



## *Meeting Minutes*

February 17, 2017

**Opening Comments:** 9:03 am Chief Ticer

**Quorum:** 17 of 21 members

### **Introductions**

**Legislator Remarks:** Lanzer: Representative Young says hello

**Public Comments:** None

### **Minutes of Previous Meeting**

Motion to accept minutes by Alymer, second by Lanzer. Motion Passes

**Presentation:** Elyse Contreras-CDPHE & Dr. Ashley Brooks-Russell-Colorado School of Public Health  
Report on the second-edition of *Monitoring Health Concerns Related to Marijuana in Colorado: 2016*  
See Power Point and article.

Smith: What is the measure of impairment? Response: ability to stay in lane, overall speed, avoiding hazards, eye gaze through simulators, psych ability to react under distraction, ability to focus on task at hand.

Kelly: In terms of identifying research gaps does that direct CDPHE's efforts on funding future projects/efforts? Response: Yes- have requested funding for studies on public health issues. Dr. Brooks-Russell responded to an RFP to research high potency products. Daily and occasional users in driving scenarios I-pad based, then a DRE assessment.

Hutt: Is there info on how much of the population of users are occasional vs daily? Response: Behavioral survey provides limited data but reliable. Best survey question was whether they used in past 30 days. They also conducted a specific marijuana users survey. It was conducted in the field over the summer- 1200 responses and now cleaning the data. The results will provide more specific data. Hope to have the info out by summer.

### **Statistics**

#### **State Fatality Numbers (CDOT) – Glenn Davis**

Fatalities have gone up the past two years 51 to date which is a 14% increase over last year. We are ready to mobilize should CO be determined to be a mid-range state by NHSTA.

Wood: Is there a difference between fatalities between NHSTA and the Natl Safety Council?

Davis: FAR is a death within 30 days.

### **Legislation – Fran Lanzer, MADD CO**

HB1123: See attachment to minutes. Research actually shows an increase in all levels of crime. Passed house 38-27. Not really vetted in committee. Assigned to the Business, Labor and Tech Committee in Senate.

Timkin: Supports MADD's position. Well-controlled studies support position.

Alymer: Could this be 24 hour? Cities can set their own time between 2 am to 7 am. It could be at least 19 hours a day. In some cases it could be a 24 hour bill. Restaurant Asso is talking about how this impacts business.

Some members state that law enforcement has told them they support the bill because currently there is chaos when bars close.

Ticer: Chiefs of Police actively opposing the bill. 2 pts: officers that work at night may state that but some will see the issues of prolonging the chaos.

Garcia: CSP has the same position.

Kelly: What is the problem this bill is trying to solve?

Lanzer: Perhaps competitiveness among business?

Alymer: Sponsor states he wants the state to be more like other states or large cities- to be more like Chicago, NY and Las Vegas.

Lanzer: Local control issues and the belief that the State should not be part of the decision. Las Vegas has been mentioned. In speaking with individuals from Las Vegas they stated the problem is now with locals who work then go to bars their rush is now between 6 and 8 am. Also more public traffic during this time period.

Smith: Personally opposed but the Addiction Counselors are also opposed.

Ticer: Where is the Restaurant Asso?

Alymer: Many members won't see an impact on their business.

Berry: If the bill fails this session is there talk coming back next session? If so maybe law enforcement could do some sobriety checkpoints on Monday mornings.

Lanzer: The same bill was introduced in 2014 but died in the house. He believes it will come back.

Anderson: Has anyone thought of staffing in small jurisdictions? If the potential for DUIs is extended it creates more need for staffing.

Ticer: Great point and he will share that with the Association of Chiefs of Police.

Alymer: Argument is that the small municipalities will not opt in.

Ticer: Drinkers travel between jurisdictions.

Maroney: Is the Senate more supportive? Is this an uphill battle?

Lanzer: Senate President is in favor of bill. But within the last week law enforcement partners have joined in opposing. MADD has limited bandwidth but with new partners they will be able to connect more with senators.

Maroney: Could we support MADD?

Ticer: Many have issues with taking a position on bill. Handful of people that cannot vote, others cannot vote because of issues within their own organization. He represents the Association of Chiefs of Police and will be working to oppose that bill through that body. Look at last sentence of the CTFDID mission. Because of voting limitations we can share that we are providing info or we can take a vote.

Eleven could not vote/six could vote. Is this a reflection of the Task Force?

Davis: the number able to vote is not even close to a quorum so not appropriate.

Ticer: He will provide data on behalf of the Task Force to the legislature.

Ticer: All members should go back to their organizations and see if the organization will take a position.

MADD will get committee hearing info to the task force

Alymer: How bad does it look if we don't take a position?

Ticer: We bring them back to the mission of the organization.

Davis: CDOT has a position but is waiting on Gov. approval on position. 50% of January fatalities were alcohol related.

**Additional Legislative:** Bills that have a traffic safety impact. Glenn David, CDOT

HB1037: Use of deadly force on an intruder in a business. The bill adds "owner, manager or employee of a place of business" in the statute, allowing for the use of deadly force in self-defense when there is a reasonable belief another person is committing a crime against a person or property in that business  
CDOT Position: Monitor – Died in State Affairs committee

HB1044: Autocycle definition and safety requirement: State patrol, autocycle dealers and the OHV community are discussing how to define what these 'slingshot' vehicles are and what safety equipment is needed on them.

CDOT Position: Monitor but support what CSP needs – Passed House and introduced in Senate

HB1123: Extend Alcohol Beverage Sales Hours: This is a repeat of prior bills introduced in years past. It extends the hours bars can serve alcohol between 2 and 7am. State Patrol is opposing and we are following their lead on the bill. MADD also opposing and Fran sent some great info for us to use.

CDOT Position: Oppose (but haven't received official Gov permission to use oppose position, should have it tomorrow).

SB27 Increase texting while driving penalties- amended to \$300 fine and some additional language regarding enforcement. CDOT amendment language not offered because some Senate members do not like being dependent on federal funding

CDOT Position: Support - in Finance today (Thursday) and likely to get out based on amended language

SB59 - Roundabout change and turn signal - exempts use of turn signals while approaching, navigating and exiting roundabouts

CDOT Position - think it's a stupid idea – Bill died on third reading in the Senate

SB93 - Operation of bicycles in intersections - specifies bicyclists can glide through intersections under certain circumstances (no oncoming traffic, look both ways....)

CDOT Position – Monitor – died in Senate committee

### **Media Relations & Significant Upcoming Events – Sam Cole, CDOT**

Cole was at CDPHE reviewing applications for a new agency to continue the “Good To Know” campaign. Information provided by Davis.

#### Super Bowl Enforcement Period:

97 agencies participated, 272 arrests (CSP 38; Aurora PD 29; COS PD 28; Denver PD 27)

Down from 325 last year (but assume more parties & drinking last year since Broncos played and won)

#### Felony DUI Awareness Campaign

Launched Feb 9, look for spots on TV. A full report will be provided at the next meeting

#### Move Over Press event

Took place at NHTSA Region 8 on Feb 7. Excellent attendance and news coverage. The goal is to increase public education and outreach about the law. 92 people from towing, highway maintenance, law enforcement, fire, and ambulance attended training.

Webster: excited that there is collaboration. They will send info to service providers so they can share the info with clients DOT was a great partner.

Felony DUI campaign will be presented in March. Funding comes from marijuana tax users fund

### **Break until 10:20**

### **Task Force Business & Presentations**

### **Work Group Updates**

#### **Program Management & Strategic Planning – Glenn Davis**

Work groups formed when we were a mid-range state. His group is meeting before next meeting. Doodle poll being sent out in the next week

#### **Criminal Justice – Deputy Chief Steve Johnson**

No report

### **Prevention – Ellen Anderson**

Phone meeting was held on 2/15. The work group has lost two members. Work group receives info through Rebecca. Three ideas from work group. 1) Mandatory training for bartenders similar to food handlers. State mandated or local-similar to Aspen. 2) Reviewed Katie's desire to look at underage fatal crashes involving alcohol use and lose. Based on Jim Fells research underage fatalities can be reduced 3) Education for young people on losing license even if not driving. Can this be done through driver education?

Mitchell: Isn't sure if there is anything in the manual to educate. He will ask what is being taught in the schools and will get back to us.

Davis: He can take info to the Teen Driving Alliance.

Ticer: What about approaching the medical community when they are doing physicals etc.?

Kelly: In Healthy Kids Colorado there are some specific data points on what compels kids not to use. Data supports trusted persons delivering the information has the greatest impact.

Alymer: TX has a food handler's card and individuals must carry the card. What if everyone was trained and required to "carry their card", would that reduce drunk driving? What is the fiscal impact?

Maroney: Rare exceptions of mandatory training: Tastings in liquor store, serving in an entertainment district. Training rule- if employees are trained it can be a mitigating factor when looking at sanction. Need to look at other states on impact. Push back from local control folks. Worth looking into though.

Ticer: Do insurance companies have any stake in this to reduce liability?

Alymer: His insurance carriers don't require it.

### **Impaired Driver Intervention & Treatment – Christine Flavia**

Hope to meet before next meeting. Trying for March 14 or 15

### **Communication – Sam Cole**

Glenn will be meeting with Sam

### **Program Evaluation & Data – Jack Reed**

Will try to meet before March.

### **Lightning Round Update**

Alymer: Bill introduced allowing restaurants and hotels to sell bottles of wine to guests. Bill killed.

Kelly: People who initiated social consumption have filed a law suit against CO to try to challenge the prohibition of liquor sales where cannabis is consumed. She will keep the Task Force posted.

Davis: NGA Center for Best Practices identified factors to reduce traffic fatalities. Primary seat belt was #1.

Recommendations that come from everyone: primary seatbelt, more data, 24/7 DUI program. Arapahoe County has it now - state would qualify for additional funding if they have this, CDOT to look at DRE program. CSP has already started this. Areas in the state with aggressive enforcement to move to more to an enforcement task force model.

Mitchell: CO Drives, first half goes into effect next week. Modernization efforts moves to vehicles next.

Lanzer: Nominations for law enforcement recognition open until Feb 22<sup>nd</sup>. The link will be sent out again by Rebecca. Working on trying to do a St. Patrick's campaign with Uber, partnered with CSP on St. Patrick's day cruiser. Eight total cruisers.

Smith: She had lost business because of a fire and also lost one of her counselors. Now in a new location.

NHTSA: Headquarters is working on SMEs for DUI prosecutors and toxicologists to jointly take a class to improve communications. Proposed Medical DUID class to count towards CEU credits for pharmacists.

Anderson: Saw so many variable message boards on move over law on her drive over. PSAs of correction/DUI are in very impactful. What happened to PSAs of beware of the unbelted? X-games produced only a handful of arrests. Some found that as a positive but liquor enforcement was not there. Felony DUI from western slope-person sentenced to prison and 6<sup>th</sup> DUI gave her 90 days of work release and 10 years probation because all

local treatment options had not been pursued. County judge imposed a year of county jail because she violated her 5<sup>th</sup> DUI terms.

Wood: DUID data bill drafted but prime sponsor failed to submit bill. Submitted a request to submit a late submission. Davis: the legislator could come to present to the task force if interested.

Maroney: partnering with DOR DMV looking at digital drivers licenses. Vendor doing study in four states. Could be an option in the future. Ticer: are they working with the feds? Maroney: working with TSA.

**Next Meeting:**

Friday, March 17, 2017 9:00-12:00pm  
Location: Colorado State Patrol Academy  
15055 S. Golden Road Carrell Hall, Building 100  
Golden, CO

**In attendance:**

Chief Bob Ticer, Loveland Police Department, Chair  
Glenn Davis, Colorado Department of Transportation , Vice Chair  
Rebecca Novak, Colorado State Patrol, Secretary  
Carolyn Berry, POST  
Steve Johnson, County Sheriffs of CO  
Major Steve Garcia, CSP  
Patrick Maroney, DOR Liquor Enforcement  
Dave Timken, CIDRE  
Ben Whitney, Weld County District Attorney's Office, Colorado District Attorneys Council  
Kristi Kelly, Marijuana Industry Group  
Andrew Lemley, Alcohol Beverage Manufacturers  
Paul Aylmer, Colorado Restaurant Association  
Abe Huff, CO Criminal Defense Bar  
Benjamin Mitchell, DOR-DMV  
Fran Lanzer, MADD CO  
Susan Colling, Judicial/Probation Services  
Christine Flavia, Colorado Department of Human Services, Office of Behavioral Health  
Joyce Smith, CTO and CAAP  
Ashley Brooks-Russell, Colorado School of Public Health  
Elyse Contreas, CDPHE  
Gene Giron, Miller Coors  
Dr. Bob Weltzer  
Ellen Anderson, Retired Pitkin CO Sheriff's Office/Tipsy Taxi  
Ed Wood, DUID Victim Voices  
Jack Reed, Colorado Department of Public Safety  
Ginna Jones, CDPHE/CDOT  
Al Graham, NHTSA  
Chelsey Clarke, RMHIDTA  
Eric Parman, Lifesafer/Guardian