, but requires \$10,000 or more in medical insurance is required.
 - 2004 state reinstates universal helmet law
- 

TRENDS (FATALITY, INJURY AND CRASHES)

o 62 fatalities (decrease of 40% from 104 in 2009)



2010 DATA

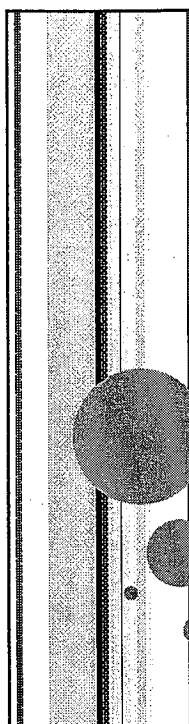
- o 146,546 motorcycle registrations
- o 139,275 motorcycle endorsements
- o 95% endorsement compliance (assuming 1 bike/ endorsement)
- o 40% of fatalities involve a motor vehicle
- o 30% of motorcycle fatalities involve alcohol

CURRENT PROGRAMS

- Federal Funds specific to motorcycle Section 2010
- Motorcycle Safety and Operator Training program
 - Moved to DPS in September 2009
 - 6 locations in Zachary, Hammond, Thibodaux, Lafayette, Lake Charles, and West Monroe (+2 New Orleans and Shreveport)
 - \$25 course fee and \$75 bike rental
- Motorcycle Awareness Campaign (MAC)
 - 8 Local chapters in Baton Rouge, New Orleans, Slidell, Hammond, Lafayette, Lake Charles, DeRidder, and Thibodaux (+1 Alexandria)

GOAL OF SELF SUFFICIENCY

- Section 2010 funds are specific, but may end with the new reauthorization
 - DPS program receives course fees and \$5 of the \$8 endorsement fee
 - MAC receives membership dues and a 100% of MAC plates

A decorative vertical bar on the left side of the card, featuring a textured grey background with a thin black line. To the right of this bar are several overlapping circles of varying sizes, with the largest one at the top and smaller ones below it.

**LOUISIANA HIGHWAY SAFETY
COMMISSION**

Jamie Ainsworth
225-925-6998
Jamie.ainsworth@dps.la.gov

<http://www.lahighwaysafety.org/motorcycle.html>



State of Louisiana
Department of Public Safety and Corrections
Louisiana Highway Safety Commission

Date: February 22, 2011
To: Louisiana Highway Safety Commission Members
From: Lt. Col. John A. LeBlanc
Subject: Update on Automated DWI Arrest Project

The goal of this project is to enable police officers in Louisiana to prepare DWI arrest reports in a web-based environment on vehicle laptop computers, electronically transmitting these reports to supervisors for review, and then to a central data base, the booking desk of the local jail, the District Attorney or City Prosecutor, the Office of Motor Vehicles, and ultimately the Division of Administrative Law. This will result in a more efficient, cost-saving and timely process. A pilot with two or three selected District Attorneys will constitute the initial phase of this project, followed by full implementation around the state over the next 3 years.

There are currently no Legislative roadblocks present to implement this project.

It is anticipated that the annual savings in paper processing to law enforcement in the state will be approximately \$750,000. This does not include the cost of postage and other means of distribution, nor does it include the savings accrued by the prosecution. Through increased efficiency, an estimated 25 man-years of officer time annually will be saved, thereby allowing these officers to be back on the street providing public protection.

Partners and stakeholders in this project include the DPS Information Services Section, Office of Motor Vehicles, DOTD, Louisiana District Attorneys Association, Police Chiefs and Sheriffs Associations and the Division of Administrative Law. Additionally, the project has the support of the Governor's DWI Task Force.

Funding for this system is entirely federal, with no state hard match required. Six million dollars of Section 23 USC 154/164 funds (See explanation below), which are received annually by Louisiana, is being set aside through an agreement between the Louisiana Highway Safety Commission and Louisiana DOTD. There will be no cost whatsoever to prosecutors or police. This funding is expected to cover the initial programming, licensing for all participating agencies and a maintenance contract for at least three to four years following implementation. These figures were included in Highway Safety's 2011-2012 budget request.

A draft RFP for the software development has been finalized, and is currently being reviewed by our partners at DOTD. The RFP should be forwarded to the Division of Administration within a few weeks.

Explanation of 154/164 Transfer Funds

According to the Section 154 and 164 legislation and interim regulations, any State that did not enact and enforce a conforming open container and repeat intoxicated driver law would be subject to a transfer of funds. The State of Louisiana did not meet the statutory requirements of either program on October 1, 2000 or October 1, 2001, therefore an amount equal to one and one-half percent of the funds apportioned to the State on those those dates under each of Sections 104(b)(1), (b)(3) and (b)(4) of title 23 of the United States Code was transferred to the State's apportionment under Section 402 of that title *for each of the non-complying program*. Since the State did not meet the statutory requirements on October 1, 2002, an amount equal to three percent of the funds apportioned to the State on that date under Sections 104(b)(1), (b)(3) and (b)(4) is transferred *for each of the non-complying programs*. An amount equal to three percent will continue to be transferred on October 1 of each subsequent fiscal year if the State does not meet the requirements on those dates.

The Governor's Representative for Highway Safety and the Secretary of the State's Department of Transportation identify jointly, in writing, to the appropriate NHTSA Regional Administrator and FHWA Division Administrator, how the funds will be programmed among alcohol-impaired driving programs, hazard elimination programs, and planning and administration costs (P&A), no later than 60 days after the funds are transferred.

THE LOUISIANA HIGHWAY SAFETY COMMISSION

Law Enforcement

Statistical Tracking

System

This statistical tracking data base will allow the Louisiana Highway Safety Commission (LHSC) to report timely and accurate data to the National Highway Traffic Safety Administration (NHTSA) as well as allow the LHSC to track each agency progress

Three (3) LHSC/NHTSA OP enforcement waves

- ❖ November 14-30, 2010 (Thanksgiving – Adults)
- ❖ May 15-31, 2011 (Memorial Day – Adults)
- ❖ September 2011 (Child Passenger Safety)

Five (5) LHSC/NHTSA DWI enforcement waves

- ❖ December 19, 2010 – January 4, 2011
(Christmas/New Year's Day)
- ❖ February 27 to March 8, 2011 (Mardi Gras)
- ❖ April 1-30, 2011 (Underage Drinking Month)
- ❖ July 1-4, 2011 (Independence Day)
- ❖ August 21 – September 5, 2011 (Labor Day)

Occupant Protection Statistics

Number of:

- OP overtime enforcement hours
- OP citations issued on non OT
- OP non OT citations issued
- Child passenger citations on OT
- OP non OT child citations
- Wave OT hours
- Citations issued during wave
- OP checkpoints conducted
- Non OT OP checkpoints conducted
- Total citations issued

Month	OT OT Hours Worked	OP Citations Issued on Non OT	OP Citations Issued on OT	Child Passenger Citations on OT	OT Non Child Citations	Special Vehicle Hours Worked	Special Vehicle Citations Issued on OT	Special Ops Hours Worked	Citations on Special Wave OT	# OP Checkpoints Conducted	# Non-OT Checkpoints Conducted	Grand Total Citations
January 2011	10	15	5	5	10	0	0	0	0	2	20	35
February 2011	10	15	5	5	10	0	0	0	0	2	20	35
November 2010	5	5	5	5	5	0	0	5	5	5	5	25
Total	30	45	20	20	35	0	0	5	10	9	28	60

Speeding Statistics

Number of:

- Speeding overtime enforcement hours
- Speed citations issued
- Other moving violations
- Speed violations issued on non-overtime
- Total citations issued

Report Period	Agency Name	Speed OT Hours	Speed Citations Issued	Number of Other Moving Violations	Speed Citations Issued Non OT	Grand Total Citations Issued
January 2011	Alexandria PD	5	5	69	3	82
November 2010	16812	5	10	13	20	48
		10	15	84	23	122

Red Light Running Statistics

Number of:

- Red light running overtime hours worked
- Red light citations issued
- Red light citations issued on non-overtime
- Other citations
- Total citations issued

Report Period	Agency Name	Red Light Overtime Hours	Red Light Citations Issued	Red Light Citations Issued Non-Overtime	Other Citations	Grand Total Citations
January 2011	Alexandria PD	155	5	8	52	65
November 2010	IR12	5	5	10	5	20
		160	10	18	57	85

Motorcycle Statistics

Number of

- Motorcycle overtime hours worked
- Motorcycle citations issued
- Motorcycle checkpoints conducted

Report Period	Agency Name	Motorcycle Overtime Hours	Motorcycle Citations Issued	Motorcycle Checkpoints Conducted
January 2011	Alexandria PD	32	8	45
November 2010	Islet 2	5	13	15
		5	13	15
		57	13	60

Juvenile Underage Drinking Enforcement (JUDE)

Number of

- Overtime JUDE overtime hours
- JUDE arrest/citations on overtime
- JUDE arrest/citations a non overtime
- Total citations issued

Report Period	Agency Name	JUDE Overtime Hours	JUDE Arrest/Citations on Overtime	JUDE Arrest/Citations a Non Overtime	Reported Arrest/Citations Issued
January 2011	Alexandria PD	3	8	5	13
November 2010	Unit 2	3	5	5	10
		5	13	10	23

Louisiana Highway Safety Commission

Alcohol Information and Occupant Protection Statistics Database

[Click here to view and enter Agency Stats](#)

Agency

Information

Agency Name

Contract Number

Number of hours contracted for

Occupant Protection
Speed

Red Light Running
Motorcycle

Impaired Driving

Juvenile Underage

Drinking Enforcement
(JUDE)

Agency Name	GEMS Number	Contract Num.	OP Hours	Speed Hours	Red Light Hours	Motorcycle Hours	Impaired Driving Hours	JUDE Hours
Alexandria PD	680602	2011-30-20	Yes	Yes	Yes	Yes	Yes	Yes
Allen Parish SO	693296	2011-30-21	No	No	No	No	No	No
Ascension Parish SO	693181	2011-30-22	No	No	No	No	No	No
Baker PD	693182	2011-30-23	Yes	No	No	No	Yes	No
Bastrop PD	693183	2011-30-24	No	No	No	No	No	No
Bayou Rouge PD	693185	2011-30-25	Yes	Yes	Yes	Yes	Yes	Yes
Beauregard Parish SO	693309	2011-30-26	No	No	No	No	No	No
Bogalusa PD	693329	2011-30-27	No	No	No	No	No	No
Bossier PD	693187	2011-30-28	No	No	No	No	No	No

On-Line Tracking System

LOUISIANA HIGHWAY SAFETY COMMISSION MONTHLY REPORTING



Agency Name:
tes/2

CPMS Number: 1234
 Contract Number: 1234
 Contract Number2: 22222222
 Contract Number3: 33333333

Report Month: November
 Report Year: 2010

Claim Number: 1

Impaired Driving: Yes

Alcohol Information

Impaired Driving OT Hours Worked: 5	Impaired Driving Arrests on Overtime: 5	Impaired Driving Arrests Non Overtime: 5
Special DWI Enforcement Dates: None		Impaired Driving Overtime Checkpoints: 5
Number of Vehicles Observed at Checkpoints: 5	Impaired Driving Non Overtime Checkpoints Conducted: 5	Number of SFST's Conducted: 5
Total Impaired Driving Contacts during Overtime: 5	Total Number of Other Moving Violations: 5	

On-Line Tracking System

JUDE (Juvenile Underage Drinking) Hours: Yes

JUDE OT Hours Worked: 5	JUDE Arrest/Citations on OT: 5	JUDE Arrest/Citations Non OT: 5
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OCCUPANT PROTECTION

Occupant Protection: Yes

OP OT Enforcement Hours Worked: 5	OP OT Citations Issued: 5	OP Non OT Citations Issued: 5
Child Passenger Citations Issued on OT: 5		OP Non OT Child Passenger Citations: 5
Special Ware Dates: November 14, 2010 thru November 30, 2010	Special Ware Enforcement Hours Worked: 5	Special Ware Citations Issued on Overtime: 5
Number of OP Checkpoint(s) Conducted: 5	Number of Vehicles Observed at Checkpoints: 5	Number of Non OP Checkpoint(s) Conducted: 6

Number of OP Contacts made during OT Hours:
10

Motorcycle Hours: Yes

Motorcycle Overtime Hours: 5	Number of Motorcycle Violations Issued: 10	Number of Motorcycle Checkpoints Conducted: 15
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Speed Hours: Yes

Special (Speed) Overtime Hours: 5	Number of Speed Citations Issued: 10	Number of Other Moving Violations: 15
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Questions?

Occupant Protection Assessment

The NHTSA Office of Traffic Safety will be conducting a formal assessment of our occupant protection program the week of March 14-18, 2011 at the Baton Rouge Marriott Hotel.

This assessment entails having out-of-state traffic safety experts examine our current program and policies pertaining to seat belts and child passenger safety in Louisiana. The recommendations from this assessment will assist our office with improvements to our occupant protection program.

The assessment team members by area of expertise include: Outreach – Barbara Alberson (California); Data and Evaluation – Katie Womack (Texas); Enforcement – Jacob Cox (Utah); Program Management, Legislation, Regulation and Policy – Phil Haseltine (Virginia); and Communication – Mary Rayment (Virginia). Amy Schick from NHTSA Headquarters and Timothy Fitten from NHTSA Region 6 will also be in attendance.

On two and a half days, the assessment team members will be conducting interviews of various highway safety partners and advocates who are individuals that are involved in promoting occupant protection throughout Louisiana. The major components in the occupant protection program will be addressed during the assessment (includes outreach, data and evaluation, enforcement, communication, program management, legislation, regulation and policy).

Once the interviews are completed, the team members will work together to review and analyze the information presented. On the last day of the assessment, the team will present to the LHSC staff a draft report that includes a narrative of the strengths and weaknesses of the occupant protection program in each of the program areas. The report is a consensus report and the recommendations are based on the unique characteristics of the State and what the team members believe can be done to improve the effectiveness of their occupant protection program.

The draft report will be left with the State for review and technical corrections. Once the corrections are made, NHTSA will provide the final report to the State within 14 days after the assessment. This report is the team's product and neither NHTSA nor the State approves or disapproves the report's recommendations. NHTSA encourages the State to use the report's recommendations in its strategic planning. The final report will belong to the State and requests for copies of the report should be directed to the State.

The LHSC staff is looking forward to the assessment and will welcome the recommendations for improvement of our occupant protection program.

Youth Public Policy Institute

- 1 ½ - 2 day educational retreat for select students from across the state.
- SADD Youth Advisory Council and students are recommended by SADD Advisor and school principal (maximum 50-60 students, no more than 2-3 per school)
- Curriculum to include how to address policy issues at the local and state levels, both administrative and legislative, environmental strategies to address underage drinking and related issues.
- Students would create a policy agenda to take back to their SADD clubs to implement in their communities.
- Students would prepare presentations for the Orange Ribbon Rally and get guidance on implementing activities at the local level for Alcohol Awareness month in April.

Orange Ribbon Rally

- The Rally will be held during the month of April on the State Capitol's steps.
- Potential Partners will include: LA Department of Education, Governor's Office, LA Office of Behavioral Health
- Students will announce their projects to the media, visit with legislators from their area, and provide information to the general public on underage drinking and its relationship to traffic fatalities.
- Rally will include public officials and keynote speaker.
- The mission of the Rally is to promote statewide activities and cultivate local partnerships that raise awareness regarding underage drinking as well as to advocate for policies that reduce youth access to alcohol.

Youth In Action

- MADD's Youth In Action program is designed to prevent underage drinking by reducing the social and retail availability of alcohol for youth under the age of 21 and by supporting the enforcement of underage drinking laws.
- Youth In Action partners high school students with law enforcement, educates adults in the community, and targets alcohol sales to minors.
- This program aims to reduce the amount of youth engaging in underage drinking.
- Youth In Action teams look for community solutions instead of focusing their attention on their peers. Teams focus on laws and policies that affect people's behavior.

Youth in Action programs are based on recommendations to reduce underage drinking from the National Academy of Sciences and include:

- **Alcohol Purchase Surveys and Compliance Checks:** Attempting to purchase alcohol without ID with the permission and supervision of law enforcement. This helps educate

the community about potential weaknesses in laws against the sale of alcohol to underage people.

- **Shoulder-Tap Surveys:** Attempting to get adults to buy alcohol for underage drinkers. Those that answer "yes" receive a card outlining the law and the penalty for furnishing alcohol to a minor.
- **Roll Call Briefings:** Talking to law enforcement about why it is so important to enforce the law.
- **Media Advocacy:** Using the media to tell the community about your actions.

2009 STATE OF LOUISIANA IMPAIRED DRIVING ASSESSMENT PRIORITY RECOMMENDATIONS

Attachment 10

Recommendations	Action Plan	Target Date	Status
I-A: State, Local and Tribal DWI Task Forces or Commissions Advisory			
Convene a statewide task force, commission or leadership team to oversee the implementation of the Impaired Driving Assessment.	Use the Governor's DWI – Vehicular Homicide Task Force for this purpose	January 2011 onward	complete
Designate a lead statewide impaired driving coordinator who has the responsibility of leading the State effort to reduce and eliminate impaired driving.	Mike Barron , a former DPS attorney has been retained as coordinator and tasked with this effort starting October 1, 2010.		complete
I-B: Strategic Planning			
Develop a statewide strategic plan specifically focused on implementing the recommendations of the impaired driving assessment.	Coordinator Mike Barron is developing this plan	April 2011	Approximately 40% complete
I-C: Program Management			
Implement fully the recommendations provided in the June 2, 2008, National Highway Traffic Safety Administration Special Management Review.	Ongoing LHSC		Approximately 80% complete
I-D: Resources			
Implement the recommendations regarding spending issues provided in the Special Management Review (SMR).	Ongoing LHSC		Approximately 85% complete
2-A: Responsible Alcohol Service			
Enact Dram Shop liability legislation to hold licensed alcohol retailers liable for injuries or damages caused by patrons who were over served.	Draft proposed legislation and do data research to amend current law which immunizes servers of alcoholic beverages to non-minors in all circumstances.		Draft complete-research ongoing

2009 STATE OF LOUISIANA IMPAIRED DRIVING ASSESSMENT PRIORITY RECOMMENDATIONS

Enact legislation restricting Happy Hours and other promotions.	Draft legislation		Still in research stage
Increase the state alcohol excise tax on distilled spirits and wine.			
Revise drinking age statute to prohibit parents, guardians or spouses from providing alcohol to minors in licensed establishments.	Draft legislation- past efforts to exclude 18-20 year olds from bars have failed , however prohibiting parents/guardians or spouses from providing alcohol to minors in licensed establishments may be worth a try.		Being drafted
3-A: Laws			
Enact legislation that will increase the penalty for driving with a suspended license from a fine to a criminal offense; Increase the penalty for refusing to submit to a breath test to check for blood alcohol content in a suspected Louisiana DWI, and prohibit depositions in administrative license hearings unless a trial de novo is sought.			Completed
Enact an open container law that conforms to the requirements of SAFE-TA-LU Technical Corrections Act of 2008, Section 154.	The difficulty is that the current law allows passengers in 21+ foot motor homes or limousines to possess alcoholic open containers- also there is an exemption for parade float riders and mardi gras krewees		
Enact repeal intoxicated driver law that conforms to the requirements of SAFE-TA-LU Technical Corrections Act of 2008, Section 164.	Law has been amended to require a 45 day suspension of driver's license on 2nd offense dwt conviction- but fails to limit ignition interlock hardship restricted license to work purposes only.		
3-B: Enforcement			
Enact legislation to make the scope of the Administrative License Hearings (ALH) limited to the hearing itself.	Act 287 of 2009 originated as a bill to limit the scope of the administrative hearing-but that part of the bill was amended out. This Act did, however, prohibit pre-hearing depositions of law enforcement officers.		

2009 STATE OF LOUISIANA IMPAIRED DRIVING ASSESSMENT PRIORITY RECOMMENDATIONS

<p>Establish an Enforcement of Underage Drinking Law (EUDL) coordinator position to facilitate working with Alcohol and Tobacco Control (ATC) and local law enforcement. This position should be paid for by EUDL funds.</p>			<p>In process</p>	<p>Incomplete</p>
<p>Require the Peace Officer Standardized Training Council be responsible repository and record keeping for all SFSST officers, SFSST instructors, Drug Recognition officers and Drug Recognition instructors.</p>				
<p>3-D: Prosecution Enact legislation to effectively monitor and regulate deferred prosecution programs.</p>			<p>LHSC has contracted with LSU to study effective modalities in pre-trial diversion programs. Findings will be used to craft minimum pre-trial diversion standards or perhaps legislation</p>	
<p>3-E: Adjudication Develop the Louisiana specific requirements for the parishes to establish DWI trial courts that will work within their system and as needed.</p>				
<p>Install a comprehensive court data collection system.</p>				
<p>Implement science based judicial education.</p>				
<p>3-F-1: Administrative License Revocation and Vehicle Sanctions:</p>				
<p>Support Governor Jindal's legislative priorities for cracking down on drunk drivers in the upcoming legislative session.</p>			<p>LHSC, OMV, LSP and the DWI Task Force individually and collectively have vigorously supported Governor Jindal's legislative priorities in the past and will in the future.</p>	
<p>4: Communication Program</p>				

2009 STATE OF LOUISIANA IMPAIRED DRIVING ASSESSMENT PRIORITY RECOMMENDATIONS

<p>Improve and publicize the LHSC website with frequent updates, more messages, and information regarding traffic safety.</p>			<p><i>New website completed (Frequent updates ongoing)</i></p>
<p>5-A-1: Criminal Justice System Establish a system of screening, evaluation and referral for all DWI offenders including first offenders.</p>	<p>Under study</p>		
<p>5-B: Treatment and Rehabilitation Establish DWI Treatment Courts throughout Louisiana.</p>	<p>Eight functioning DWI Treatment Courts have been established in Louisiana through LHSC grants. 3 have begun operation since October 1, 2010.</p>		<p>Ongoing</p>
<p>6-A: Evaluation Mandate that all courts and prosecutors forward citations and their final adjudication to the Louisiana Office of Motor Vehicle and that they are posted to the driver history.</p>	<p>Final adjudications and Code of Criminal Procedure Article 893 and 894 pleas are mandated by law to be sent to OMV. Citation forwarding to OMV awaits the build out of electronic ticketing and record keeping projects ongoing.</p>		
<p>6-B: Data and Records Mandate that project managers for the Louisiana Supreme Court Traffic Project, The Louisiana District Attorneys Association CRIME project and the Louisiana Highway Safety Commission Electronic DWI Reporting System work together to ensure there is no duplication of effort in projects, that data from all projects will integrate and that the projects provide the State with a complete, timely and accurate data product.</p>	<p>LHSC is currently working on implementing the Electronic DWI Reporting System. The RFP has been completed by DPS and is awaiting DOTD approval and then will be forwarded to the Division of Administration for processing. The RFP mandates working closely with Louisiana courts and prosecutors. No duplication of effort is anticipated.</p>		
<p>Design and implement an electronic ignition interlock system that tracks the life of a court ordered installation and links with the driver history and the court.</p>	<p>Get LSP to mandate the electronic reportage of installation/removals of ignition interlock device and reason for installation/court order-implied consent law restricted license or condition of reinstatement) to OMV to get accurate records.</p>	<p>August 2011</p>	<p>ongoing</p>

2009 STATE OF LOUISIANA IMPAIRED DRIVING ASSESSMENT PRIORITY RECOMMENDATIONS

<p>6-C: Information and Records Systems (including Licensing)</p>			
<p>Develop and implement a statewide citation tracking system. Use the DWI electronic arrest report under development as a template.</p>	<p>Tracking system laws in recent legislative sessions have failed. Consensus needs to occur as to the shape of the system and funding mechanisms. Stakeholders are the courts, prosecutors, law enforcement, LHSC and OMV.</p>		

NO REFUSAL, INTERLOCKS, ADMINISTRATIVE HEARINGS – WHAT’S HAPPENING?

MIKE BARRON IMPAIRED DRIVING COORDINATOR OF THE LOUISIANA HIGHWAY SAFETY COMMISSION – FORMERLY ATTORNEY REPRESENTING THE DEPARTMENT OF PUBLIC SAFETY

NO REFUSAL

The No Refusal program is an enforcement strategy that allows an arresting officer to obtain a search warrant for a blood (or breath) test for blood alcohol content from a suspected impaired driver, arrested upon probable cause who refuses the breath test under the Implied Consent Law, LRS 32:661-670.

The first jurisdiction to adopt a “24/7” no refusal policy in Louisiana was the 9th JDC in Rapides Parish, Louisiana. On September 1, 2007 Rapides Parish Law Enforcement Agencies began their no refusal policy. Since implementation of the policy DWI arrests in Rapides Parish are dramatically down and DWI trials are nonexistent according to 9th JDC Judge Thomas M. Yeager.

Lafourche Parish recently adopted a “24/7” No Refusal Policy as have most Jefferson Parish law enforcement agencies.

What procedure should be followed? Standard DWI arrest procedures should be followed until the arrestee refuses the chemical test. Then the procedures for the No Refusal initiative should be followed. Of course the subject must be arrested with reasonable grounds for the stop and probable cause for arrest. The officer must read the arrestee the Arrestee’s Rights Form relating to the chemical test for blood alcohol content. It is suggested that officers refrain from mentioning the arresting agency’s right to seek a search warrant for breath or blood prior to the arrestee’s decision to submit or refuse under the Implied Consent Law in order to avoid the argument that the decision to submit or refuse was tainted and coercion was applied in the form of a threat to seek a search warrant.

Once the test has been properly tendered and refused, the officer may prepare an Affidavit for Search Warrant and a Warrant to send to the judge. The warrant may seek blood or breath .

The officer then calls the judge and advises him of the warrant. The judge then swears in the officer on the phone.

The officer then signs the affidavit and faxes the affidavit and warrant to the judge.

The judge then reviews the affidavit and determines if probable cause exists and either signs or refuses to sign. If he signs , the judge faxes everything back to the officer.

The officer then copies the warrant, serves the arrestee with the signed warrant and reads the judge’s order to the arrestee to submit to a test.

The officer then tenders a breath test if ordered or transports the arrestee to a medical technician or facility to withdraw blood.

The officer should personally observe the blood being drawn.

The blood collection kit approved by the LSP Crime Lab should be used.

The officer should take the sample to the evidence locker for storage.

The judge should forward the signed warrant to the officer as soon as possible.

Most challenges to the No Refusal Policy will allege a deprivation of the driver's right to privacy and against unreasonable search and seizure under the 4th amendment. The leading case is *Schmerber v. California*, 384 U.S. 757 (1966). There an intoxicated driver was involved in a vehicular crash wherein he was injured, transported to a hospital and was being treated for injuries. A police officer, without warrant, but with probable cause for arrest for DWI ordered a physician to withdraw blood for alcohol testing. The blood was taken without warrant or consent. *Schmerber* argued that the blood test was inadmissible at trial as a denial of his fourth amendment right against unreasonable search and seizure and against his fifth amendment right against compulsory self incrimination. The U.S. Supreme Court denied all of his arguments ruling that the taking of blood here was justified by the circumstances in that the delay involved in getting a warrant might be too far in time from the crash to get an accurate blood alcohol reading. Further, bodily substances are not testimonial in nature so the fifth amendment defense was invalid.

Breithaupt v. Abram, 352 U.S. 482 (1957) held that the taking of blood from an intoxicated driver without a search warrant or consent does not violate due process of law under the 14th amendment to the U.S. constitution. Louisiana courts have ruled that there is no due process of law under the Louisiana Constitution to withdraw blood from an impaired driver pursuant to a search warrant. Cf. *State v. Peterson*, 868 So. 2nd 786 (La. 1st Cir. 2003).

Cases are currently under contest involving attacks on the civil side of No Refusal. There the argument is that since the prosecution has obtained the arrestee's blood alcohol test results by warrant and can use it in criminal trial then that is a submission for Implied Consent Law purposes and it is unfair and illegal to suspend the driver's license for refusal when the prosecution has obtained blood alcohol test results. The State argues that the Implied Consent Law is a warrantless procedure and that if one is arrested for DWI on probable cause and refuses the test after having been read the Right's form, one has withdrawn consent. This by law brings an automatic suspension of driver's license. The subsequent obtaining of test results by Court ordered warrant is therefore irrelevant to the Implied Consent Law. No appellate cases on this issue have yet been decided.

Other sources:

Louisiana Highway Safety Commission website at www.lahighwaysafety.org/impaired.htm

National Highway Traffic Safety website at www.nhtsa.gov/no-refusal