

The State of South Carolina Highway Safety Plan Federal Fiscal Year 2023

Submitted by the Office of Highway Safety and Justice Programs
South Carolina Department of Public Safety

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NATIONAL PRIORITY SAFETY PROGRAM INCENTIVE GRANTS - The State is applying for the following incentive grants:

- S. 405(b) Occupant Protection: **Yes**
- S. 405(e) Distracted Driving: **No**
- S. 405(c) State Traffic Safety Information System Improvements: **Yes**
- S. 405(d) Impaired Driving Countermeasures: **Yes**
- S. 405(f) Motorcyclist Safety Grants: **Yes**
- S. 405(g) State Graduated Driver Licensing Incentive: **No**
- S. 405(d) Alcohol-Ignition Interlock Law: **No**
- S. 405(h) Nonmotorized Safety: **Yes**
- S. 405(d) 24-7 Sobriety Programs: **No**
- S. 1906 Racial Profiling Data Collection: **No**

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HIGHWAY SAFETY PLANNING PROCESS

FFY 2023 PROCESS TO IDENTIFY SOUTH CAROLINA'S HIGHWAY SAFETY PROBLEMS

Phase 1

The FFY 2023 Problem Identification process began with a statewide statistical overview conducted by the Statistical Analysis Research Section (SARS) housed within the Office of Highway Safety and Justice Programs (OHSJP) to give a picture of the highway safety problems in general in the state of South Carolina. The overview included an identification of problems and priority counties in the state regarding traffic safety issues and concerns and was presented to the OHSJP management staff and Program Coordinators. The analysis utilized traffic data trends showing all counties in the state of South Carolina in six statistical categories regarding fatal and serious injury collisions (number DUI-related, percentage DUI-related, number speed-related, percentage speed-related, number alcohol and/or speed-related, and percentage alcohol and/or speed-related).

Additional data was provided relative to occupant protection statistics, such as statewide safety belt use, child passenger safety seat use, and unbelted occupant traffic fatalities. In addition, traffic statistics were provided for vulnerable roadway users (motorcyclists, moped riders, pedestrians, and bicyclists). Priority areas for highway safety initiatives for FFY 2023 were tentatively adopted as Impaired Driving Countermeasures; Occupant Protection; Police Traffic Services/Speed Enforcement; Non-motorized Safety (Bicyclists and Pedestrians) and Traffic Records (Statewide Emphasis).

Phase 2

OHSJP management staff met on several occasions to determine funding priorities (programmatic and geographic) and develop a plan for project development for FFY 2023. During these meetings, OHSJP staff identified areas of the state where highway safety problems exist that are void of grant-funded projects or other efforts to reduce collisions and fatalities. The project development plan included, based on an estimate of federal funds being available in FFY 2023, soliciting quality grant applications from entities in those geographic areas where the greatest highway safety problems exist and for the type of projects that are likely to have the most impact.

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

projects considered strategic and evidence-based in reducing the number of traffic injuries and fatalities on South Carolina's streets and highways be given priority consideration.

South Carolina Performance Measures

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

Justification for Performance Targets

A description of the traffic safety performance measures, corresponding goals with established performance targets, justification for the targets, and grant projects selected for South Carolina's FFY 2023 Highway Safety Plan are individually referenced by program area throughout this document. Grant projects identified for funding in this plan will be implemented through local and statewide traffic safety enforcement programs that are proven to be effective in preventing traffic violations, collisions, injuries, and fatalities in areas of South Carolina most at risk for such incidents.

Process for Setting Targets in the HSP

When setting targets in the HSP for the core performance measures, the SARS statisticians performed an extensive analysis of the data related to each measure. South Carolina uses an eight-data-point graphical analysis with a five-year rolling average for all but one of the performance measures. The exception was the seatbelt use rate performance measure, which utilizes a year-to-year analysis. For all the measures, after the data points were plotted and the graphs were created, a trend line was added that could be used to predict future values. Trend lines were reviewed using linear, logarithmic, and polynomial equations with R-squared (best fit measure) values. The statisticians did a thorough examination to determine a best fit, often depending on the normality of data for each performance measure. They also took into account the feasibility of the predicted trend values, the annual fluctuations from year to year, and examined where the 2021 preliminary data lines up in relation to the trend line.

The statisticians then consulted with other OHSJP staff, who provided an evaluation and examination of highway safety projects, proposed countermeasures, and other factors unique to South Carolina which could impact the possibility of reaching a target based solely on trend line data. Unique factors examined included vehicle miles traveled, population changes, economic

impacts, legislative roadblocks, cultural dynamics, billboard campaigns, policy issues, and efforts to spread public awareness. In some cases, the SARS would adjust the target value based on the additional input and information obtained from OHSJP staff.

Performance Targets (Annual Goals)

Annual Goals are individually listed and referenced by program area throughout the HSP.

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

NHTSA/FHWA Common Core Measures		2009-2013	2010-2014	2011-2015	2012-2016	2013-2017	2014-2018	2015-2019	2016-2020	2019-2023 Goal
C-1	Traffic Fatalities	832	818	852	890	916	969	1,006	1,023	1,119
C-2	Serious Injuries	3,367	3,315	3,241	3,199	3,089	2,965	2,974	2,877	2,868
C-3	Fatalities/VMT	1.70	1.66	1.71	1.75	1.75	1.80	1.82	1.84	1.940
NHTSA Core Measures		2009-2013	2010-2014	2011-2015	2012-2016	2013-2017	2014-2018	2015-2019	2016-2020	2023 Goal
C-3R	Fatalities/VMT - Rural	3.00	2.78	2.73	2.63	2.54	2.54	2.57	2.74	2.73
C-3U	Fatalities/VMT - Urban	0.48	0.66	0.80	0.97	1.08	1.19	1.20	1.09	1.00
C-4	Unrestrained Passenger Vehicle Occupants	301	280	279	291	290	307	312	325	324
C-5	Alcohol Impaired Driving Fatalities	345	336	327	333	325	315	304	306	305
C-6	Speed Related Fatalities	306	300	316	339	358	387	417	443	442
C-7	MC Fatalities	127	129	146	157	157	156	162	152	151
C-8	Unhelmeted MC Fatalities	93	96	107	114	113	112	116	108	107
C-9	Driver Age 20 or Younger Inv in Fatal Crashes	114	112	114	114	113	121	116	117	116
C-10	Pedestrian Fatalities	103	107	113	119	126	139	150	163	162

Additional State Measures

C-11	Bicyclist Fatalities	14	14	15	17	17	19	21	21	20
C-12	Moped Fatalities	25	28	32	36	34	35	35	30	29

A-1	Number Seatbelt Citations*	239,429	231,485	214,720	194,784	173,756	152,712	138,258	115,337	no goal required
A-2	Number Impaired Driving Arrests*	25,137	24,906	23,902	22,740	21,476	20,847	19,867	18,581	no goal required
A-3	Number Speeding Citations*	427,708	411,676	400,246	392,538	382,033	366,297	353,059	314,971	no goal required

* During grant-funded enforcement activities

Annual Tracking		2013	2014	2015	2016	2017	2018	2019	2020	2023 Goal
B-1	Observed Seatbelt Use	91.7%	90.0%	91.6%	93.9%	92.3%	89.7%	90.3%	90.3%	90.4%

DATA SOURCES AND PROCESSES

The Statistical Analysis and Research Section (SARS) for traffic records and justice programs data in South Carolina is located within the Office of Highway Safety and Justice Programs (OHSJP). The SARS, as part of its responsibilities, collects and analyzes information concerning traffic collisions on South Carolina's roadways. This section performs analysis on traffic data from the Traffic Collision Statistical Database to determine when and where collisions are occurring, the demographics involved in collisions, and the specific causes of collisions. This information is presented to OHSJP staff to be used for the planning and implementation of appropriate countermeasures (e.g., enforcement and education initiatives) and program development efforts to help reduce traffic collisions, injuries, and fatalities. The OHSJP also houses staff who perform data entry services within the Traffic Records section. Responsibilities of this section are far-ranging and encompass programming, consultation, descriptive analysis, inferential statistical analysis, report preparation, etc. The current databases maintained and used for statistical analysis are detailed below:

Traffic Collision Master File

Traffic collisions that occur in South Carolina and are investigated by law enforcement agencies are reported to the SC Department of Public Safety (SCDPS) on the Uniform Traffic Collision Report Form (TR-310). By law, any collision that results in at least \$1,000 in total property damage, or results in injury or death and occurs on a public highway must be reported to the South Carolina Department of Public Safety on the TR-310. The OHSJP is responsible for the design and printing of these forms. Data from the TR-310 is either electronically reported or entered by Traffic Records data entry staff into the Traffic Records Master File. The Traffic Records Master File is maintained by OHSJP's Traffic Records staff and SCDPS Office of Information Technology (OIT).

Traffic Collision Statistical Database

The OHSJP's SARS retrieves the data within the Traffic Records Master File and creates the Traffic Collision Statistical Database. The Traffic Collision Statistical Database contains any collision that results in at least \$1,000 in total property damage, or results in injury or death and occurs on a public highway. If these collisions occur on private property or are reported on any form other than the TR-310, they are excluded from this database. Throughout the year, the SARS statisticians perform an extensive data cleaning process by continuously combing through the database in an effort to improve data reporting. This process involves, but is not limited to, reviewing data for consistency, detection of potential discrepancies, and the correction of discrepancies. The SARS statisticians work closely with the Traffic Records staff during this process. This database is used for performing statistical studies for various users, including law enforcement agencies, governmental units, attorneys, engineers, media representatives, and private

users. These studies, conducted upon written request, are primarily descriptive in nature and focus on a specific traffic collision topic. These topics range from collisions at a specific intersection or stretch of road, to collisions during specific months in selected counties, to rankings of specific intersections in a county or jurisdiction. The Traffic Collision Statistical Database is used to create all calculations for state data.

South Carolina Traffic Fatality Register

The OHSJP's SARS maintains the Traffic Fatality Register as an up-to-date preliminary process of counting traffic fatalities. Daily comparisons with previous years up to the same date are required as an ongoing assessment of traffic safety programs. Data for this file is received through the Highway Patrol Communications Office, local law enforcement agency early notification reporting (Fast FARS), and TR-310s received from all investigative agencies.

The Traffic Fatality Register is used on a daily basis to record the latest available information concerning persons such as passengers, pedestrians, and bicyclists who die in traffic collisions in South Carolina. The Traffic Fatality Register is created using the South Carolina Collision and Ticket Tracking System's (SCCATTS) Fatality Application. Through this fatality application, a report is generated on a daily basis and distributed to highway safety committees and program stakeholders, as well as community and constituent groups. The South Carolina Department of Transportation (SCDOT), the South Carolina Law Enforcement Division (SLED), the SC Criminal Justice Academy (SCCJA), the Region 4 office of the National Highway Traffic Safety Administration (NHTSA), and local law enforcement agencies are among the recipients of this fatality and seat belt use data.

South Carolina Online Fatality Count Application

The OHSJP's SARS maintains the South Carolina Online Fatality Count Application with assistance from the SCDPS Office of Information Technology. This online fatality application provides detailed preliminary counts of traffic fatalities in the state to the public similar to the daily report generated by the Traffic Fatality Register. The information displayed on this interactive application is a de-identified dataset derived from the SCCATTS' Fatality Application. In the process of compiling this data, the SARS performs a daily rigorous process of detecting and correcting inaccurate data, including making certain adjustments to the location data where clerical errors are noted, to assist in the proper location of the fatalities on the interactive map. In an effort to be more user-friendly, SARS also included a mobile device version of the interactive map.

South Carolina Department of Public Safety (SCDPS) Weekend Fatality Report Online Application

The OHSJP's SARS maintains the SCDPS Weekend Fatality Report Online Application with assistance from the SCDPS Office of Information Technology. This online weekend fatality application provides detailed preliminary counts of traffic fatalities in the state to the media and public for only the prior weekend. It displays data from 6 PM Friday through 11:59 PM Sunday and is compiled every Monday following the weekend. The fatality information displayed contains the time and date, route type and name, county, seat belt usage, and unit type. It also provides fatality totals for each county by year to the current weekend for all years displayed for comparison purposes. The data displayed on this weekend fatality application is a de-identified dataset derived from the SCCATTS' Fatality Application. In the process of compiling this data, the SARS performs a rigorous process of detecting and correcting inaccurate data prior to notifying the SCDPS Public Affairs Office the weekend fatality application is ready for the media press release.

Fatality Analysis Reporting System (FARS)

FARS was established in the 1970s as a uniform system for gathering information on fatal traffic collisions in the United States. The data collected is used by a large number of organizations in government, academia, and private industry to analyze a wide variety of traffic safety issues.

FARS collects uniform data from each of the 50 states plus the District of Columbia and Puerto Rico. Participation is required and consists of gathering and transmitting fatal collision information to a central data center in Washington, D.C. Currently, data transmittal is performed in each state by means of a personal computer linked, via telephone lines with modems (MDE System), to the headquarters in Washington.

SAFETYNET

SAFETYNET is an automated information management system designed to support Federal and State Motor Carrier Safety Programs by allowing monitoring of the safety performance of Interstate and Intrastate commercial motor carriers. The OHSJP and the State Transport Police (STP) collaborate in maintaining this data. The OHSJP uses the crash data from the Traffic Collision Statistical Database to upload information regarding commercial vehicle activity.

South Carolina Collision and Ticket Tracking System (SCCATTS)

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

PROCESSES PARTICIPANTS

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

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

In addition, the OHSJP receives significant input from the SC Impaired Driving Prevention Council (SCIDPC), which is a multi-agency, multi-disciplinary task force, seeking to utilize a variety of approaches in attacking the DUI problem in the state. The SCIDPC is made up of representatives from law enforcement, the criminal justice system (prosecution, adjudication, and probation), driver licensing, treatment and rehabilitation, ignition interlock program, data and traffic records, public health, and communication. If, as outlined in 23 CFR § 1300.23, the OHSJP is required to develop a new Impaired Driving Countermeasures Plan (IDCP), the plan is approved by the SCIDPC when it is due. Activities and strategies contained in the IDCP are also contained in the HSP. The SCIDPC is composed of representatives from the following agencies (please note primary agency function[s] indicated by each listed agency):

SCDPS – law enforcement, communication, data/traffic records, OHSJP

SCDOT – data/traffic records

SCDMV – driver licensing, data/traffic records, ignition interlock device program

SC Department of Alcohol and Other Drug Abuse Services (SCDAODAS) – treatment/rehabilitation/prevention, data

SC Legislature – administration, legislation

SC Department of Insurance (SCDOI) – data

SC Commission on Prosecution Coordination (SCCPC) – prosecution

SC Solicitors Association (SCSoA) – prosecution

SC Dept. of Probation, Parole and Pardon Services (SCDPPPS) – criminal justice, ignition interlock device program

SC Criminal Justice Academy (SCCJA) – law enforcement training

SC State Law Enforcement Division (SLED) – law enforcement

SC Judicial Branch (SCJB) – criminal justice, adjudication

SC Attorney General’s Office (SCAGO) – criminal justice

SC Sheriffs’ Association (SCSA) – law enforcement

SC Law Enforcement Officers’ Association (SCLEOA) – law enforcement

SC Summary Court Judges’ Association (SCSCJA) – criminal justice, adjudication

SC Coroners’ Association (SCCA) – public health, criminal justice

SC Trucking Association (SCTA) – administration, advisory

Behavioral Health Services Association (BHSA) – public health, treatment/rehabilitation

SC Victims Assistance Network (SCVAN) – advocacy, victim services

SC Mothers Against Drunk Driving (SCMADD) – advocacy, victim services

Families of Highway Fatalities (FHF) – advocacy, victim services

State Office of Victim Assistance (SOVA) – advocacy, victim assistance

Safety Council of South Carolina (SC Chapter of National Safety Council) – advocacy, data

Federal Highway Administration (FHWA) – advisory

National Highway Traffic Safety Administration (NHTSA) – advisory

Federal Motor Carrier Safety Administration (FMCSA) - advisory

DESCRIPTION OF HIGHWAY SAFETY PROBLEMS
South Carolina Traffic Fatality Data

Highway safety programs have been successful. In 1966, the motor vehicle death rate in South Carolina was 7.7 fatalities per 100 million vehicle miles of travel; in 2020, the rate was 1.98 fatalities per 100 million vehicle miles of travel. The federally-funded State and Community Highway Safety grant program has been a major contributor to that decline. Despite the improvements, highway safety remains a significant and costly problem.

Table 1. South Carolina Basic Data							
	2016	2017	2018	2019	2020	% Change: 2016 vs. 2020	% Change: 2020 vs. prior 4-yr Avg.
Total Fatalities	1,020	989	1,036	1,006	1,064	4.31%	5.06%
VMT*	54.40	55.50	56.84	57.94	53.82	-1.07%	-4.18%
VMT Rate**	1.87	1.78	1.82	1.74	1.98	5.88%	9.85%
Population	4,957,968	5,021,268	5,084,156	5,148,714	5,118,425	3.24%	1.29%
Pop Rate***	20.57	19.70	20.38	19.54	20.79	1.07%	3.70%

NHTSA NCSA FARS: 2016-2019 Final File and 2020 Annual Report File (ARF)
 2020 VMT & VMT Rate provided by South Carolina Department of Transportation
 Population provided by U.S. Bureau of Census
 *Vehicle Miles of Travel (billions)
 **Rate per 100 million vehicle miles
 ***Rate per 100,000 population

Statistical data **Table 1** for calendar year (CY) 2020 shows that 1,064 people were killed in South Carolina traffic collisions. In the period from 2016 through 2020, the recent release of data from the National Highway Traffic Safety Administration’s (NHTSA) Fatality Analysis Reporting System (FARS) indicates that there were approximately 5,115 motor vehicle-related fatalities in South Carolina. This resulted in an average of about 1,023 traffic fatalities per year over the five-year period. Over this period, annual traffic fatalities fluctuated around the five-year average, starting with 1,020 in 2016 and ending with 1,064 in 2020. The 2020 count represents a 5.06% increase compared to the average of the prior four years (1,013 fatalities) and a 4.31% increase when compared to the 2016 count. Total fatalities increased from 1,020 in 2016 to 1,036 in 2018 and to 1,064 in 2020. The 2017 and 2019 figures represent the two declines of the five-year period.

A comparison of South Carolina data with the national data (**Table 2**) indicates that South Carolina’s average VMT-based fatality rate over the five years 2016 to 2020 (1.84) was higher than the five-year average for the nation (1.19). According to the most recent South Carolina Department of Transportation (SCDOT) data, South Carolina’s VMT rate of 1.98 for 2020 is approximately 48% higher than the national VMT rate of 1.34. The VMT rate in South Carolina increased by 5.88% from 2016 to 2020 while the population increased by 3.24% during that period. Increases were observed in the population-based fatality rate (1.07%) and the VMT-based rate (5.88%) from 2016 to 2020, and the actual number of total traffic fatalities increased as well (4.31%).

The state’s population-based fatality rate (expressed as the number of deaths per 100,000 population) increased by 3.70% in 2020, as compared to the prior four-year average population-based fatality rate for the years 2016-2019. South Carolina’s 2016-2020 average population-based fatality rate (20.20 deaths per 100,000 residents) was greater than the national rate (11.40).

Table 2 shows increases in the number of nationwide traffic fatalities (1.78%) and in the population-based fatality rate (0.04%) in 2020, when compared to the respective 2016-2019 average. The total 2020 nationwide traffic fatalities decreased 0.07% compared to the 2016 total. The VMT-based fatality rate for the nation increased by 12.61% in 2020 compared to the VMT-based fatality rate in 2016.

Table 2. Nationwide Basic Data							
	2016	2017	2018	2019	2020	% Change: 2016 vs. 2020	% Change: 2020 vs. prior 4-yr Avg.
Total Fatalities	37,803	37,471	36,830	36,352	37,776	-0.07%	1.78%
VMT*	3,174	3,210	3,240	3,262	2,904	-8.51%	-9.86%
VMT Rate**	1.19	1.17	1.14	1.11	1.34	12.61%	16.27%
Population	322,941,311	324,985,539	326,687,501	328,239,523	331,449,281	2.63%	1.76%
Pop Rate***	11.71	11.53	11.27	11.07	11.40	-2.65%	0.04%

NHTSA NCSA FARS: 2016-2019 Final File and 2020 Annual Report File (ARF)

*Vehicle Miles of Travel (billions)

**Rate per 100 million vehicle miles

***Rate per 100,000 population

As **Table 3** demonstrates, South Carolina saw a 2.36% increase in driver fatalities, when comparing 2016 (679) to 2020 (695). Unrestrained occupant fatalities reflect an 18.10% increase when comparing 2016 (315) to 2020 (372). When comparing the 343 impaired driving fatalities in 2016 to the number of impaired driving fatalities in 2020 (315), the state experienced an 8.16% decrease.

Motorcyclist fatalities decreased in South Carolina by 26.34% in 2020 compared to 2016 (from 186 in 2016 to 137 in 2020), and nationally there was a 1.12% decrease in 2020 compared to 2016 (from 5,337 in 2016 to 5,277 in 2020). It should be noted, however, that NHTSA’s FARS data includes moped rider fatality statistics in the motorcyclist category, whereas South Carolina state traffic data does not.

Older-driver-involved fatalities increased in South Carolina by 16.77% in 2020 compared to 2016 (from 161 in 2016 to 188 in 2020). Young-driver-involved fatalities also increased in 2020 by 13.89% compared to 2016 (from 108 in 2016 to 123 in 2020).

Also, as shown in **Table 3**, there were 105 bicyclist fatalities in the five-year period examined in this report, with 14 occurring in 2020, representing a decrease of 38.46% when compared to the average of the previous four-year period (23), and a decrease of 44% when compared to 2016 (25).

The increase in nationwide bicyclist fatalities was significant (7.85%) when comparing 2016 to 2020 (853 in 2016 to 920 in 2020).

Table 3. Fatalities by Type							
	2016	2017	2018	2019	2020	% Change: 2016 vs. 2020	% Change: 2020 vs. prior 4-yr Avg.
Total Fatalities							
South Carolina	1,020	989	1,036	1,006	1,064	4.31%	5.06%
U.S.	37,803	37,471	36,830	36,352	37,776	-0.07%	1.78%
Driver Fatalities							
South Carolina	679	664	693	655	695	2.36%	3.31%
U.S.	23,713	23,756	23,040	22,744	24,130	1.76%	3.50%
Passenger Fatalities							
South Carolina	166	150	152	158	165	-0.60%	5.43%
U.S.	6,820	6,521	6,276	6,127	6,096	-10.62%	-5.28%
Motorcyclist Fatalities							
South Carolina	186	145	141	151	137	-26.34%	-12.04%
U.S.	5,337	5,226	5,037	4,867	5,277	-1.12%	3.13%
Pedestrian Fatalities							
South Carolina	144	155	165	163	187	29.86%	19.30%
U.S.	6,080	6,075	6,374	6,272	6,333	4.16%	2.14%
Bicyclist Fatalities							
South Carolina	25	17	23	26	14	-44.00%	-38.46%
U.S.	853	806	871	859	920	7.85%	8.59%
Impaired Driving Fatalities							
South Carolina	343	305	290	276	315	-8.16%	3.79%
U.S.	10,967	10,880	10,710	10,196	11,654	6.26%	9.04%
Speeding Fatalities							
South Carolina	393	417	450	459	494	25.70%	14.95%
U.S.	10,291	9,947	9,579	9,592	11,258	9.40%	14.27%
Unrestrained Occupant Fatalities							
South Carolina	315	308	331	300	372	18.10%	18.66%
U.S.	10,464	10,116	9,844	9,520	10,606	1.36%	6.21%
Young Driver(20 & under) -Involved Fatalities							
South Carolina	108	121	136	96	123	13.89%	6.72%
U.S.	4,631	4,472	4,219	4,060	4,649	0.39%	6.98%
Older Driver(65+) -Involved Fatalities							
South Carolina	161	190	208	190	188	16.77%	0.40%
U.S.	7,169	7,299	7,370	7,677	6,926	-3.39%	-6.14%

NHTSA NCSA FARS: 2016-2019 Final File and 2020 Annual Report File (ARF)

The total number of pedestrian fatalities in the state increased 29.86% when comparing 2016 to 2020 (from 144 in 2016 to 187 in 2020). The number of national pedestrian fatalities increased 4.16% in 2020 (6,333) as compared to 2016 (6,080). **Table 4** shows that Charleston (10.9%), Horry (10.0%), Greenville (9.8%) and Richland (7.6%) were the counties in the state with the highest percentages of pedestrian fatalities during the five-year period.

Table 4. Pedestrian Fatalities by Top Counties							
County	2016	2017	2018	2019	2020	Total 2016-2020	% of State
Charleston	10	14	23	18	24	89	10.9%
Horry	18	19	16	16	12	81	10.0%
Greenville	19	21	10	16	14	80	9.8%
Richland	13	12	8	16	13	62	7.6%
Lexington	6	8	11	15	8	48	5.9%
Spartanburg	3	10	9	12	9	43	5.3%
Anderson	6	8	6	8	12	40	4.9%
Berkeley	7	9	6	3	9	34	4.2%
Florence	3	6	10	4	3	26	3.2%
York	4	4	6	3	7	24	2.9%
Total Top Counties	89	111	105	111	111	527	64.7%
All Pedestrian Fatalities	144	155	165	163	187	814	100.0%

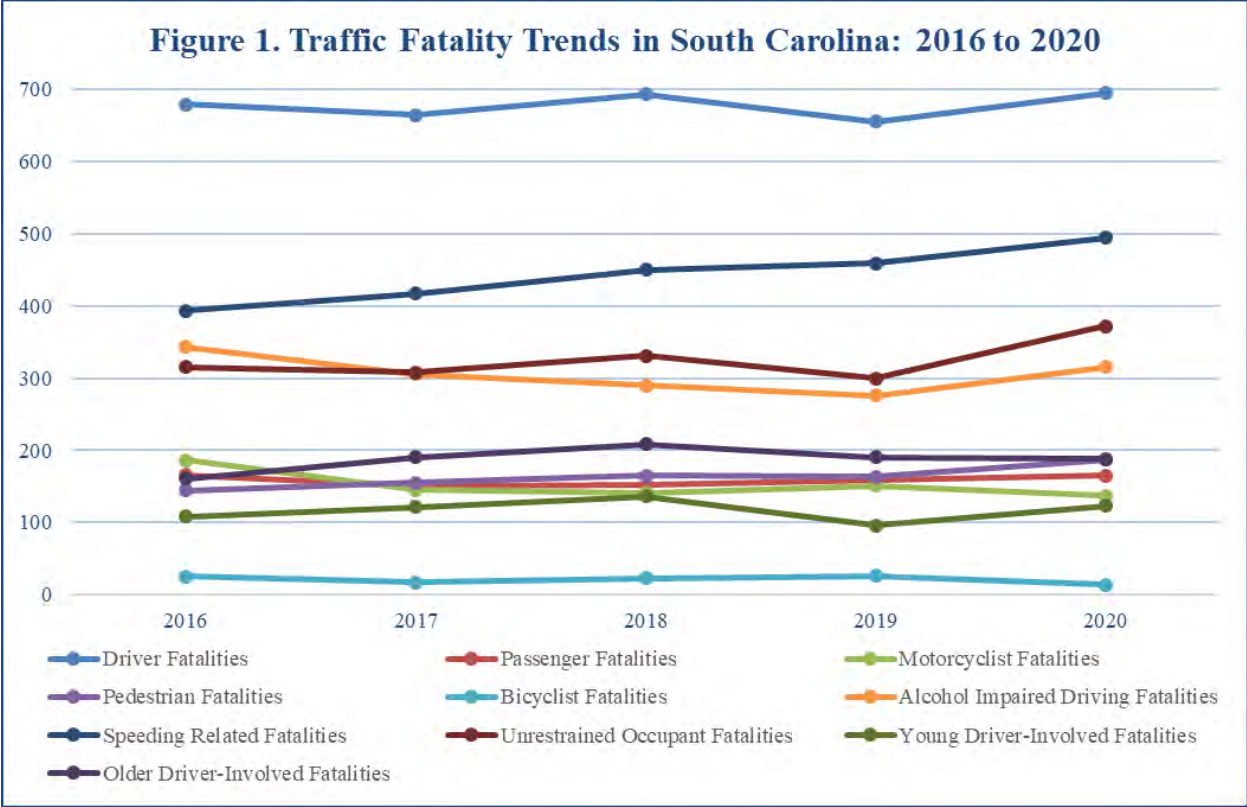
NHTSA NCSA FARS: 2016-2019 Final File and 2020 Annual Report File (ARF)

Major Categories of Traffic Fatalities in South Carolina

Figure 1 demonstrates categories of traffic fatalities in South Carolina from 2016 to 2020.

Driver fatalities accounted for the majority (66.2%) of motor vehicle-related fatalities in South Carolina during 2016-2020. This represents about four times as many traffic fatalities as were accounted for by passengers (15.5%). Overall, driver fatalities have fluctuated since 2016 (679), dropping to 664 in 2017 before rising in 2018 (693), and dropping to 655 in 2019. The 695 driver fatalities in 2020 represented a 2.36% increase when compared to 2016 (679) and an increase of 3.31% when compared to the average of years 2016 to 2019 (673).

The next three largest categories of traffic fatalities (after driver fatalities) from the 2016-2020 time period shared some degree of overlap and were behavior-related. Speeding-related fatalities averaged about 443 per year and accounted for approximately 43% of total traffic fatalities; alcohol-impaired driving fatalities averaged 306 per year and accounted for approximately 30% of total traffic fatalities; and unrestrained occupant fatalities averaged about 325 per year and accounted for approximately 32% of total traffic fatalities.



There were no declines observed in any of the three major behavior-related traffic fatality categories (alcohol-impaired driving, speeding-related, and unrestrained vehicle occupant) in South Carolina. Alcohol-impaired-driving fatalities showed a decline when comparing 2016 to 2020 (-8.16% in 2020 as compared to 2016); however, this category of fatalities showed an increase when comparing 2020 to the prior 4-year average (+3.79% comparing 2020 to the average of 2016-2019). Alcohol-impaired-driving fatalities declined from 2016 to 2017 (-38). The numbers continued to improve in subsequent years with alcohol-impaired driving fatalities experiencing a decline from 2017 to 2018 (-15) and from 2018 to 2019 (-14) in South Carolina. Overall, there was a net decline of 28 alcohol-impaired driving fatalities between 2016 and 2020, but this category of fatalities increased from 2019 to 2020, rising by 39 fatalities, or 14.13% (see **Tables 5 and 3** as well as **Figures 2 and 3** for impaired driving trends).

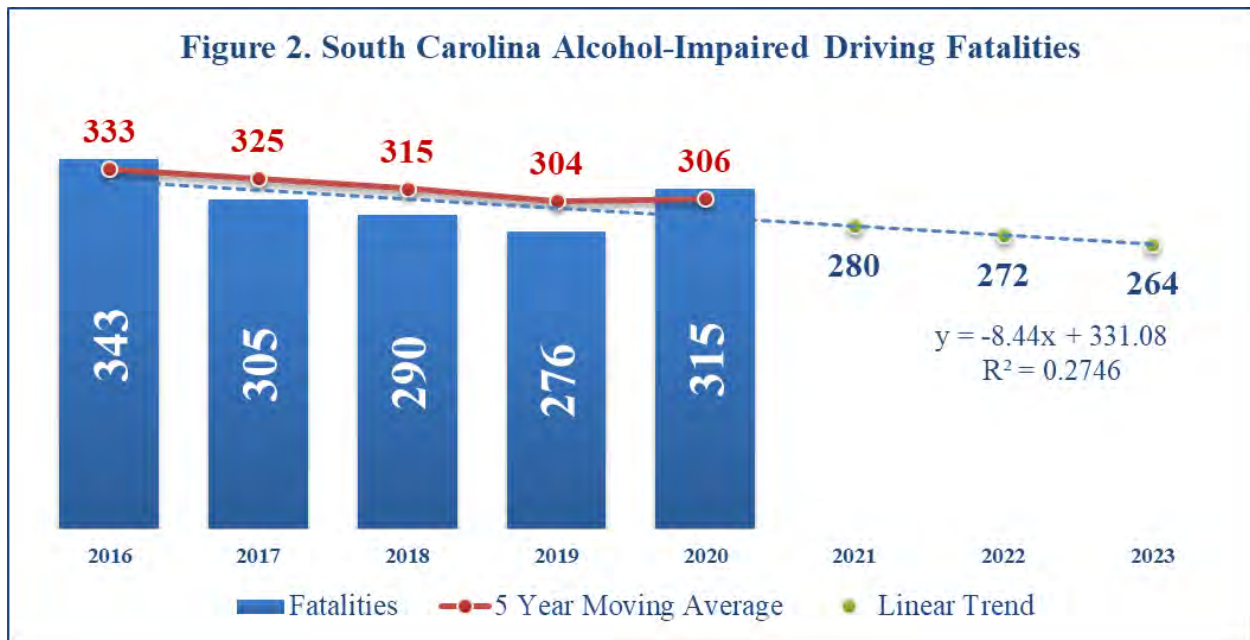
Unrestrained occupant fatalities showed an increase during 2016-2020 (+18.10% in 2020 as compared to 2016; +18.66% comparing 2020 to the average of 2016-2019). Unrestrained occupant fatalities declined from 2016 to 2017 (-7) before rising from 2017 to 2018 (+23). The numbers experienced the biggest decline of the five-year period from 2018 to 2019 (-31) and the biggest increase of the five-year-period from 2019 to 2020 (+72). Overall, there was

a net increase of fifty-seven (57) unrestrained occupant fatalities between 2016 and 2020 (see **Tables 7 and 3** as well as **Figures 6 and 7** for unrestrained occupant trends).

Finally, speeding-related fatalities steadily increased during 2016-2020, showing a 25.70% increase when comparing 2020 to 2016, as well as a 14.95% increase when comparing 2020 to the prior four year average (430). (See **Tables 6 and 3** as well as **Figures 4 and 5** for speeding-related trends).

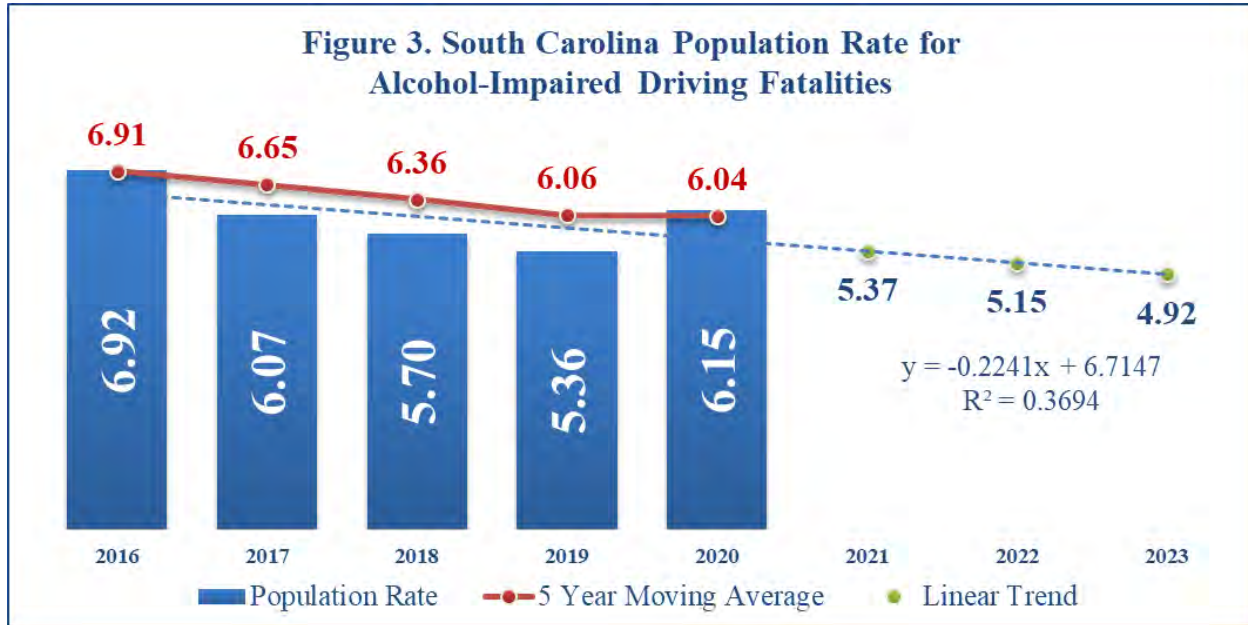
Table 5. South Carolina Alcohol-Impaired Driving Fatalities							
	2016	2017	2018	2019	2020	% Change: 2016 vs. 2020	% Change: 2020 vs. prior 4-yr Avg.
Total Fatalities	343	305	290	276	315	-8.16%	3.79%
VMT Rate**	0.63	0.55	0.51	0.48	0.59	-6.35%	8.76%
Pop Rate***	6.92	6.07	5.70	5.36	6.15	-11.13%	2.29%
Pct. Of Total	33.63%	30.84%	27.99%	27.44%	29.61%	-4.02%	-0.37%

NHTSA NCSA FARS: 2016-2019 Final File and 2020 Annual Report File (ARF)
 2020 VMT & VMT Rate provided by South Carolina Department of Transportation
 Population provided by U.S. Bureau of Census
 **Rate per 100 million vehicle miles
 ***Rate per 100,000 population



South Carolina’s alcohol-impaired population-based fatality rate showed a significant decline from 2016-2019; however, the rate rose 14.74% from 2019 to 2020, with the 2020 rate (6.15 deaths per 100,000 population) representing a 2.29% increase when compared to the 2016-2019 average (6.01) and an 11.13% decrease when compared to the 2016 rate (6.92).

Additionally, alcohol-impaired driving fatalities made up 29.61% of total traffic fatalities in South Carolina in 2020. This is a 4.02% decrease from the 33.63% of alcohol-impaired driving fatalities to total traffic fatalities in 2016 and a 0.37% decrease when comparing the 2020 percentage to the 2016-2019 average percentage (see **Table 5**).



There was a significant increase over the 2016-2020 period in the speeding-related fatalities category as shown in **Table 6**. The 494 speeding-related fatalities in South Carolina in 2020 represented a substantial increase (14.95%) compared to the average of the prior four years, and an even larger increase (25.70%) when compared to the 2016 total (393). The population-based fatality rate was the highest in 2020 (9.65) and was significantly higher than the rate in 2016 (7.93). South Carolina’s 2020 speeding-related population-based fatality rate (9.65 deaths per 100,000 population) is 13.56% higher than the 2016-2019 average (8.50) and 21.69% higher than the 2016 rate.

	2016	2017	2018	2019	2020	% Change: 2016 vs. 2020	% Change: 2020 vs. prior 4-yr Avg.
Total Fatalities	393	417	450	459	494	25.70%	14.95%
VMT Rate**	0.72	0.75	0.79	0.79	0.92	27.78%	20.66%
Pop Rate***	7.93	8.30	8.85	8.91	9.65	21.69%	13.56%
Pct. Of Total	38.53%	42.16%	43.44%	45.63%	46.43%	7.90%	3.99%

NHTSA NCSA FARS: 2016-2019 Final File and 2020 Annual Report File (ARF)
 2020 VMT & VMT Rate provided by South Carolina Department of Transportation
 Population provided by U.S. Bureau of Census
 **Rate per 100 million vehicle miles
 ***Rate per 100,000 population

Figure 4. South Carolina Speeding-Related Fatalities

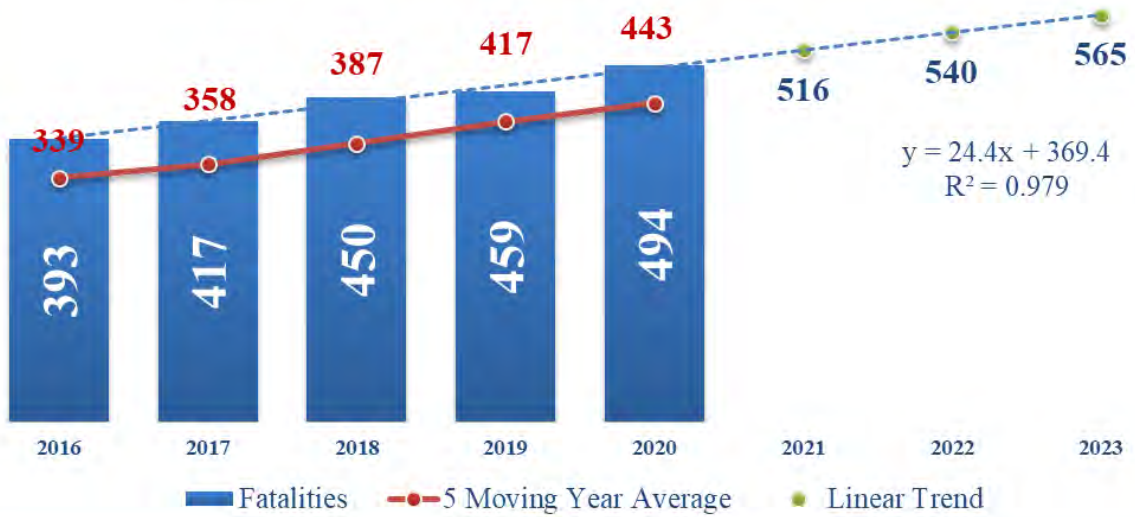


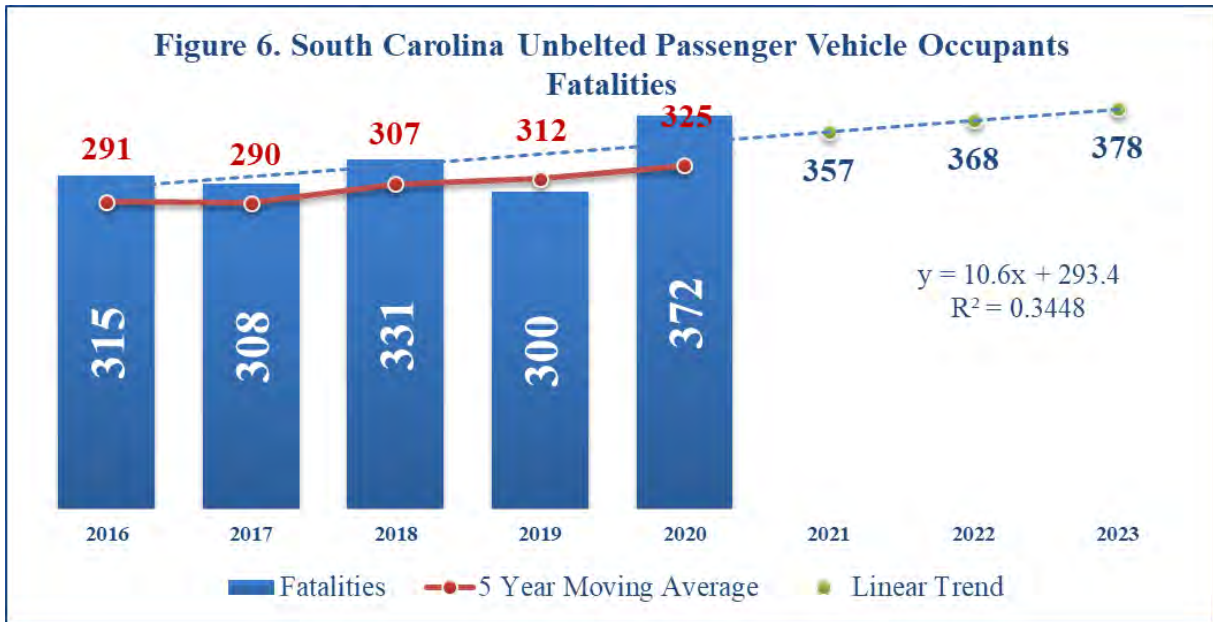
Figure 5. South Carolina Population Rate for Speeding-Related Fatalities

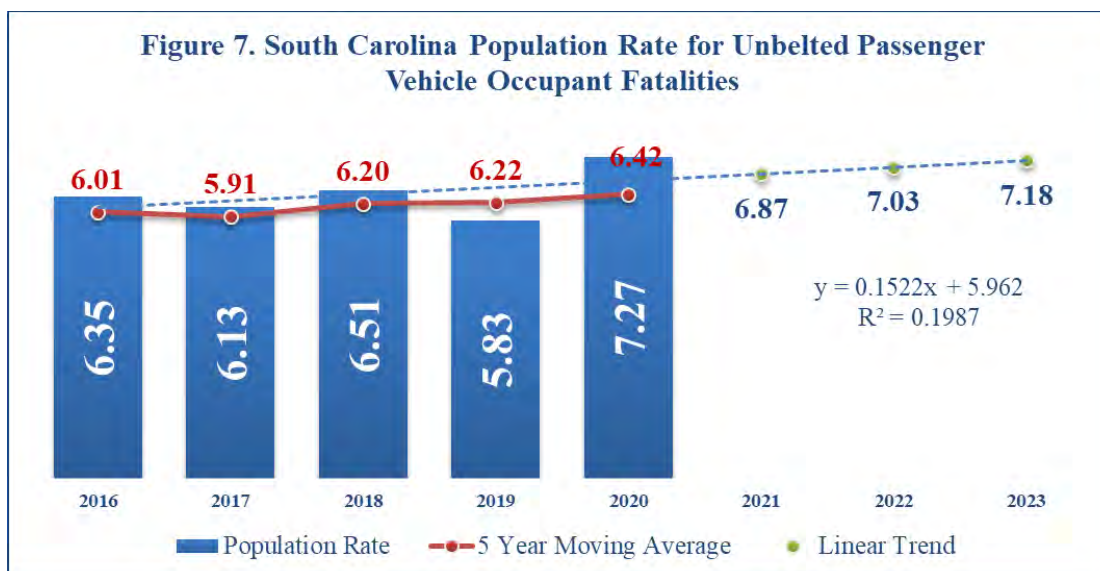


Unbelted passenger vehicle occupant fatalities fluctuated over the 2016-2020 period, and the 2020 count was the highest of the period, as shown in **Figure 6**. The net increase between 2016 and 2020 was 57 unbelted passenger vehicle occupant fatalities (see **Tables 7** and **3**). South Carolina’s 2016-2020 population-based unbelted passenger vehicle occupant fatality rate (6.42 deaths per 100,000 population) was much higher than the U.S. as a whole (3.09) during the preceding period (calculated from **Tables 2** and **3** and U.S. population from 2016-2020).

Table 7. South Carolina Unbelted Passenger Vehicle Occupant Fatalities							
	2016	2017	2018	2019	2020	% Change: 2016 vs. 2020	% Change: 2020 vs. prior 4-yr Avg.
Total Fatalities	315	308	331	300	372	18.10%	18.66%
VMT Rate**	0.58	0.55	0.58	0.52	0.69	18.97%	23.77%
Pop Rate***	6.35	6.13	6.51	5.83	7.27	14.49%	17.16%
Pct. Of Total	30.88%	31.14%	31.95%	29.82%	34.96%	4.08%	4.01%
Observed Belt Use	93.90%	92.30%	89.70%	90.30%	90.30%	-3.60%	-1.25%

NHTSA NCSA FARS: 2016-2019 Final File and 2020 Annual Report File (ARF)
 2020 VMT & VMT Rate provided by South Carolina Department of Transportation
 Population provided by U.S. Bureau of Census
 **Rate per 100 million vehicle miles
 ***Rate per 100,000 population





Mid-range Categories of Traffic Fatalities in South Carolina

Five additional categories were associated with more moderate proportions of traffic fatalities, each with 10% to 20% of total fatalities over the five-year period 2016-2020. These categories (and their proportions) were **older (65+) driver-involved** fatalities (18.32%, 187 fatalities annually); **pedestrians** (15.91%, 163 fatalities annually); **passenger** fatalities (15.46%, 158 fatalities annually); **motorcyclists** (14.86%, 152 fatalities annually); and **young (20 & under) driver-involved** fatalities (11.42%, 117 fatalities annually). Three of the five categories (pedestrians, older (65+) driver-involved, and young (20 & under) driver-involved) increased in total fatalities in 2020, with pedestrians having the most significant increase from 2016 (144) to 2020 (187). The remaining two categories (motorcyclists and passenger fatalities) experienced decreases of 26.34% and 0.6%, respectively, when compared to 2016.

As shown in **Table 8**, passenger traffic fatalities declined from 2016 to 2017 before rising from 2018 through 2020. The 165 passenger fatalities in 2020 were 5.43% higher than the average of the previous four years (157) and 0.60% lower than in 2016 (166).

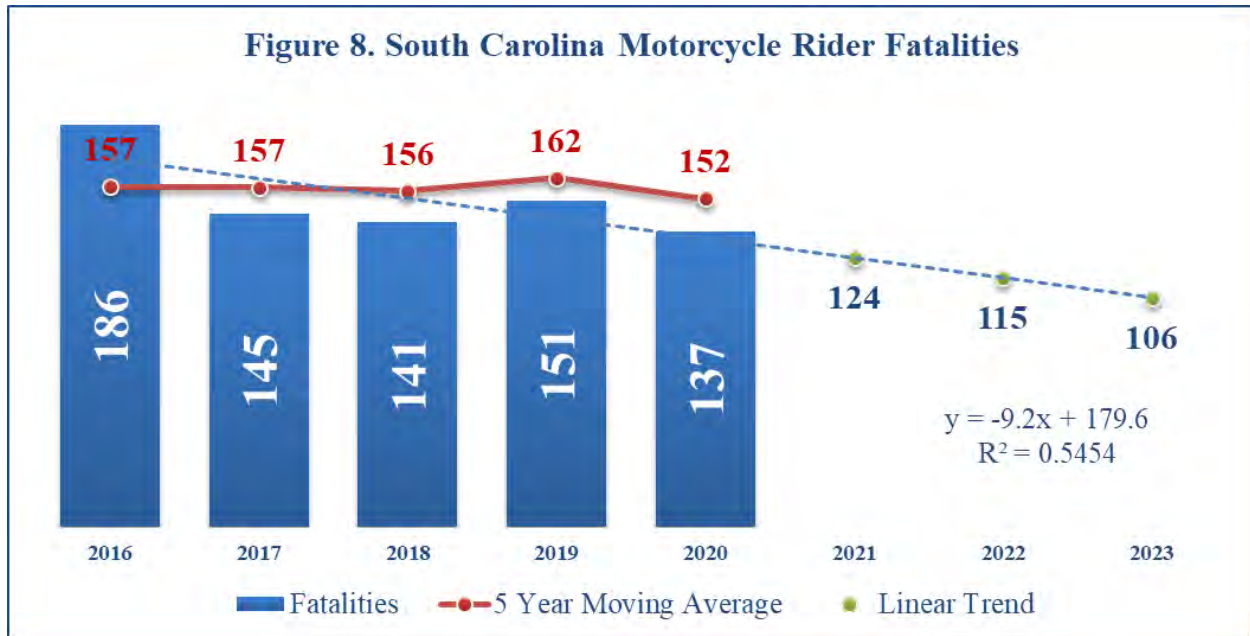
	2016	2017	2018	2019	2020	% Change: 2016 vs. 2020	% Change: 2020 vs. prior 4-yr Avg.
Total Fatalities	166	150	152	158	165	-0.60%	5.43%
VMT Rate**	0.31	0.27	0.27	0.27	0.31	0.00%	10.71%
Pop Rate***	3.35	2.99	2.99	3.07	3.22	-3.88%	3.87%
Pct. Of Total	16.27%	15.17%	14.67%	15.71%	15.51%	-0.76%	0.05%

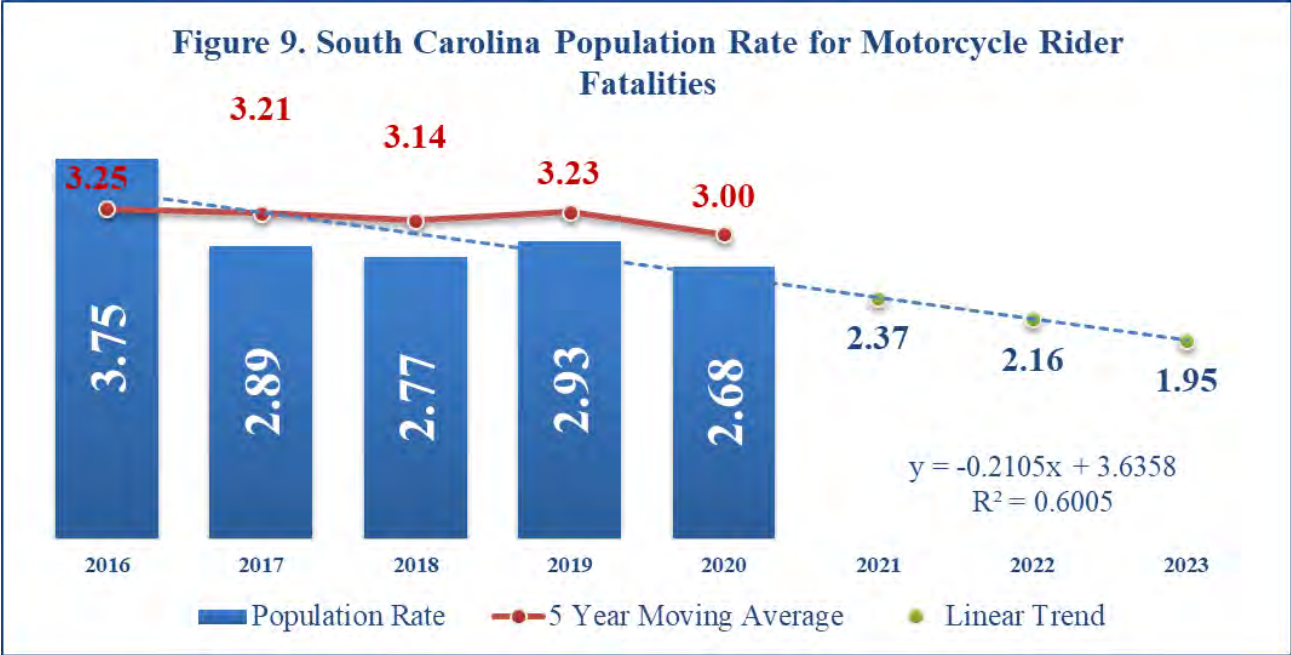
NHTSA NCSA FARS: 2016-2019 Final File and 2020 Annual Report File (ARF)
 2020 VMT & VMT Rate provided by South Carolina Department of Transportation
 Population provided by U.S. Bureau of Census
 **Rate per 100 million vehicle miles
 ***Rate per 100,000 population

The National Highway Traffic Safety Administration (NHTSA) defines motorcycle riders as both operators and the passengers of the motor vehicle with motive power having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground. **Table 9** shows that in South Carolina, the number of motorcycle rider fatalities experienced a significant decrease from 2016 through 2018, an increase from 2018 to 2019, and a decrease from 2019 to 2020 during the five-year period from 2016-2020. The number of fatalities in 2020 (137) represents a 12.04% decrease from the average of the prior four years (156) and a 26.34% decrease from 2016 (186). However, it should be noted that the statistical information in these charts includes moped operator fatalities, as well as motorcyclist fatalities. Traffic statistical data collection in the state of South Carolina distinguishes between these two categories of motorists.

Table 9. South Carolina Motorcycle Rider Fatalities							
	2016	2017	2018	2019	2020	% Change: 2016 vs. 2020	% Change: 2020 vs. prior 4-yr Avg.
Total Fatalities	186	145	141	151	137	-26.34%	-12.04%
VMT Rate**	0.34	0.26	0.25	0.26	0.25	-26.47%	-9.91%
Pop Rate***	3.75	2.89	2.77	2.93	2.68	-28.53%	-13.13%
Pct. Of Total	18.24%	14.66%	13.61%	15.01%	12.88%	-5.36%	-2.50%
Unhelmeted Fat.	134	99	98	116	92	-31.34%	-17.67%
Pct. Unhelmeted Fat.	72.04%	68.28%	69.50%	76.82%	67.15%	-4.89%	-4.51%

NHTSA NCSA FARS: 2016-2019 Final File and 2020 Annual Report File (ARF)
 2020 VMT & VMT Rate provided by South Carolina Department of Transportation
 Population provided by U.S. Bureau of Census
 **Rate per 100 million vehicle miles
 ***Rate per 100,000 population





Another mid-range traffic fatality category that experienced a significant increase in the overall number of fatalities from 2016 to 2020 was older (65+) driver-involved traffic fatalities. Older (65+) driver-involved traffic fatalities were 16.77% higher in 2020 (188) than in 2016 (161) and 0.40% higher than the average of the prior four years from 2016-2019 (187). See **Tables 10** and **3** as well as **Figures 10** and **11** for older (65+) driver-involved trends.

Table 10. South Carolina Older(65+) Driver-Involved Fatalities							
	2016	2017	2018	2019	2020	% Change: 2016 vs. 2020	% Change: 2020 vs. prior 4-yr Avg.
Total Fatalities	161	190	208	190	188	16.77%	0.40%
VMT Rate**	0.30	0.34	0.37	0.33	0.35	16.67%	4.48%
Pop Rate***	3.25	3.78	4.09	3.69	3.67	12.92%	-0.88%
Pct. Of Total	15.78%	19.21%	20.08%	18.89%	17.67%	1.89%	-0.82%

NHTSA NCSA FARS: 2016-2019 Final File and 2020 Annual Report File (ARF)
 2020 VMT & VMT Rate provided by South Carolina Department of Transportation
 Population provided by U.S. Bureau of Census
 **Rate per 100 million vehicle miles
 ***Rate per 100,000 population

Figure 10. South Carolina Older (65+) Driver-Involved Fatalities

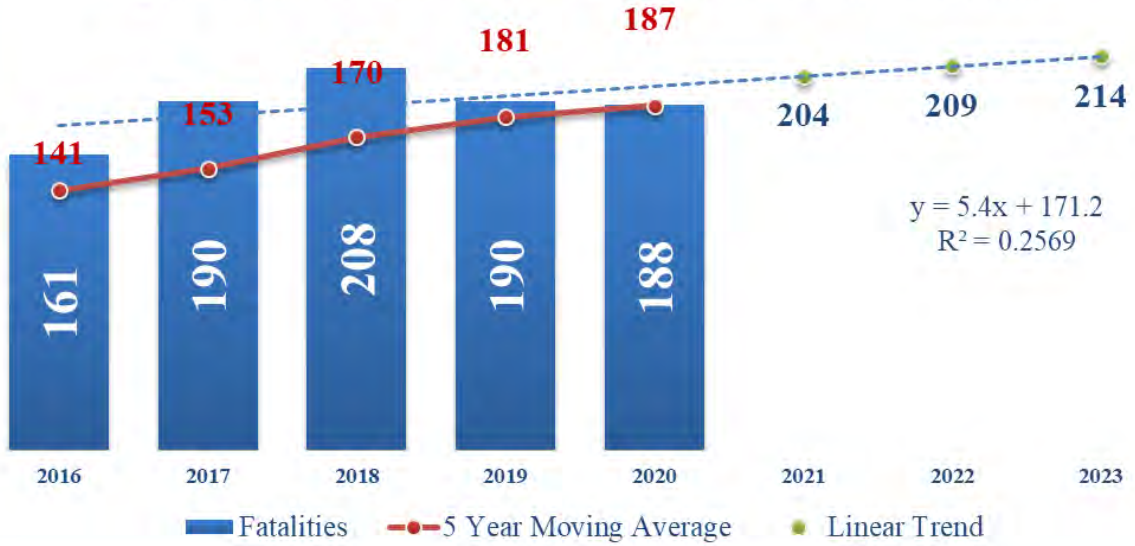
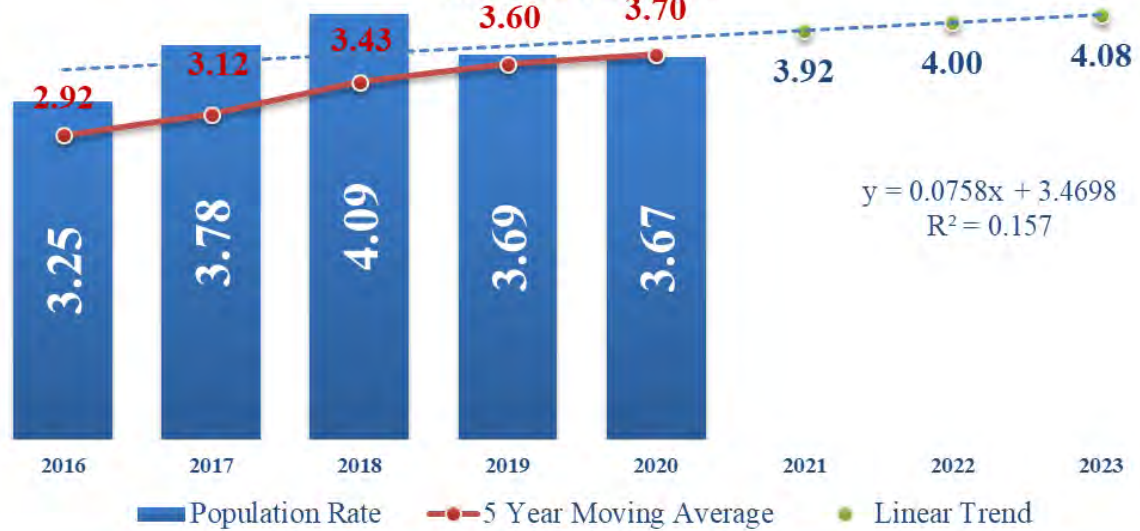


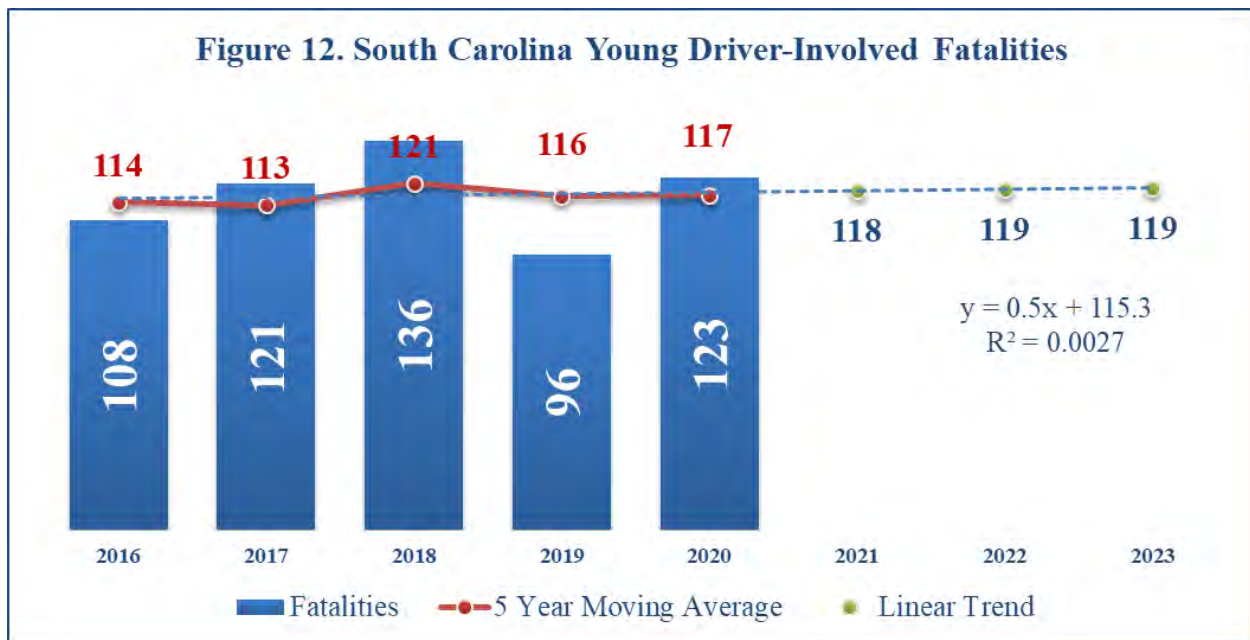
Figure 11. South Carolina Population Rate for Older(65+) Driver-Involved Fatalities

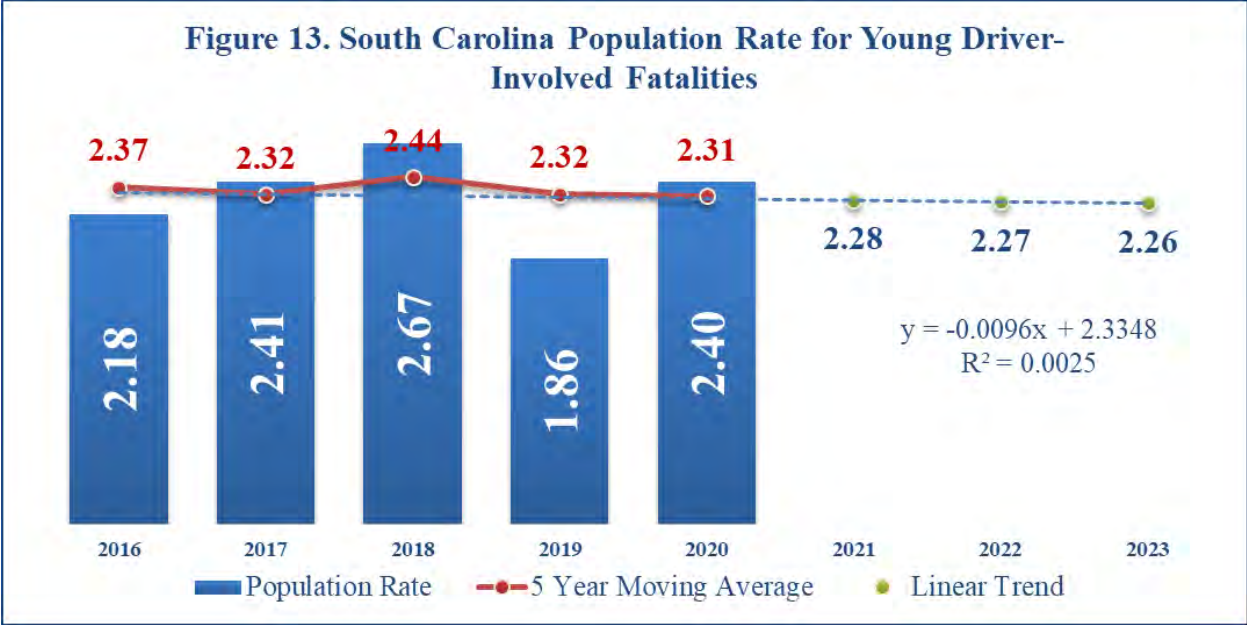


Young (under 21) driver-involved fatalities experienced an upward trend from 2016 through 2018. A considerable decline occurred from 2018 to 2019, followed by a significant increase from 2019 to 2020. The number of fatalities involving young (under 21) drivers in 2020 represented a 6.72% increase compared to the 2016-2019 average (115), and a 13.89% increase compared to the 2016 total (108). In South Carolina, the young (under 21) driver-involved population-based fatality rate followed a similar pattern as the number of fatalities, with the 2020 rate (2.40 deaths per 100,000 population) representing a 5.26% increase when compared to the prior four-year average (2.28) and a 10.09% increase from the 2016 rate (2.18) (see **Tables 11** and **3** as well as **Figures 12** and **13** for young driver-involved trends).

Table 11. South Carolina Young(Under 21) Driver-Involved Fatalities							
	2016	2017	2018	2019	2020	% Change: 2016 vs. 2020	% Change: 2020 vs. prior 4-yr Avg.
Total Fatalities	108	121	136	96	123	13.89%	6.72%
VMT Rate**	0.20	0.22	0.24	0.17	0.23	15.00%	10.84%
Pop Rate***	2.18	2.41	2.67	1.86	2.40	10.09%	5.26%
Pct. Of Total	10.59%	12.23%	13.13%	9.54%	11.56%	0.97%	0.19%

NHTSA NCSA FARS: 2016-2019 Final File and 2020 Annual Report File (ARF)
 2020 VMT & VMT Rate provided by South Carolina Department of Transportation
 Population provided by U.S. Bureau of Census
 **Rate per 100 million vehicle miles
 ***Rate per 100,000 population





Pedestrian traffic fatalities increased steadily from 2016 through 2018, dropped slightly from 2018 to 2019, and increased significantly from 2019 to 2020 (187). Overall, pedestrian fatalities increased by 29.86% when comparing 2020 with 2016, and by 19.30% when compared with the average of the prior four years (157). See **Tables 12** and **3**, as well as **Figures 14** and **15** for pedestrian trends.

Throughout the five years shown in **Table 12**, pedestrians accounted for, on average, 15.91% of all traffic-related fatalities in South Carolina. The 2020 percentage of pedestrian fatalities to total traffic fatalities (17.58%) represents a 2.10% increase in this index when compared to the 2016-2019 average (15.48%), and a 3.46% increase compared to the 2016 proportion.

	2016	2017	2018	2019	2020	% Change: 2016 vs. 2020	% Change: 2020 vs. prior 4-yr Avg.
Total Fatalities	144	155	165	163	187	29.86%	19.30%
VMT Rate**	0.26	0.28	0.29	0.28	0.35	34.62%	26.13%
Pop Rate***	2.90	3.09	3.25	3.17	3.65	25.86%	17.65%
Pct. Of Total	14.12%	15.67%	15.93%	16.20%	17.58%	3.46%	2.10%

NHTSA NCSA FARS: 2016-2019 Final File and 2020 Annual Report File (ARF)
 2020 VMT & VMT Rate provided by South Carolina Department of Transportation
 Population provided by U.S. Bureau of Census
 **Rate per 100 million vehicle miles
 ***Rate per 100,000 population

Figure 14. South Carolina Pedestrian Fatalities

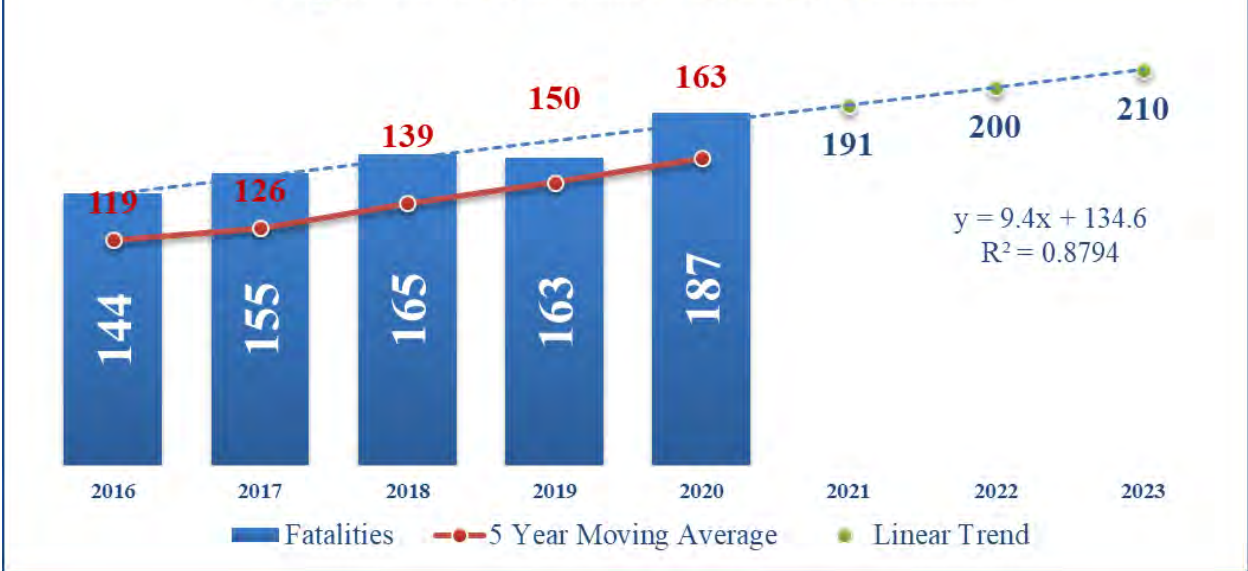
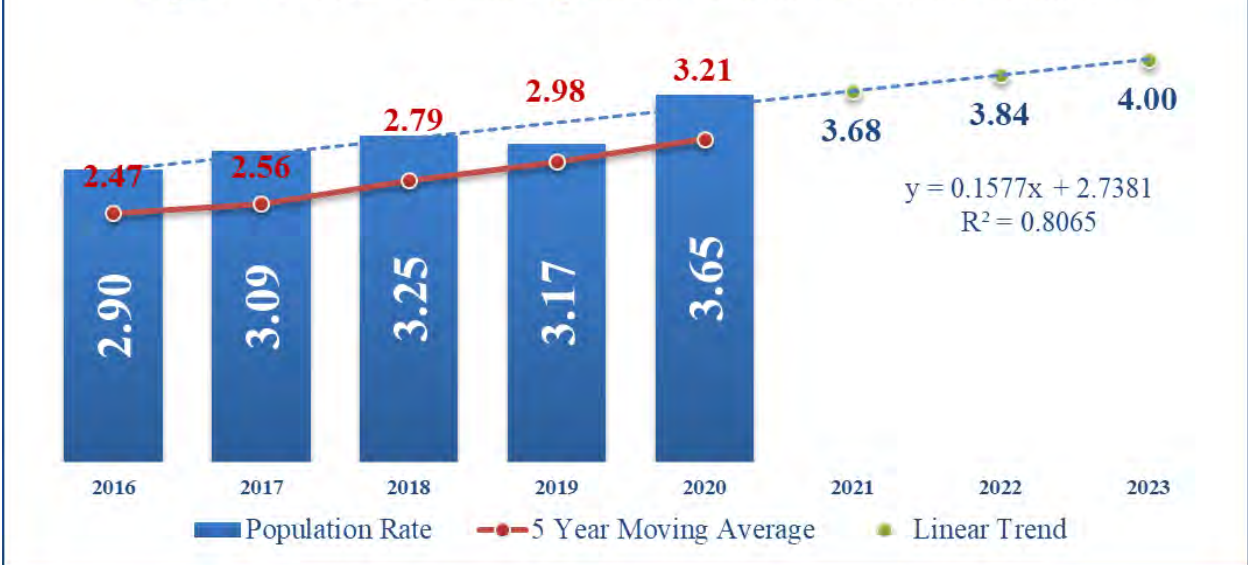


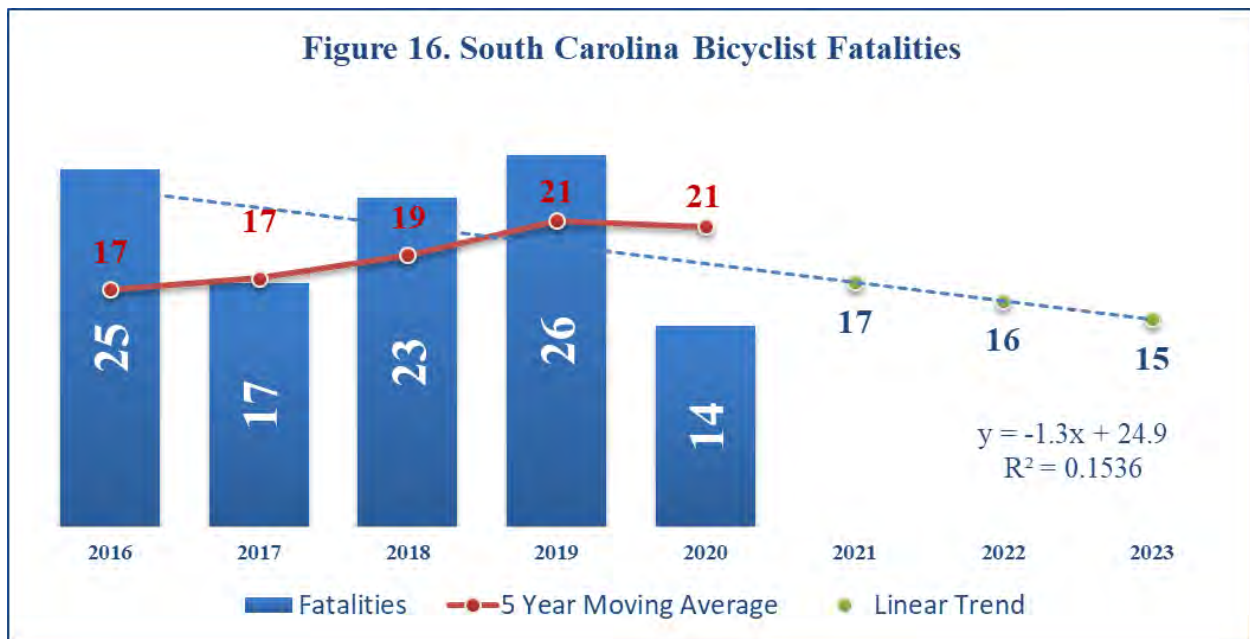
Figure 15. South Carolina Population Rate for Pedestrian Fatalities

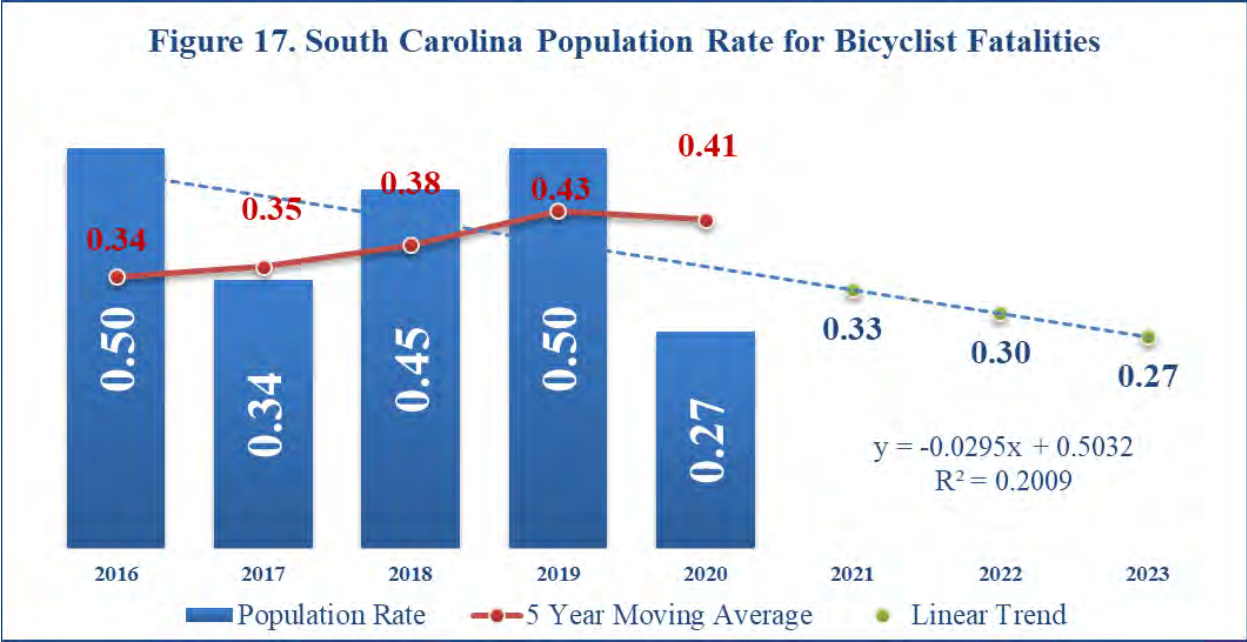


The smallest category examined in this report was bicyclist traffic fatalities, accounting for, on average, 2.05% of all traffic-related fatalities in South Carolina over all five years (about 21 fatalities annually). There was a decrease from 2016 to 2017, an increase from 2017 through 2019, and a decrease from 2019 to 2020; the highest number of fatalities (26) was recorded in 2019. The 14 fatalities in 2020 represent a decrease of 38.46% over the prior four-year average and a 44.00% decrease when compared to the 2016 figure (see **Tables 13 and 3** and **Figures 16 and 17** for trends in bicyclist fatalities).

Table 13. South Carolina Bicyclist Fatalities							
	2016	2017	2018	2019	2020	% Change: 2016 vs. 2020	% Change: 2020 vs. prior 4-yr Avg.
Total Fatalities	25	17	23	26	14	-44.00%	-38.46%
VMT Rate**	0.05	0.03	0.04	0.04	0.03	-40.00%	-25.00%
Pop Rate***	0.50	0.34	0.45	0.50	0.27	-46.00%	-39.66%
Pct. Of Total	2.45%	1.72%	2.22%	2.58%	1.32%	-1.13%	-0.92%

NHTSA NCSA FARS: 2016-2019 Final File and 2020 Annual Report File (ARF)
 2020 VMT & VMT Rate provided by South Carolina Department of Transportation
 Population provided by U.S. Bureau of Census
 **Rate per 100 million vehicle miles
 ***Rate per 100,000 population





SC Traffic Fatality Summary

Total traffic fatalities in South Carolina numbered 768 in 2013 (the third lowest number of fatalities in the prior 50-year state history) before increasing to 823 in 2014. Since 2014, the total number of traffic fatalities in South Carolina has increased considerably. The year 2015 saw 979 traffic fatalities and 1,020 traffic fatalities occurred in 2016. The number of traffic fatalities decreased slightly in 2017 to 989 before increasing to 1,036 in 2018 and then decreasing to 1,001 in 2019. In 2020, the number of traffic fatalities in South Carolina totaled 1,064, which was the record high for the five-year period of 2016-2020. Overall, there was an increase of 44 fatalities from 2016 with 2020.

Significant statistical declines from 2016 through 2020 occurred within the following categories (when comparing the number of related fatalities in 2016 to 2020): alcohol-impaired driving fatalities (-8.16%), motorcyclist fatalities (-26.34%), and bicyclist (-44.00%). A smaller statistical decline was observed in the passenger fatalities category (-0.60%). The remaining categories all saw increases: Driver (2.36%); Young (20 & under) Driver-Involved (13.89%); Older (65+) Driver-Involved (16.77%); Unrestrained Occupant (18.10%); Speeding-Related (25.70%); and Pedestrians (29.86%).

METHODS FOR PROJECT SELECTION

SOUTH CAROLINA'S PROCESS FOR DEVELOPING AND SELECTING EVIDENCE-BASED COUNTERMEASURES AND PROJECTS

Development of the Funding Guidelines

With the completion of the Problem Identification process, staff developed the FFY 2023 Highway Safety Funding Guidelines, which for the first time in many years included overtime enforcement projects. This document set guidelines for the submission of grant applications for highway safety funding in accordance with the priorities established through the problem identification process and basic federal requirements of the Section 402 program. Under the new performance-based process, the guidelines stipulated that "Applicants who do not demonstrate a traffic safety problem/need will not be considered for funding." In order to place funding where the problems exist, the guidelines further specified that "priority consideration will be given to applicants proposing major alcohol countermeasures, occupant protection, non-motorized safety, speed enforcement, and traffic records programs within the counties identified previously as having the highest numbers and percentages of alcohol and/or speed-related traffic collisions, deaths, and injuries during the last three years."

The guidelines:

- (1) described the state's identified highway safety problems;
- (2) provided information on the priority funding areas and the types of projects desired by OHSJP based on the problem identification process;
- (3) described allowable and unallowable activities/program costs;
- (4) provided information on project funding eligibility;
- (5) provided information on how applications would be reviewed and evaluated;
- (6) provided a checklist for grant application completion;
- (7) detailed funded applicants responsibilities; and
- (8) explained the specific requirements for applications submitted under the various program areas.

Solicitation Process

Once the guidelines were completed, an electronic flyer was sent to approximately 450 recipients, including state and local law enforcement agencies, state agencies, Project Directors of current grant projects, coroners, and Safe Kids coalitions within the state on December 30, 2021. The flyer informed recipients of the grant opportunity and invited them to attend the Grant Solicitation

Workshop. It also referred recipients to the OHSJP's website at <https://scdps.sc.gov/ohsjp> which contained instructions for the preparation of the grant application document. The application deadline was Friday, February 25, 2022 at 11:59 p.m. Applicants were provided names and telephone numbers of highway safety staff to contact for assistance.

Workshops for Potential Applicants

A virtual Grant Solicitation Workshop was held via WebEx on January 19, 2022, with approximately 95 participants. During the workshop, participants were provided with a description of the various program areas eligible for funding; an explanation of allowable costs; a description of the types of projects for which priority consideration would be given; a description of the criteria by which applications would be reviewed; specific instructions on the proper completion of the grant application; and a presentation on how to write a winning grant proposal. Participants were informed that samples of completed grant applications in the eligible areas for funding would be available on the SCDPS website to assist in the preparation of their applications.

Highway Safety Strategies and Projects

Each countermeasure strategy and project South Carolina plans to implement to reach the performance targets utilizing Section 402 and Section 405 funding streams during the FFY 2023 grant year is described. The systematic data collection and analysis used in the project selection process supports the successful implementation of an evidence-based traffic safety enforcement program in this state.

Strategies for Project Selection

The deadline for Highway Safety grant applications for FFY 2023 funding was Friday, February 25, 2022, at 11:59 p.m. Grant applications moved through a multi-stage review process. The first stage of the review process involved the Highway Safety Grant Program Manager, Highway Safety Planning and Evaluation Coordinator, Occupant Protection/Police Traffic Services Program Coordinator, Impaired Driving Countermeasures Program Coordinator and members of the Highway Safety Grants Accounting Team reviewing and discussing the applications submitted by the due date and time. A second stage of the review process involved additional meetings to discuss grant applications in detail and included the OHSJP Director, the Grants Administration Manager, the Business Manager, the Highway Safety Grants Accounting Manager, and the Highway Safety Grant Program Manager. Applications for continued and new highway safety activities received from state agencies, political subdivisions, and private, non-profit organizations were reviewed at both stages in accordance with the review criteria listed below:

1. The degree to which the proposal addressed a national or state-identified problem area. Primary consideration was granted to those projects which addressed major alcohol-impaired driving countermeasures, occupant protection, non-motorized safety, speed enforcement, and

traffic records programs within the counties identified previously as having the highest numbers and percentages of alcohol and/or speed-related traffic collisions, deaths, and injuries during the last three years.

2. The extent to which the proposal met the published criteria within the specific guidelines.
3. The degree to which the applicant identified, analyzed, and comprehended the local or state problems. Applicants who did not demonstrate a traffic safety problem/need were not recommended for funding.
4. The extent to which the proposal sought to provide a realistic and comprehensive approach toward problem solution, including documenting coordination with local and state agencies necessary for successful implementation.
5. The assignment of specific and measurable objectives with performance indicators capable of assessing project activity.
6. The extent to which the estimated cost justified the anticipated results.
7. The ability of the proposed efforts to generate additional identifiable highway safety activity in the program area; the ability of the applicant to become self-sufficient and to continue project efforts once federal funds are no longer available.
8. The ability of the applicant to successfully implement the project based on the experience of the agency in implementing similar projects; the capability of the agency to provide necessary administrative support to the project. For projects funded in previous fiscal years, the quality of work and the responsiveness to grant requirements demonstrated in past funding years; current or past grant performance; results of past monitoring visits; and the timeliness and thoroughness of required reports.
9. Applicants must not be delinquent in the submission of fines, fees, and surcharges to the State Treasurer's Office.
10. Law enforcement applicants must be current in the reporting of Public Contact Information to the SCDPS pursuant to Section 56-5-6560 of the South Carolina Code of Laws.

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

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

The second stage of the grant review process was held to reach a general consensus on each of the grant applications. Upon the conclusion of the two stages of staffing meetings, the third portion of the review process began. Each project was further reviewed and evaluated to ensure that all projects recommended for funding met the established criteria and the final recommendation would reflect the best use of grant funds to address a highway safety issue. Ranking priority for projects recommended for funding was given to (1) ongoing grant applications for the overall management and administration of the Highway Safety grant program; (2) continuation of statewide training grant applications; (3) law enforcement grant applications in priority county order; (4) prosecutorial grant applications in priority county order; and 5) all other meritorious grant applications addressing Funding Guidelines priority areas which demonstrated a highway safety problem.

LIST OF INFORMATION AND DATA SOURCES

Data Sources Consulted:

Venkatraman, V., Richard, C.M., Magee, K., & Johnson, K. (2021, July). *Countermeasures that work: A highway safety countermeasures guide for State Highway Safety Offices*, 10th edition, 2020. (Report No. DOT HS 813 097). National Highway Traffic Safety Administration.

South Carolina /SCDPS Crash Statistics OHSJP Statistical Analysis and Research Section.

SCDPS and SC Department of Transportation (2020, December). S.C. Strategic Highway Safety Plan. Retrieved from:
https://scdps.sc.gov/sites/default/files/Documents/accountability/BR1_SC_SHSP_Dec20-LoRes.pdf

Fatality Analysis Reporting System, National Highway Traffic Safety Administration.

DESCRIPTION OF OUTCOMES REGARDING SHSP & HSIP COORDINATION Coordination with HSP and the Strategic Highway Safety Plan (SHSP)/State Highway Safety Improvement Program (HSIP)

The state views the coordination of the HSP with the SHSP as an effort to build a unified state approach to highway safety. This coordination is evidenced by the performance measures meetings with Metropolitan Planning Organizations (MPO) and SCDOT, which are conducted by the

OHSJP and SCDOT. The coordination is also evidenced by joint enforcement efforts, such as the continuation of the dedicated Safety Improvement Teams (SIT) for work zones, funded by SCDOT, and SCDOT's and the SCDPS' collaborative plan which allows all SCDPS law enforcement personnel the opportunity to work in an off-duty capacity in work zones.

South Carolina completed the update of its Strategic Highway Safety Plan (SHSP) in December 2020. The updated plan, titled "Target Zero" (https://scdps.sc.gov/sites/default/files/Documents/accountability/BR1_SC_SHSP_Dec20-LoRes.pdf) was developed in consultation and coordination with federal, state, and local safety partners with the goal of eliminating traffic fatalities and reducing serious traffic-related injuries.

The emphasis areas for Target Zero were identified using a data-driven process and include performance measures such as the number and rate of fatalities and serious injuries. The major problem areas for SC remain similar to those identified in the 2015 SHSP. The 12 emphasis areas are: roadway departure; intersections; unrestrained driving; impaired driving; speeding; distracted driving; young drivers; mature drivers; pedestrians; motorcycles/mopeds; bicycles; and work zones (highway workers). In an effort to coordinate the SHSP with the HSP, the OHSJP Director was actively involved in the development of the SHSP. Data analyses performed by the SARS for the purpose of identifying the emphasis areas for the updated SHSP were also utilized in the setting of performance measures and targets in the FFY 2023 HSP.

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

The performance measures that are common to South Carolina's HSP, SHSP and the state's HSIP are the number of traffic fatalities, number of serious traffic injuries, and the traffic fatality VMT rate. The Federal Highway Administration (FHWA) and SCDOT are responsible for the development of the HSIP. The SCDPS, SCDOT, FHWA, and other local, state and federal agencies and safety advocates collaborated on the creation of the SHSP. The state's HSP, though developed by OHSJP, reflects multiple partnerships among a variety of federal, state, and local agencies. The number of traffic fatalities, number of serious traffic injuries, and the traffic fatality VMT rate performance measures are mutually identified in the HSP and SHSP by emphasis areas that were developed through extensive data analysis. The performance measure targets common between SCDPS and SCDOT are reported by SCDOT in the Highway Safety Improvement Program (HSIP) Annual Report. The HSIP Annual Report is submitted by SCDOT to FHWA and is due by August 31st each year. After both the HSP and the HSIP have been submitted, FHWA will perform a review of both documents to ensure the targets are identical. States are notified of any discrepancies. Additionally, the performance measures and goals contained within this HSP were mutually agreed upon by SCDPS OHSJP Director, Grants Administration Manager, Highway Safety Grant Program Manager, SCDOT SHSP Manager and State Safety Engineer, and

the Federal Highway Administration's (FHWA) Safety and Operations Engineer for South Carolina, most of whom serve on the state's SHSP steering committee. The SCDOT State Safety Engineer and the FHWA-SC Safety and Traffic Engineer also are involved in the development of the Highway Safety Improvement Program for South Carolina. It is understood that the performance measures common to the state's HSP, SHSP and HSIP are and will be defined identically and appropriately aligned.

PERFORMANCE REPORT

Performance Measure:	2023 HSP				
	Target Period	Target Year(s)	Target Value FY22 HSP	Data Source*/ FY22 Progress Results	On Track to Meet FY22 Target YES/NO/In-Progress (Must be Accompanied by Narrative**)
C-1) Total Traffic Fatalities	5 year	2018-2022	1,061	2016-2020 FARS & Preliminary State 2021 Data 1,058	No
C-2) Serious Injuries in Traffic Crashes	5 year	2018-2022	2,850	2016-2020 FARS & Preliminary State 2021 Data 2,860	Yes
C-3) Fatalities/VMT	5 year	2018-2022	1.82	2016-2020 FARS Preliminary State 2021 Data 1.88	No

Note: For each of the Performance Measures C-4 through C-11, the State should indicate the Target Period which they used in the FY22 HSP.

C-4) Unrestrained Passenger Vehicle Occupant Fatalities, All Seat Positions	Annual	2022	311	Preliminary State 2021 Data 378	No
C-5) Alcohol-Impaired Driving Fatalities	Annual	2022	305	Preliminary State 2021 Data 401	No
C-6) Speeding-Related Fatalities	Annual	2022	416	Preliminary State 2021 Data 459	No
C-7) Motorcyclist Fatalities	Annual	2022	160	Preliminary State 2021 Data 187	No
C-8) Unhelmeted Motorcyclist Fatalities	Annual	2022	114	Preliminary State 2021 Data	No

				121	
C-9) Drivers Age 20 or Younger Involved in Fatal Crashes	Annual	2022	115	Preliminary State 2021 Data 147	No
C-10) Pedestrian Fatalities	Annual	2022	148	Preliminary State 2021 Data 192	No
C-11) Bicyclist Fatalities	Annual	2022	20	Preliminary State 2021 Data 24	Yes
B-1) Observed Seat Belt Use for Passenger Vehicles, Front Seat Outboard Occupants (State Survey)	Annual	2022	90.4%	2021 State Survey 90.1%	Yes
C-12) Number of Moped Fatalities	Annual	2022	34	Preliminary State 2021 Data 28	Yes
C-3R) Fatalities/VMT (Rural) (FARS, FHWA)	Annual	2022	2.56	Preliminary State 2021 Data 3.42	No
C-3U) Fatalities/VMT (Urban) (FARS, FHWA)	Annual	2022	1.18	Preliminary State 2021 Data 0.96	Yes

Listed below is a program level performance report of the state’s success in meeting the core performance targets identified in the FFY 2022 HSP for each program area. South Carolina uses the most up-to-date annual information available for each measure to report on the state’s success in meeting the core performance targets. South Carolina uses preliminary 2021 state data and 2020 FARS Annual Report File (ARF) data to report on the anticipated success of meeting the core performance targets unless otherwise noted.

Performance Measure: C-1) Number of traffic fatalities (FARS): *Traffic fatalities will increase by 5.6% from a five year baseline moving average of 1,005 in 2015-2019 to a five year moving average of 1,061 for 2018-2022.*

Program-Area-Level Report: Preliminary state data compiled by the OHSJP’s Statistical Analysis & Research Section (SARS) indicates there were 1,194 traffic fatalities in 2021, with an estimated five year average of 1,058 for 2017-2021. This is an increase of 12% from the 1,066 traffic fatalities in 2020. If this trend continues, the state does not anticipate meeting its goal of a five year moving average of 1,061 traffic deaths for 2018-2022.

Performance Measure: C-2) Number of serious injuries in traffic crashes (State crash data files): *To decrease serious traffic injuries by 4.2% from the 2015-2019 baseline average of 2,974 to 2,850 for 2018-2022.*

Program-Area-Level Report: Preliminary state data compiled by the OHSJP's Statistical Analysis & Research Section (SARS) indicates there were 2,961 serious traffic injuries in 2021, with an estimated five year average of 2,860 for 2017-2021. This is an increase of 13.6% from the 2,607 serious traffic injuries in 2020, but an 8.5% decrease from 2019 to 2021. The data from 2009 to 2018 reflects a general downward trend. Based on prior year overall trends, the state expects the number of serious traffic injuries for 2022 to be around 2,800. If the general downward trend continues, the state does anticipate meeting its goal of a five year moving average of 2,850 serious traffic injuries for 2018-2022.

Performance Measure: C-3) Fatalities/VMT (FARS, FHWA): *To decrease traffic fatalities/VMT by 0% from a five year baseline moving average of 1.82 in 2015-2019 to a five year moving average of 1.82 for 2018-2022.*

Program-Area-Level Report: Preliminary state data compiled by the OHSJP's Statistical Analysis & Research Section (SARS) indicates there were 2.08 traffic fatalities/VMT in 2021, with an estimated five year average of 1.88 for 2017-2021. This is an increase of 5.1% from the 1.98 traffic fatalities/VMT in 2020. If this trend continues, the state does not anticipate meeting its goal of a five year moving average of 1.82 traffic fatalities/VMT in 2018-2022.

Performance Measure: C-4) Number of unrestrained passenger vehicle occupant fatalities, all seat positions (FARS): *To decrease unrestrained motor vehicle occupant fatalities by 0.3% from the 2015-2019 baseline average of 312 to 311 by December 31, 2022.*

Program-Area-Level Report: Preliminary state data compiled by the OHSJP's Statistical Analysis & Research Section (SARS) indicates there were 378 unrestrained motor vehicle occupant fatalities in 2021, with an estimated five year average of 338 for 2017-2021. This is an increase of 1.6% from the 372 unrestrained motor vehicle occupant fatalities in 2020. If this trend continues, the state does not anticipate meeting its goal of 311 unrestrained motor vehicle occupant fatalities in 2022.

Performance Measure: C-5) Number of fatalities in crashes involving a driver or motorcycle operator with a BAC of .08 and above (FARS): *To decrease alcohol-impaired driving fatalities by 0.3% from the 2015-2019 baseline average of 306 to 305 by December 31, 2022.*

Program-Area-Level Report: Preliminary state data compiled by the OHSJP's Statistical Analysis & Research Section (SARS) indicates there were 401 drug and/or alcohol-impaired

driving fatalities in 2021, with an estimated five year average of 317 for 2017-2021. This is an increase of 27.3% from the 315 drug and/or alcohol-impaired driving fatalities in 2020. If this trend continues, the state does not anticipate meeting its goal of 305 alcohol-impaired driving fatalities in 2022.

Performance Measure: C-6) Number of speeding-related fatalities (FARS): *To decrease speeding-related traffic fatalities by 0.2% from the 2015-2019 baseline average of 417 to 416 by December 31, 2022.*

Program-Area-Level Report: Preliminary state data compiled by the OHSJP's Statistical Analysis & Research Section (SARS) indicates there were 459 speeding-related traffic fatalities in 2021, with an estimated five year average of 456 for 2017-2021. This is a decrease of 7.1% from the 494 speeding-related traffic fatalities in 2020. Even if this trend continues, the state does not anticipate meeting its goal of 416 speeding-related traffic fatalities in 2022.

Performance Measure: C-7) Number of motorcyclist fatalities (FARS): *To decrease motorcyclist fatalities by 1.2% from the 2015-2019 baseline average of 162 to 160 by December 31, 2022.*

Program-Area-Level Report: Preliminary state data compiled by the OHSJP's Statistical Analysis & Research Section (SARS) indicates there were 187 motorcyclist fatalities (including moped operators) in 2021, with an estimated five year average of 152 for 2017-2021. This is an increase of 36.5% from the 137 motorcyclist fatalities (including moped operators) in 2020. The state does not anticipate meeting its goal of 160 motorcyclist fatalities (including moped operators) in 2022.

Performance Measure: C-8) Number of unhelmeted motorcyclist fatalities (FARS): *To decrease unhelmeted motorcyclist fatalities by 0.9% from the 2015-2019 baseline average of 115 to 114 by December 31, 2022.*

Program-Area-Level Report: Preliminary state data compiled by the OHSJP's Statistical Analysis & Research Section (SARS) indicates there were 121 unhelmeted motorcyclist fatalities (includes moped operators) in 2021, with an estimated five year average of 105 for 2017-2021. This is an increase of 31.5% from the 92 unhelmeted motorcyclist fatalities (includes moped operators) in 2020. The state does not anticipate meeting its goal of 114 unhelmeted motorcyclist fatalities (includes moped operators) in 2022.

Performance Measure: C-9) Number of drivers age 20 or younger involved in fatal crashes (FARS): *To decrease the number of drivers age 20 and under involved in fatal crashes by 0.9% from the 2015-2019 baseline average of 116 to 115 by December 31, 2022.*

Program-Area-Level Report: Preliminary state data compiled by the OHSJP's Statistical Analysis & Research Section (SARS) indicates there were 147 drivers age 20 and under involved in fatal collisions in 2021, with an estimated five year average of 125 for 2017-2021. This is an increase of 19.5% from the 123 drivers age 20 and under involved in fatal collisions in 2020. If this trend continues, the state does not anticipate meeting its goal of 115 drivers age 20 and under involved in fatal collisions in 2022.

Performance Measure: C-10) Number of pedestrian fatalities (FARS): *To decrease pedestrian traffic fatalities by 0.7% from the 2015-2019 baseline average of 149 to 148 by December 31, 2022.*

Program-Area-Level Report: Preliminary state data compiled by the OHSJP's Statistical Analysis & Research Section (SARS) indicates there were 192 pedestrian traffic fatalities in 2021, with an estimated five year average of 172 for 2017-2021. This is an increase of 2.7% from the 187 pedestrian traffic fatalities in 2020. If this trend continues, the state does not anticipate meeting its goal of 148 pedestrian traffic fatalities in 2022.

Performance Measure: C-11) Number of bicyclists fatalities (FARS): *To decrease bicyclist traffic fatalities by 4.8 % from the 2015-2019 baseline average of 21 to 20 by December 31, 2022.*

Program-Area-Level Report: Preliminary state data compiled by the OHSJP's Statistical Analysis & Research Section (SARS) indicates there were 24 bicyclist traffic fatalities in 2021, with an estimated five year average of 21 for 2017-2021. This is an increase of 71.4% from the 14 bicyclist traffic fatalities in 2020, but a 7.7% decrease from 2019. Despite the 2021 increase, the state anticipates meeting its goal of 20 bicyclist traffic fatalities in 2022.

Performance Measure: B-1) Observed seat belt use for passenger vehicles, front seat outboard occupants (survey): *To increase observed seatbelt usage rate by 0.1 percentage points from the 2019 baseline average of 90.3% to 90.4% by December 31, 2022.*

Program-Area-Level Report: Due to a waiver granted by NHTSA as a result of the COVID-19 Pandemic, the annual seatbelt observational study was not conducted during calendar year 2020. Therefore, the state used the observed rate for 2019 to estimate the 2020 rate for this performance target. The annual seatbelt observational study indicated a 90.1% observed seatbelt usage rate in 2021, with an estimated five year average of 90.5% for 2017-2021. This is a decrease of 0.2 percentage points from the 90.3% observed seatbelt usage rate for 2020. The state anticipates meeting its goal of 90.4% observed seatbelt usage rate in 2022.

Performance Measure: C-12) Number of moped fatalities (State): *To decrease moped traffic fatalities by 2.9% from the 2015-2019 baseline average of 35 to 34 by December 31, 2022.*

Program-Area-Level Report: Preliminary state data compiled by the OHSJP's Statistical Analysis & Research Section (SARS) indicates there were 28 moped traffic fatalities in 2021, with an estimated five year average of 28 for 2017-2021. This is an increase of 27.3% from the 22 moped traffic fatalities in 2020. If this trend continues, the state anticipates meeting its goal of 34 moped traffic fatalities in 2022.

Performance Measure: C-3R) Fatalities/VMT (Rural) (FARS, FHWA): *To decrease traffic fatalities/VMT (Rural) by 0.4% from the 2015-2019 baseline average of 2.57 to 2.56 by December 31, 2022.*

Program-Area-Level Report: Preliminary state data compiled by the OHSJP's Statistical Analysis & Research Section (SARS) indicates there were 3.42 traffic fatalities/VMT (Rural) in 2021, with an estimated five year average of 2.93 for 2017-2021. This is an increase of 6.5% from the 3.21 traffic fatalities/VMT (Rural) in 2020. If this trend continues, the state does not anticipate meeting its goal of 2.56 traffic fatalities/VMT (Rural) in 2022.

Performance Measure: C-3U) Fatalities/VMT (Urban) (FARS, FHWA): *To decrease traffic fatalities/VMT (Urban) by 1.7% from the 2015-2019 baseline average of 1.20 to 1.18 by December 31, 2022.*

Program-Area-Level Report: Preliminary state data compiled by the OHSJP's Statistical Analysis & Research Section (SARS) indicates there were 0.96 traffic fatalities/VMT (Urban) in 2021, with an estimated five year average of 1.01 for 2016-2020. There was no change from the number of traffic fatalities/VMT (Urban) in 2020. If this trend continues, the state anticipates meeting its goal of 1.18 traffic fatalities/VMT (Urban) in 2022.

PERFORMANCE PLAN

			BASE YEARS				
GHSA/NHTSA Recommended/Optional PERFORMANCE PLAN CHART FY 23 Highway Safety Plan			2016	2017	2018	2019	2020
C-1	Traffic Fatalities	FARS Annual	1,020	989	1,036	1,006	1,064
	We expect total fatalities to increase to 1,119 (2019 - 2023 rolling average) by 2023	5-Year Rolling Avg.	890	916	969	1,006	1,023
C-2	Serious Injuries in Traffic Crashes	State	3,049	2,851	2,642	3,237	2,607
	Reduce serious traffic injuries to 2,868 (2019 – 2023 rolling average) by 2023	5-Year Rolling Avg.	3,199	3,089	2,965	2,974	2,877
C-3	Fatalities/100M VMT	FARS Annual	1.87	1.78	1.82	1.74	1.98
	We expect fatalities/100 MVMT to increase to 1.940 (2019 -2023 rolling average) by 2023.	5-Year Rolling Avg.	1.75	1.75	1.80	1.82	1.84
C-4	Unrestrained Passenger Vehicle Occupant Fatalities, All Seat Positions	FARS Annual	315	308	331	300	372
	Reduce unrestrained passenger vehicle occupant fatalities, all seat positions 0.3 percent from 325 (2016-2020	5-Year Rolling Avg.	291	290	307	312	325

			BASE YEARS				
GHSA/NHTSA Recommended/Optional PERFORMANCE PLAN CHART FY 23 Highway Safety Plan			2016	2017	2018	2019	2020
	rolling average) to 324 (2019 – 2023 rolling average) by 2023.						
C-5	Alcohol-Impaired Driving Fatalities	FARS Annual	343	305	290	276	315
	Reduce alcohol impaired driving fatalities 0.3 percent from 306 (2016-2020 rolling average) to 305 (2019 – 2023 rolling average) by 2023.	5-Year Rolling Avg.	333	325	315	304	306
C-6	Speeding-Related Fatalities	FARS Annual	393	417	450	459	494
	Reduce speeding-related fatalities by 0.2 percent from 443 (2016-2020 rolling average) to 442 (2019 – 2023 rolling average) by 2023.	5-Year Rolling Avg.	339	358	387	417	443
C-7	Motorcyclist Fatalities	FARS Annual	186	145	141	151	137
	Reduce motorcyclist fatalities by 0.7 percent from 152 (2016-2020 rolling average) to 151 (2019 – 2023 rolling average) by 2023.	5-Year Rolling Avg.	157	157	156	162	152

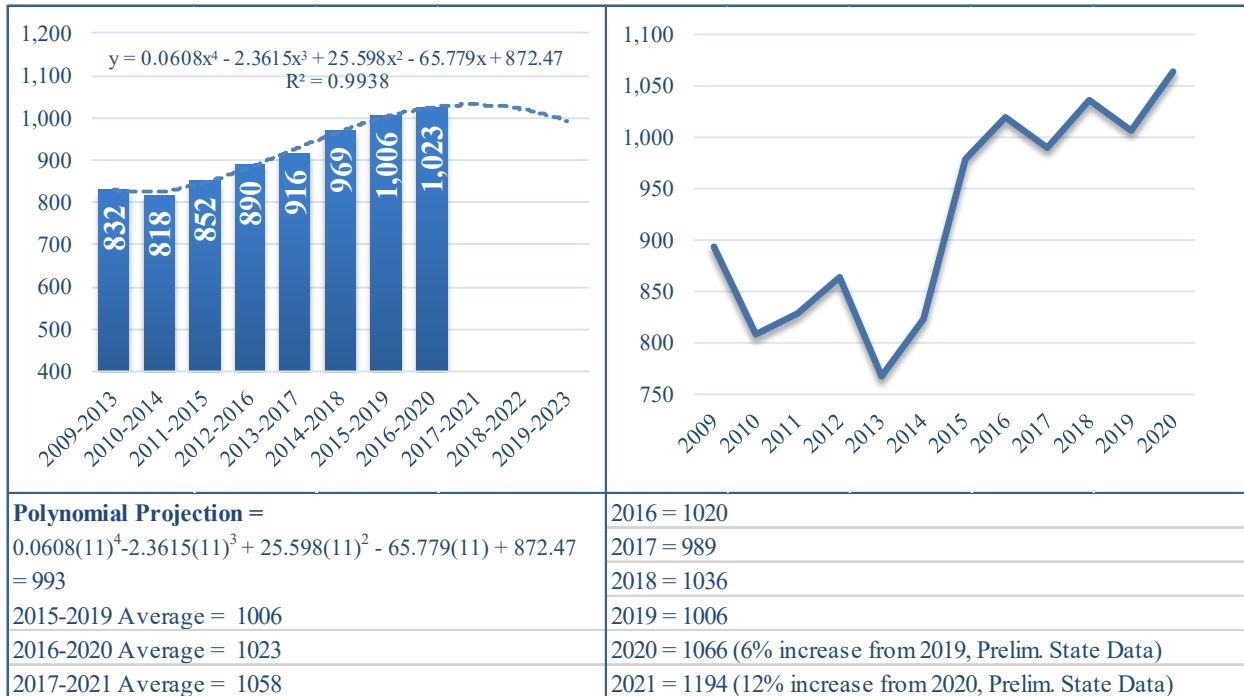
			BASE YEARS				
GHSA/NHTSA Recommended/Optional PERFORMANCE PLAN CHART FY 23 Highway Safety Plan			2016	2017	2018	2019	2020
C-8	Unhelmeted Motorcyclist Fatalities	FARS Annual	134	99	98	116	92
	Reduce unhelmeted, motorcyclist fatalities 0.9 percent from 108 (2016-2020 rolling average) to 107 (2019 – 2023 rolling average) by 2023.	5-Year Rolling Avg.	114	113	112	116	108
C-9	Drivers Age 20 or Younger involved in Fatal Crashes	FARS Annual	108	121	136	96	123
	Reduce drivers age 20 and younger involved in fatal crashes by 0.9 percent from 117 (2016-2020 rolling average) to 116 (2019 - 2023 rolling average) by 2023.	5-Year Rolling Avg.	114	113	121	116	117
C-10	Pedestrian Fatalities	FARS Annual	144	155	165	163	187
	Reduce pedestrian fatalities by 0.6 percent from 163 (2016-2020 rolling average) to 162 (2019 – 2023 rolling average) by 2023.	5-Year Rolling Avg.	119	126	139	150	163
C-11	Bicyclist Fatalities	FARS Annual	25	17	23	26	14

			BASE YEARS				
GHSA/NHTSA Recommended/Optional PERFORMANCE PLAN CHART FY 23 Highway Safety Plan			2016	2017	2018	2019	2020
	Reduce bicyclist fatalities 4.8 percent from 21 (2016-2020 rolling average) to 20 (2019 – 2023 rolling average) by 2023.	5-Year Rolling Avg.	17	17	19	21	21
			2016	2017	2018	2019	2020
B-1	Observed Seat Belt Use for Passenger Vehicles, Front Seat Outboard Occupants (State Survey) Increase observed seat belt use for passenger vehicles, front seat outboard occupants by 0.1 percentage points from 90.3 percent in 2020 to 90.4 percent by 2023.	State	93.9	92.3	89.7	90.3	90.3
C-3R	To decrease traffic fatalities/VMT (Rural) by 0.4 percent from the 2016-2020 baseline average of 2.74 to 2.73 by December 31, 2023.	FARS Annual	2.48	2.72	2.65	2.65	3.21
		5-Year Rolling Avg.	2.63	2.54	2.54	2.57	2.74
C-3U	To decrease traffic fatalities/VMT (Urban) by 8.3 percent from the 2016-2020	FARS Annual	1.37	1.00	1.14	0.99	0.96

			BASE YEARS				
GHSA/NHTSA Recommended/Optional PERFORMANCE PLAN CHART FY 23 Highway Safety Plan			2016	2017	2018	2019	2020
C-12	baseline average of 1.09 to 1.00 by December 31, 2023.						
		5-Year Rolling Avg.	0.97	1.08	1.19	1.20	1.09
	To decrease moped traffic fatalities by 3.3 percent from the 2016-2020 baseline average of 30 to 29 by December 31, 2023.	FARS Annual	39	29	30	32	22
		5-Year Rolling Avg.	35	34	35	35	30

Performance Measure: C-1) Number of traffic fatalities (FARS): We expect traffic fatalities will increase by 9.4% from a five-year average of 1,023 for 2016-2020 to a five year moving average of 1,119 for 2019-2023.

**Figure C-1: South Carolina Total Traffic Fatalities
5 Year Moving Average with Trend Analysis**



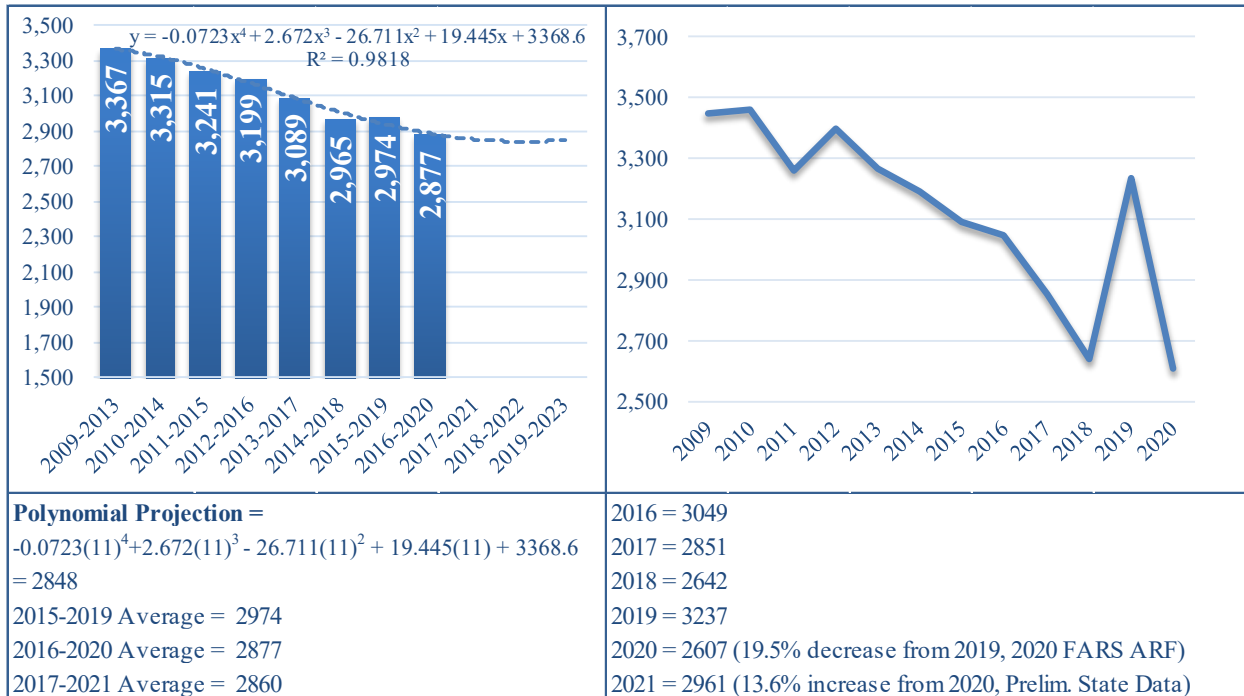
Note: 2009-2019 Final FARS and 2020-2021 Preliminary State Data from SCCATTS Fatality Application.

As shown in Figure C-1 above, a polynomial trend analysis projects South Carolina will experience a five-year average of 993 traffic fatalities for 2019-2023. Preliminary state data compiled by the OHSJP’s Statistical Analysis & Research Section indicate there were 1,194 traffic fatalities in 2021, an increase of 12% from 1,066 in 2020. Given the general upward trend since 2014 and the spikes in fatalities in 2016, 2018, and 2020, as well as the negative impact on driver behavior due to the COVID-19 pandemic, the South Carolina Department of Transportation and the OHSJP mutually set a goal of 1,119 average traffic fatalities for 2019-2023.

During the initial wave of the COVID-19 pandemic period in 2020, law enforcement reduced contact with drivers. This attempt to slow the spread of COVID-19 had a negative impact on driver behavior. While law enforcement has returned to normal operation for 2022, it appears that driver behavior has not. The SCDOT and the SCDPS also have concerns that the negative image of law enforcement as a result of recent, major events is also having a negative impact on driver behavior.

Performance Measure: C-2) Number of serious injuries in traffic crashes (State crash data files): To decrease serious traffic injuries by 0.3% from the 2016-2020 baseline average of 2,877 to 2,868 for 2019-2023.

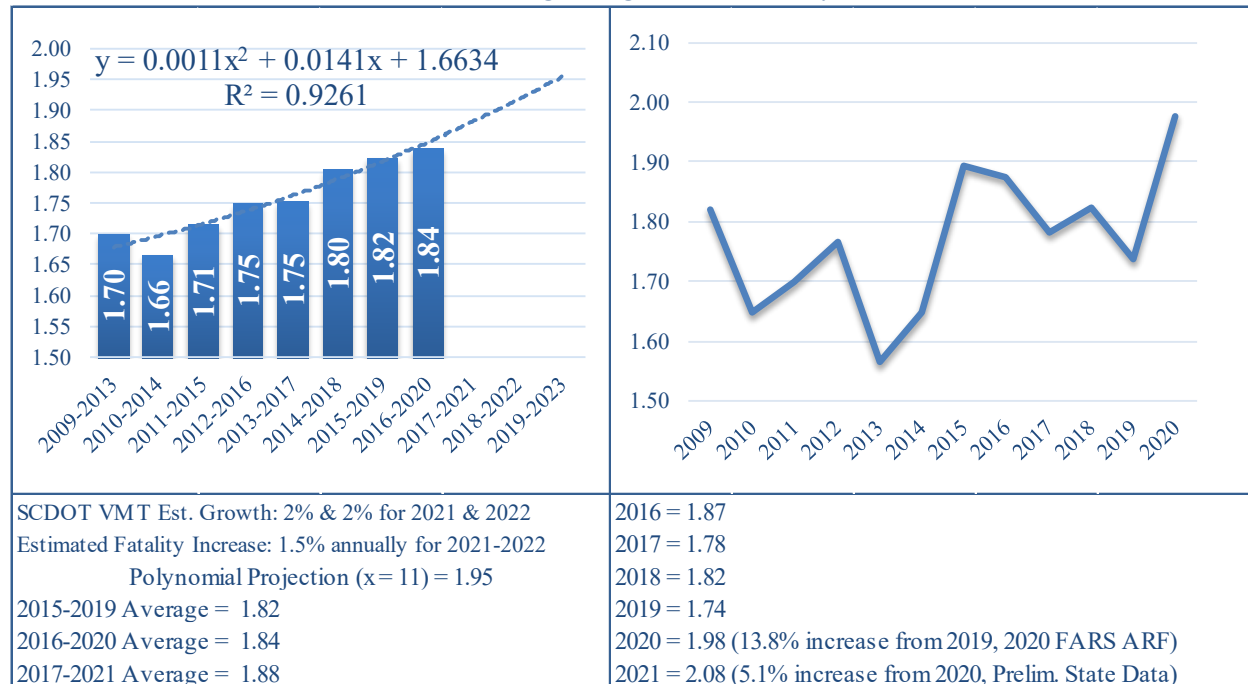
Figure C-2: South Carolina Serious Traffic Injuries
5 Year Moving Average with Trend Analysis



As shown in Figure C-2 above, a polynomial trend analysis projects South Carolina will experience a five-year average of 2,848 serious traffic injuries for 2019-2023. Preliminary state data compiled by the OHSJP’s Statistical Analysis & Research Section indicate there were 2,961 serious traffic injuries in 2021, an increase of 13.6% from 2,607 in 2020. Given the decreases in serious injuries since 2013 (with a spike in 2019) and the change in serious injury definition on the South Carolina traffic report form in 2018, the South Carolina Department of Transportation and the OHSJP mutually set the goal of a five-year average of 2,868 serious injuries for 2019-2023.

Performance Measure: C-3) Fatalities/VMT (FARS, FHWA): We expect that the traffic fatalities/VMT rate will increase by 5.4% from a five-year average of 1.84 in 2016-2020 to a five-year average of 1.940 for 2019-2023.

**Figure C-3: South Carolina Traffic Fatalities/VMT
5 Year Moving Average with Trend Analysis**



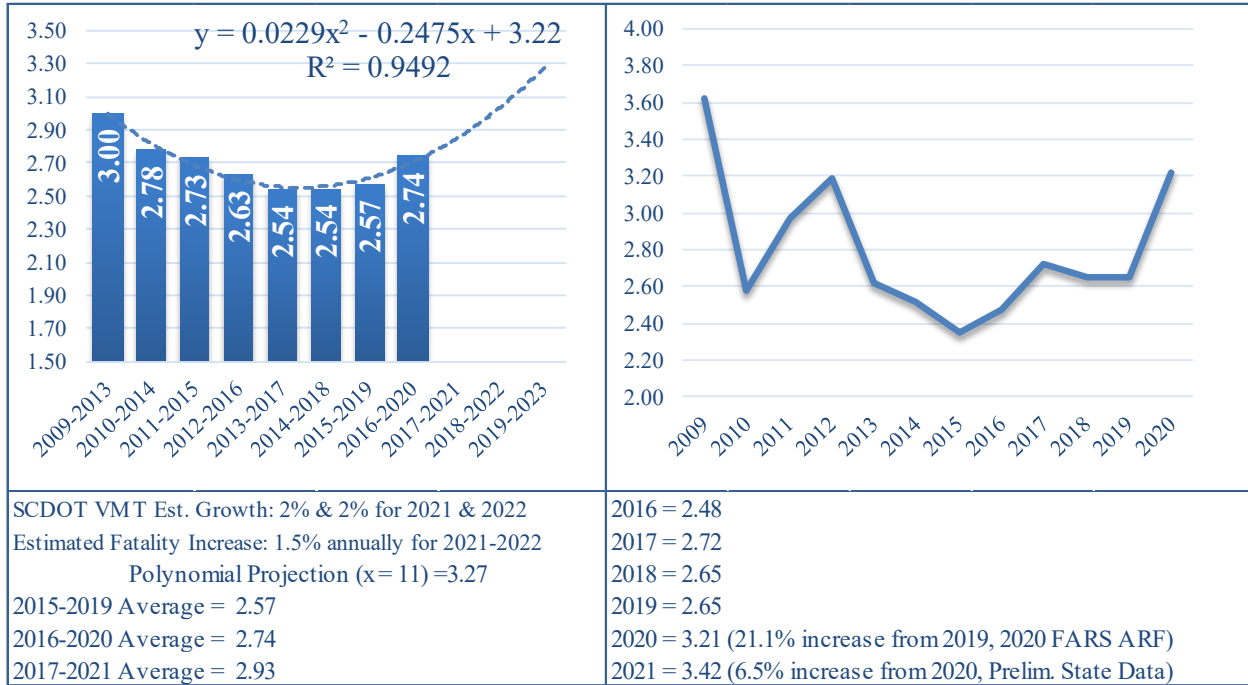
Note: 2009-2019 Final FARS, 2020 FARS ARF, and 2021 Preliminary State Data from SCCATTS Fatality Application.

As shown in Figure C-3 above, a polynomial trend analysis projects South Carolina will experience a five-year average of 1.95 traffic fatalities/VMT for 2019-2023. Preliminary state data compiled by the OHSJP's Statistical Analysis & Research Section indicate there were 2.08 traffic fatalities/VMT in 2021, an increase of 5.1% from 2020. After analyzing traffic fatality projections, the estimated fatality goal, and VMT projections, the South Carolina Department of Transportation and the OHSJP mutually set a goal of a five-year average of 1.940 traffic fatalities/VMT for 2019-2023.

Vehicle miles traveled in South Carolina significantly increased in 2015 (3.6%) and 2016 (5.2%) compared with previous years. From 2017 to 2019, VMT stabilized at an approximate growth rate per year of 2%. For 2020, VMT dropped by 7.1% due to the COVID-19 pandemic. For the most part, VMT rebounded in 2021 to the pre-COVID-19 pandemic figures. Moreover, the US Energy Information Administration is projecting a higher average cost of regular gas for 2022 than in 2020, but slightly lower in 2023 (<https://www.eia.gov/analysis/>). This may have an effect on vehicle miles traveled.

Performance Measure: C-3R) Fatalities/VMT (Rural) (FARS, FHWA): To decrease traffic fatalities/VMT (Rural) by 0.4% from the 2016-2020 baseline average of 2.74 to 2.73 by December 31, 2023.

**Figure C-3R: South Carolina Traffic Fatalities/VMT(Rural)
5 Year Moving Average with Trend Analysis**

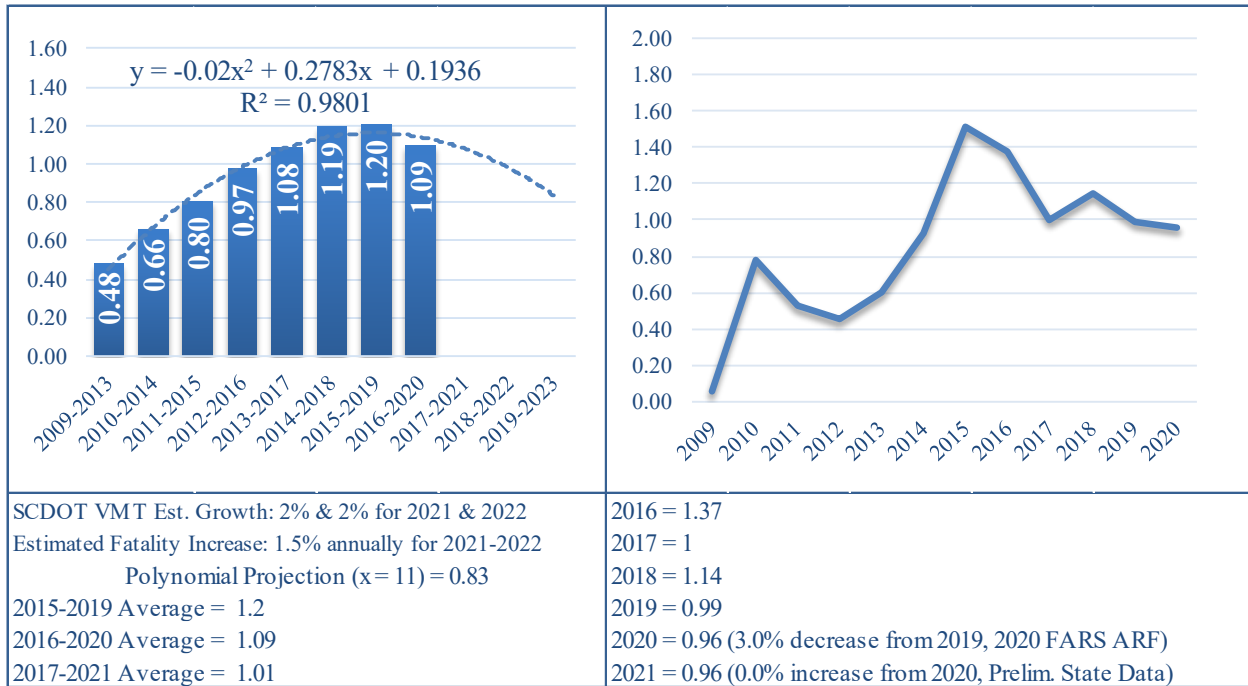


As shown in Figure C-3R above, a polynomial trend analysis projects South Carolina will experience a five-year average of 3.27 traffic fatalities/VMT in rural areas for 2019-2023. Preliminary state data compiled by the OHSJP’s Statistical Analysis & Research Section indicate there were 1,194 traffic fatalities in 2021, an increase of 12% from 1,066 in 2020. Based on the information available, the OHSJP will set a target of 2.73 annual traffic fatalities/VMT in rural areas by December 31, 2023.

Vehicle miles traveled in South Carolina significantly increased in 2015 (3.6%) and 2016 (5.2%) compared to previous years. From 2017 to 2019, vehicle miles traveled stabilized at an approximate growth rate per year of 2%. For 2020, vehicle miles traveled dropped by 7.1% due to the COVID-19 pandemic. For the most part, vehicle miles traveled rebounded in 2021 to the pre-COVID-19 pandemic figures. The SCDOT projects an increase of 2% for 2022 and 2023. Moreover, the US Energy Information Administration is projecting a higher average cost of regular gas for 2022 than in 2020, but slightly lower in 2023 (<https://www.eia.gov/analysis/>). This may have an effect on vehicle miles traveled.

Performance Measure: C-3U) Fatalities/VMT (Urban) (FARS, FHWA): To decrease traffic fatalities/VMT (Urban) by 8.3% from the 2016-2020 baseline average of 1.09 to 1.00 by December 31, 2023.

**Figure C-3U: South Carolina Traffic Fatalities/VMT(Urban)
5 Year Moving Average with Trend Analysis**

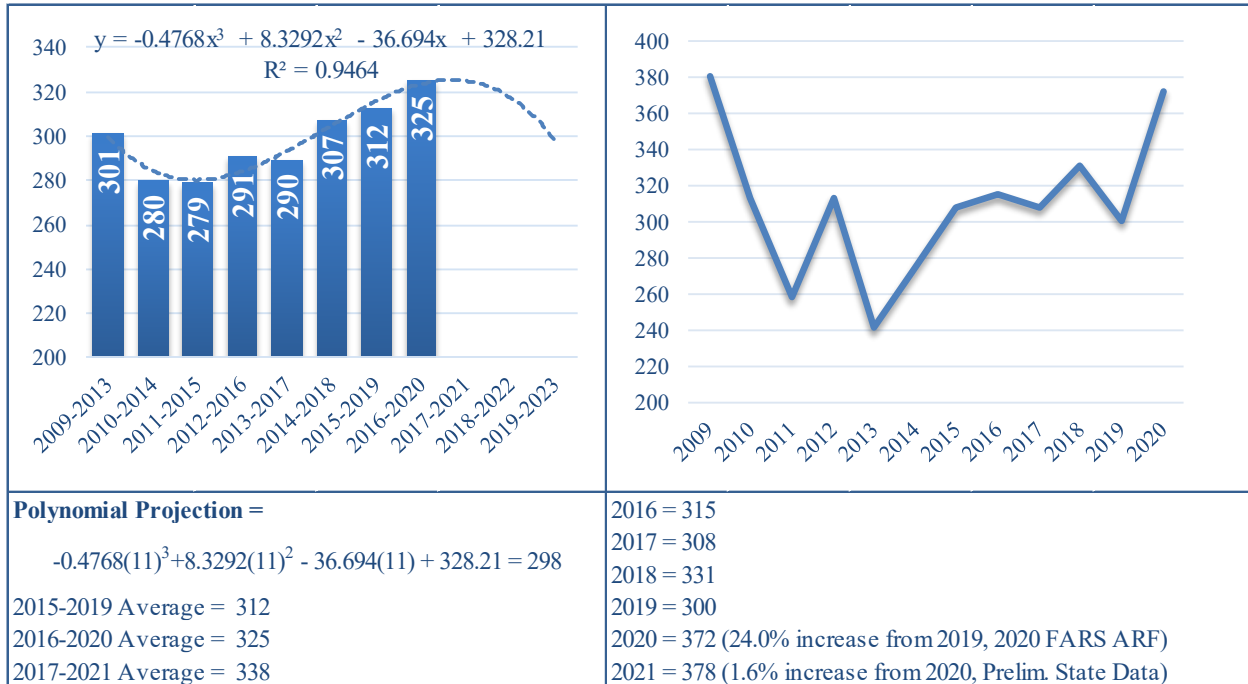


As shown in Figure C-3U above, a polynomial trend analysis projects South Carolina will experience a five-year average of 0.83 traffic fatalities/VMT in urban areas for 2019-2023; however, preliminary state data compiled by the OHSJP’s Statistical Analysis & Research Section indicate there were 1,194 traffic fatalities in 2021, an increase of 12% from 1,066 in 2020. Based on available information, the OHJSP will set its 2023 goal at 1.00 for traffic fatalities/VMT in urban areas.

Vehicle miles traveled in South Carolina significantly increased in 2015 (3.6%) and 2016 (5.2%) compared to previous years. From 2017 to 2019, vehicle miles traveled stabilized at an approximate growth rate per year of 2%. For 2020, vehicle miles traveled dropped by 7.1% due to the COVID-19 pandemic. For the most part, vehicle miles traveled rebounded in 2021 to the pre-COVID-19 pandemic figures. The SCDOT projects an increase of 2% for 2022 and 2023. Moreover, the US Energy Information Administration is projecting a higher average cost of regular gas for 2022 than in 2020, but slightly lower in 2023 (<https://www.eia.gov/analysis/>). This may have an effect on vehicle miles traveled.

Performance Measure: C-4) Number of unrestrained passenger vehicle occupant fatalities, all seat positions (FARS): To decrease unrestrained motor vehicle occupant fatalities by 0.3% from the 2016-2020 baseline average of 325 to 324 by December 31, 2023.

**Figure C-4: South Carolina Unrestrained Motor Vehicle Occupant Fatalities
5 Year Moving Average with Trend Analysis**

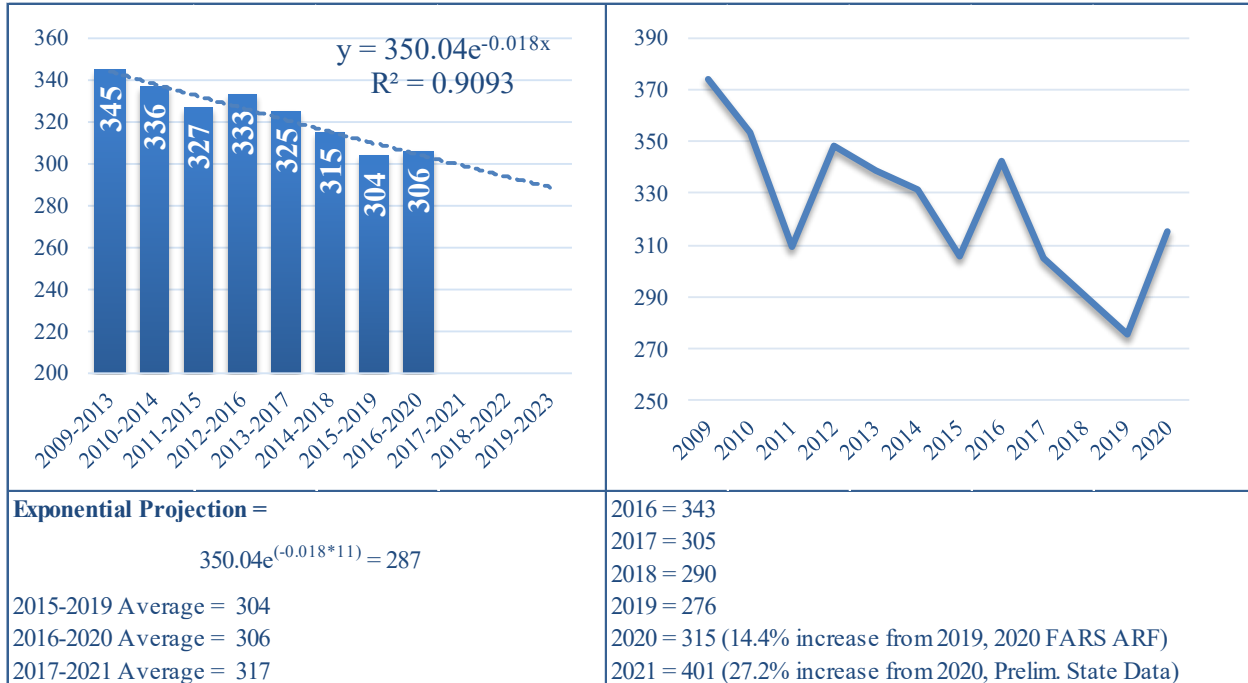


As shown in Figure C-4 above, a polynomial trend analysis projects South Carolina will experience a five-year average of 298 unrestrained motor vehicle occupant fatalities for 2019-2023. Preliminary state data compiled by the OHSJP’s Statistical Analysis & Research Section indicate there were 378 unrestrained motor vehicle occupant fatalities in 2021, an increase of 1.6% from 372 in 2020. The OHSJP has set a goal of 324 unrestrained motor vehicle occupant fatalities by December 31, 2023.

Performance Measure: C-5) Number of fatalities in crashes involving a driver or motorcycle operator with a BAC of .08 and above (FARS): To decrease alcohol-impaired driving fatalities by 0.3% from the 2016-2020 baseline average of 306 to 305 by December 31, 2023.

Figure C-5: South Carolina Alcohol-Impaired Driving Fatalities

5 Year Moving Average with Trend Analysis

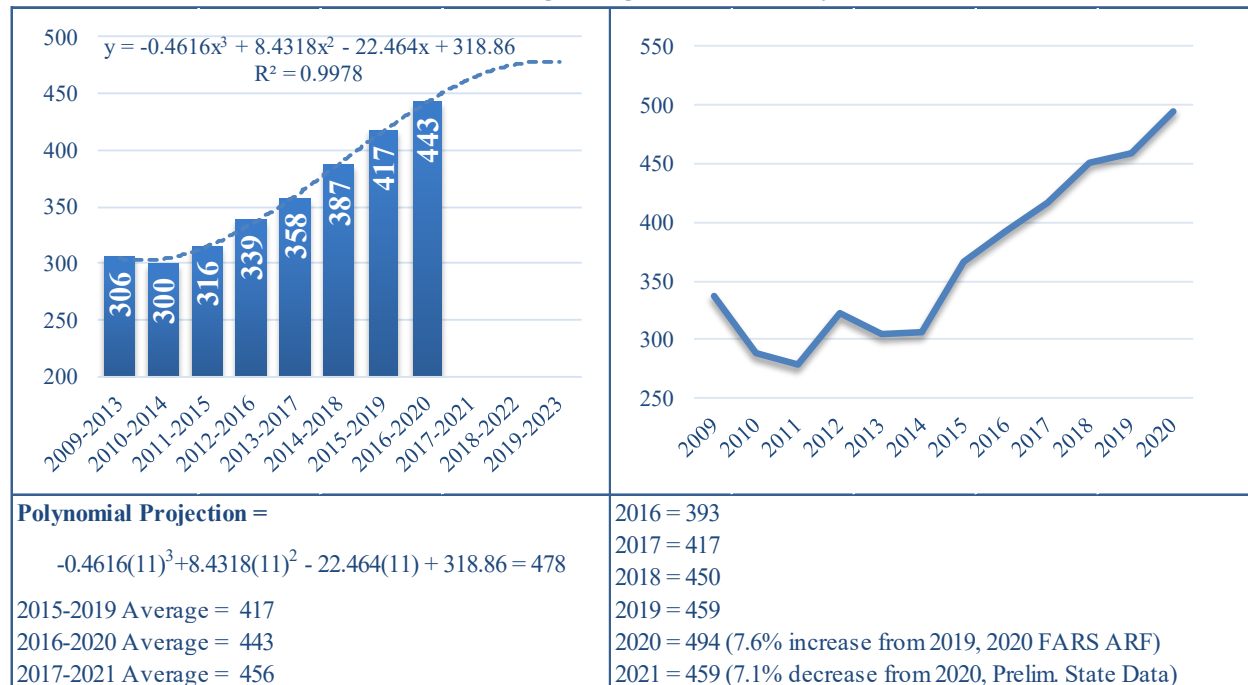


As shown in Figure C-5 above, an exponential trend analysis projects South Carolina will experience a five-year average of 287 alcohol-impaired driving fatalities for 2019-2023. Preliminary state data compiled by the OHSJP’s Statistical Analysis & Research Section indicate there were 401 alcohol-impaired driving fatalities in 2021, an increase of 27.2% from 315 in 2020. Based on state preliminary data and state projections, OHSJP will set an annual goal of 305 alcohol-impaired driving fatalities by December 31, 2023.

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

Performance Measure: C-6) Number of speeding-related fatalities (FARS): To decrease speeding-related traffic fatalities by 0.2% from the 2016-2020 baseline average of 443 to 442 by December 31, 2023.

Figure C-6: South Carolina Speed Related Traffic Fatalities
5 Year Moving Average with Trend Analysis

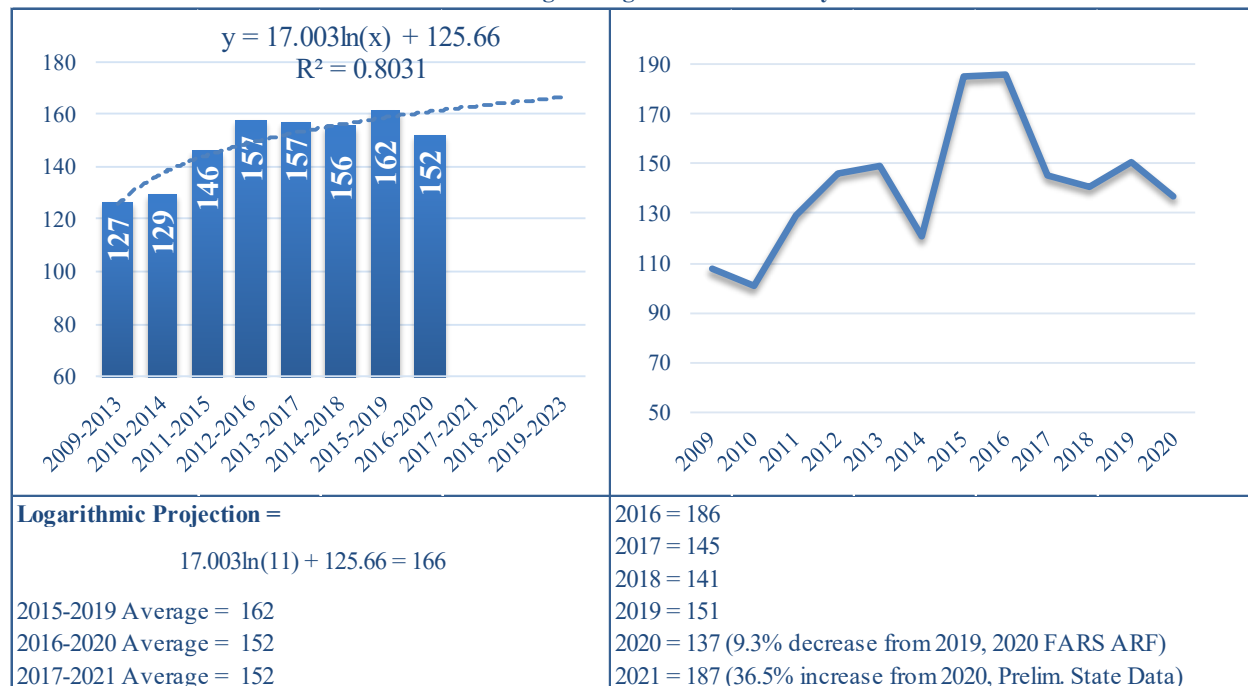


As shown in Figure C-6 above, a polynomial trend analysis projects South Carolina will experience a five-year average of 478 speeding-related traffic fatalities for 2019-2023. Preliminary state data compiled by the OHSJP’s Statistical Analysis & Research Section (SARS) indicate there were 459 speeding-related traffic fatalities in 2021, a decrease of 7.1% from 2020. Based on the state preliminary data and state projections, the OHSJP will set an annual goal of 442 speeding-related traffic fatalities by December 31, 2023.

Performance Measure: C-7) Number of motorcyclist fatalities (FARS):

To decrease motorcyclist fatalities by 0.7% from the 2016-2020 baseline average of 152 to 151 by December 31, 2023.

Figure C-7: South Carolina Motorcyclist Fatalities
5 Year Moving Average with Trend Analysis



Note: Moped operators and motorcyclists are included in the FARS count of motorcyclist fatalities

As shown in Figure C-7 above, a logarithmic trend analysis projects South Carolina will experience a five-year average of 166 motorcyclist fatalities for 2019-2023. Preliminary state data compiled by the OHSJP’s Statistical Analysis & Research Section indicate there were 187 motorcyclist fatalities (including moped operators) in 2021, a 36.5% increase in motorcyclist fatalities from 2020. OHSJP believes the efforts to spread public awareness through the new public facing South Carolina Department of Public Safety’s Traffic Fatality Count Dashboard, which includes a focus on motorcyclist fatalities, will have a significant impact on motorcyclist fatalities (<https://fatality-count-scdps.hub.arcgis.com/>). Therefore, the OHSJP will set an annual goal of 151 motorcyclist fatalities by December 31, 2023.

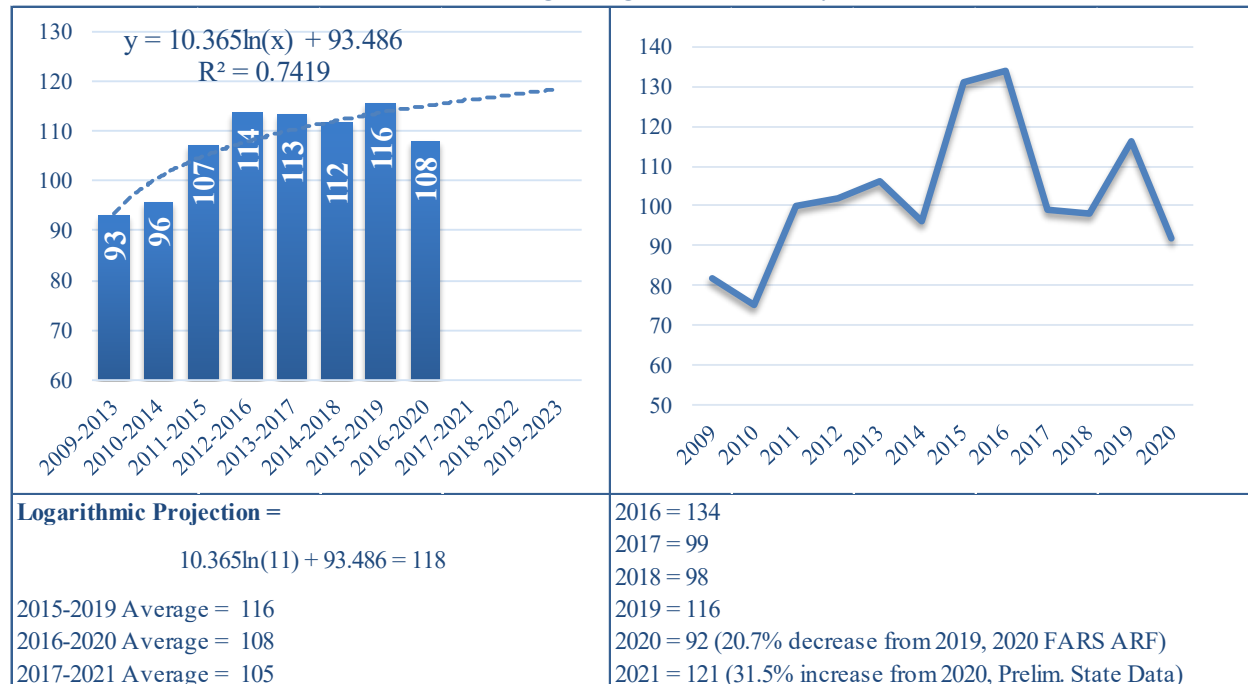
It should be noted that there are factors in South Carolina that may impact, both negatively and positively, the selected target. For instance, the state’s helmet law is only applicable to individuals under the age of 21, and the state endures tremendous legislative lobbying efforts from advocacy groups, such as ABATE, which have been successful in derailing attempts to enact a universal helmet law. However, a recent move by the SC Department of Motor Vehicles (SCDMV) has potentially improved motorcycle safety in the state. Supported by the South Carolina Motorcycle

Safety Task Force, the SCDMV is no longer issuing automatic renewals of motorcycle beginner's permits but instead is requiring that individuals seeking permit renewals make an effort to pass the motorcycle operator skills test in order to receive a motorcycle endorsement on their driver's license. The SC Motorcycle Safety Task Force believes that this policy implementation exerts some pressure to seek motorcycle safety training in order to acquire skills necessary for passing the SCDMV motorcycle rider skills test.

On May 19, 2018, the legislature passed several changes to the laws regarding mopeds. These changes to the SC law took effect in late November 2018. The changes classify a moped as a motor vehicle while subjecting the moped operator to motor vehicle laws and regulations. The moped operator is required to have a regular motor vehicle license or a moped license to operate a moped and the moped must be registered with the SCDMV. A registration card must be carried by the moped operator, and vehicle tags must be displayed on the moped. The moped is exempt from insurance or tax requirements for motor vehicles. Moped operators can obtain a moped license without regard to his/her eligibility for or status of any other driver's license, but this license can be revoked, suspended, or canceled by SCDMV as any other license. Also, mopeds are limited to public roadways with a speed limit no greater than 55 MPH. Unfortunately, only moped operators and riders under the age of 21 are required to wear a helmet.

Performance Measure: C-8) Number of unhelmeted motorcyclist fatalities (FARS): To decrease unhelmeted motorcyclist fatalities by 0.9% from the 2016-2020 baseline average of 108 to 107 by December 31, 2023.

Figure C-8: South Carolina Unhelmeted Motorcyclist Fatalities
5 Year Moving Average with Trend Analysis



Note: Moped operators and motorcyclists are included in the FARS count of motorcyclist fatalities

As shown in Figure C-8 above, a logarithmic trend analysis projects South Carolina will experience a five-year average of 118 unhelmeted motorcyclist fatalities for 2019-2023. Preliminary state data compiled by the OHSJP’s Statistical Analysis & Research Section indicate there were 121 unhelmeted motorcyclist fatalities (moped operators included) in 2021, an increase of 31.5% from 2020. OHSJP believes the efforts to spread public awareness through the new public facing South Carolina Department of Public Safety’s Traffic Fatality Count Dashboard, which includes a focus on motorcyclists on helmet and safety gear use, will have a significant impact on unhelmeted motorcyclist fatalities (<https://fatality-count-scdps.hub.arcgis.com/>). Therefore, OHSJP has set an annual goal of 107 unhelmeted motorcyclist fatalities by December 31, 2023.

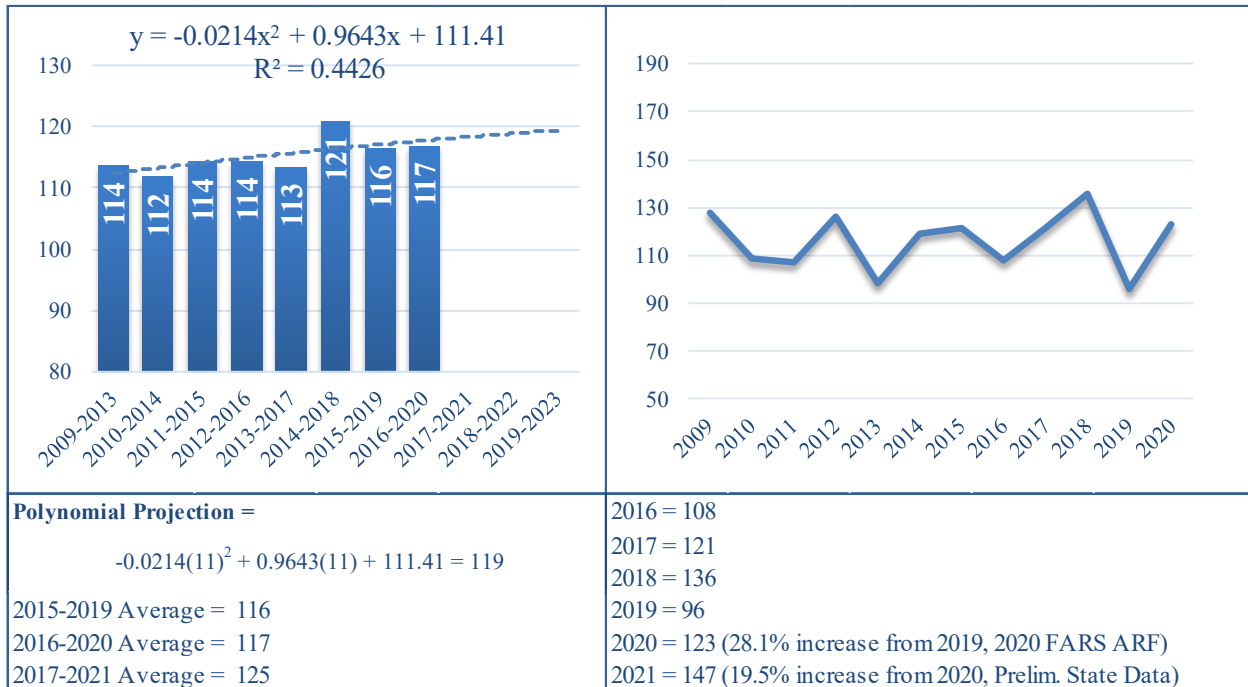
The state of South Carolina does not have a universal helmet law and has strong legislative lobbying efforts in place to fight against helmet law changes. This presents challenges in improving motorcycle safety in general and in saving motorcyclists’ lives in particular. Other states that have a universal helmet law are experiencing a decrease in unhelmeted motorcyclist

fatalities. With no legislation in place to require the use of helmets for individuals 21 and over, it is expected that this problem will continue to present a challenge for the state to decrease the number of unhelmeted motorcyclist fatalities.

On May 19, 2018, the legislature passed several changes to the laws regarding mopeds. These changes to the SC law took effect in late November 2018. The changes classify a moped as a motor vehicle while subjecting the moped operator to motor vehicle laws and regulations. The moped operator is required to have a regular motor vehicle license or a moped license to operate a moped and the moped must be registered with the SCDMV. A registration card must be carried by the moped operator, and vehicle tags must be displayed on the moped. The moped is exempt from insurance or tax requirements for motor vehicles. Moped operators can obtain a moped license without regard to his/her eligibility for or status of any other driver's license, but this license can be revoked, suspended, or canceled by SCDMV as any other license. Also, mopeds are limited to public roadways with a speed limit no greater than 55 MPH. Unfortunately, only moped operators and riders under the age of 21 are required to wear a helmet.

Performance Measure: C-9) Number of drivers age 20 or younger involved in fatal crashes (FARS): To decrease the number of drivers age 20 and under involved in fatal crashes by 0.9% from the 2016-2020 baseline average of 117 to 116 by December 31, 2023.

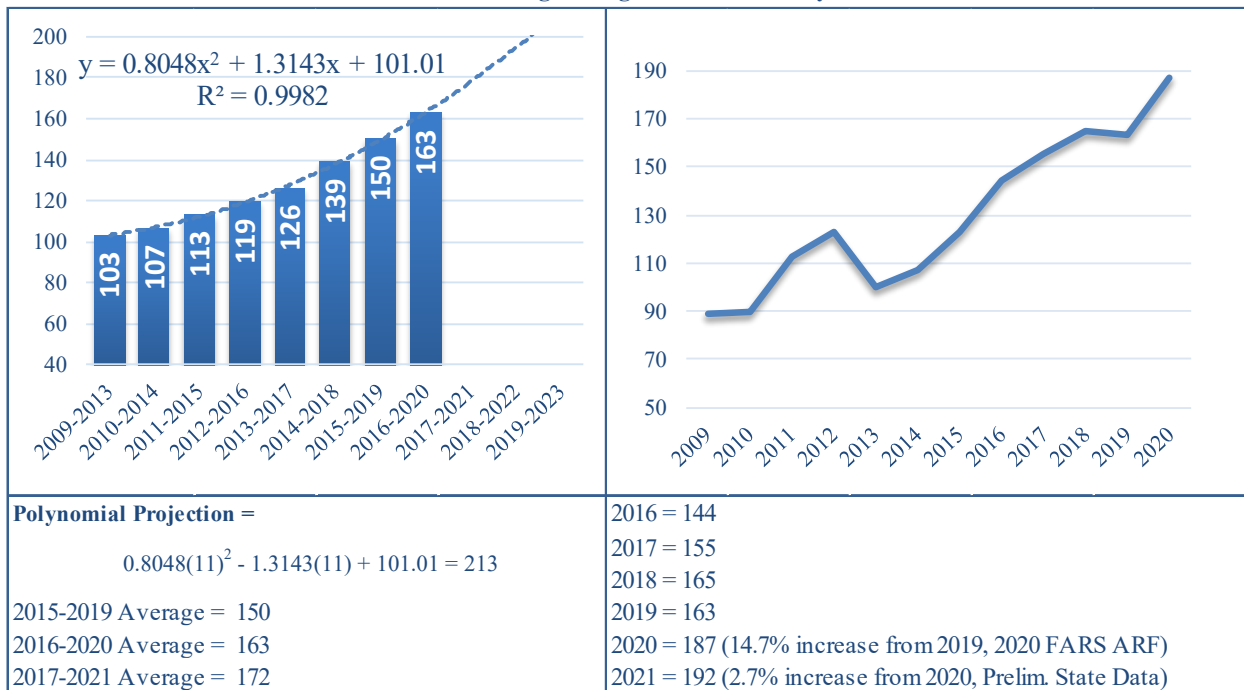
Figure C-9: South Carolina Drivers Age 20 and Under Involved in Fatal Collisions
5 Year Moving Average with Trend Analysis



As shown in Figure C-9 above, a polynomial trend analysis projects South Carolina will experience a five-year average of 119 drivers age 20 and under involved in fatal collisions for 2019-2023. Preliminary state data compiled by the OHSJP’s Statistical Analysis & Research Section indicate there were 147 drivers age 20 and under involved in fatal collisions in 2021, an increase of 19.5% from 2020. Based on the preliminary state data, OHSJP will set an annual goal of 116 drivers age 20 and under involved in fatal collisions by December 31, 2023.

Performance Measure: C-10) Number of pedestrian fatalities (FARS): To decrease pedestrian traffic fatalities by 0.6% from the 2016-2020 baseline average of 163 to 162 by December 31, 2023.

Figure C-10: South Carolina Pedestrian Traffic Fatalities
5 Year Moving Average with Trend Analysis

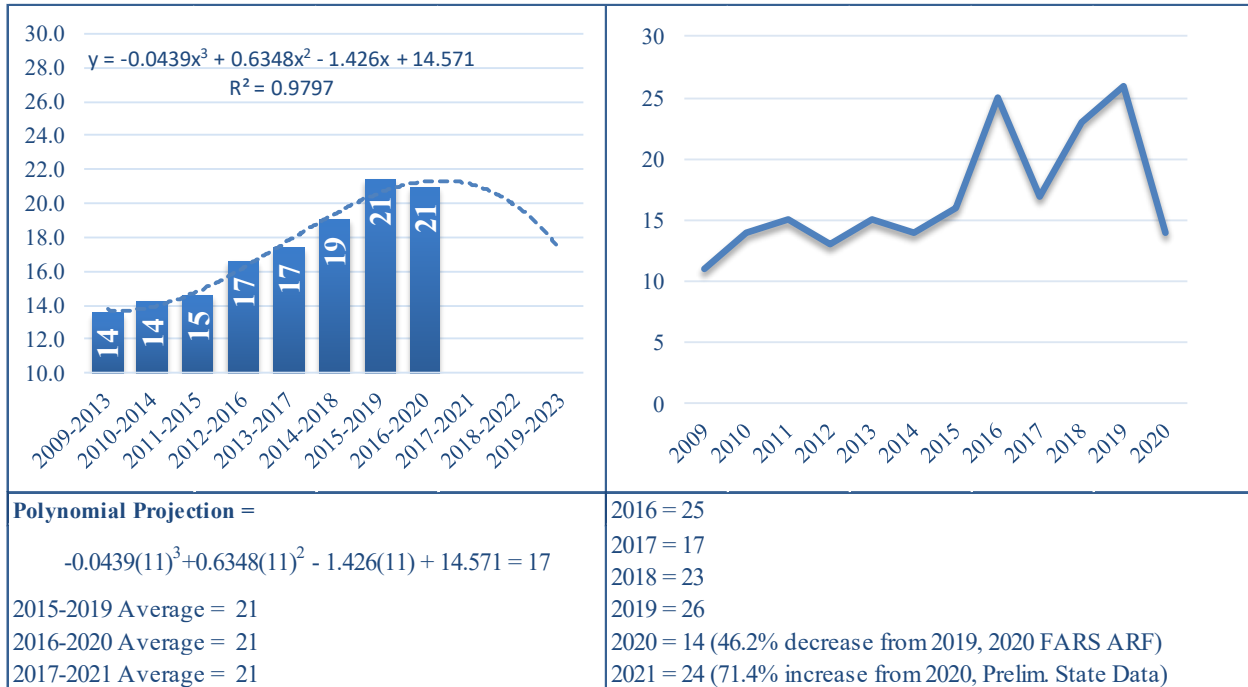


As shown in Figure C-10 above, a polynomial trend analysis projects South Carolina will experience a five-year average of 213 pedestrian traffic fatalities for 2019-2023. Preliminary state data compiled by the OHSJP’s Statistical Analysis & Research Section indicate there were 192 pedestrian traffic fatalities in 2021, an increase of 2.7% from 2020. The state continues its compelling Vulnerable Roadway Users billboard campaign in hopes that it will have a positive impact on the rising negative traffic statistics associated with pedestrians. The OHSJP will also spread public awareness through the new public facing South Carolina Department of Public Safety’s Traffic Fatality Count Dashboard, which includes a focus on pedestrians (<https://fatality-count-scdps.hub.arcgis.com/>). The OHSJP will participate in National Pedestrian Safety Month in October. Pedestrian safety messaging will be uploaded to agency-owned social media accounts, and Law Enforcement Liaison staff will discuss the campaign at LEN meetings to encourage officers to make contact with pedestrians who are in violation of laws pertaining to pedestrians and/or are not highly-visible and safe; the officers will be directed to use educational and also enforcement actions if necessary to keep pedestrians safe on our roads. Additionally, FFY 2023 Police Traffic Services enforcement subgrantees will be required to conduct enforcement and/or educational activities in conjunction with the national campaign. Finally, in FFY 2023, the OHSJP

will begin planning for a paid media campaign focused on safety issues related to vulnerable roadway users, with an increased focus on pedestrians and bicyclists, to launch in FFY 2024. OHSJP staff will discuss paid media strategies with the agency contractor to target focus counties that experienced high rates of fatalities and serious injuries among vulnerable roadway user groups. The media campaign would support public outreach and enforcement efforts by the SC Highway Patrol, and utilize paid social media, digital advertising, and outdoor media. Based on the new Traffic Fatality Count Dashboard, the social media campaign, and the educational and enforcement activities related to pedestrians and other vulnerable roadway users planned for FFY 2023, the OHSJP has set an annual goal of 162 pedestrian traffic fatalities by December 31, 2023.

Performance Measure: C-11) Number of bicyclists fatalities (FARS): To decrease bicyclist traffic fatalities 4.8% from the 2016-2020 baseline average of 21 to 20 by December 31, 2023.

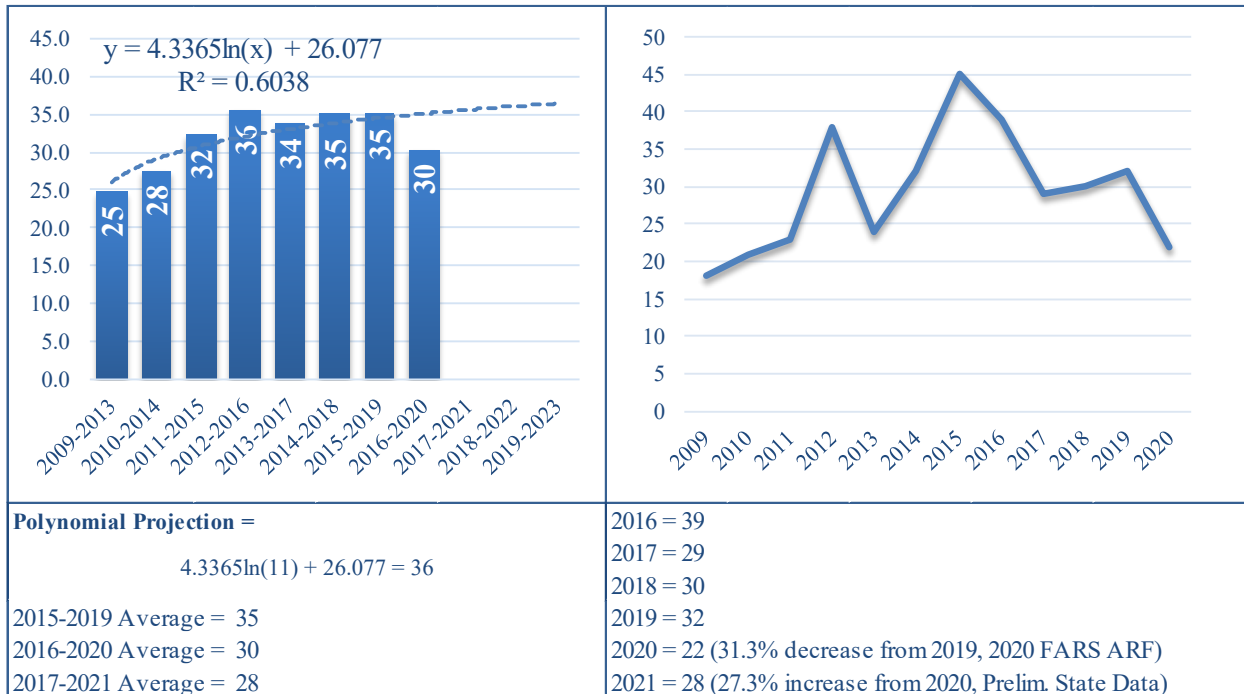
Figure C-11: South Carolina Bicyclist Traffic Fatalities
5 Year Moving Average with Trend Analysis



As shown in Figure C-11 above, a polynomial trend analysis projects South Carolina will experience a five-year average of 17 bicyclist traffic fatalities for 2019-2023. Preliminary state data compiled by the OHSJP’s Statistical Analysis & Research Section indicate there were 24 bicyclist traffic fatalities in 2021, an increase of 71.4% from 2020. The state continues its compelling Vulnerable Roadway Users billboard campaign in hopes that it will have a positive impact on the rising negative traffic statistics associated with bicyclists. Based on the preliminary state data and through campaign efforts, the OHSJP will set an annual goal of 20 bicyclist traffic fatalities by December 31, 2023.

Performance Measure: C-12) Number of moped traffic fatalities (State): To decrease moped traffic fatalities by 3.3% from the 2016-2020 baseline average of 30 to 29 by December 31, 2023.

Figure C-12: South Carolina Moped Traffic Fatalities
5 Year Moving Average with Trend Analysis



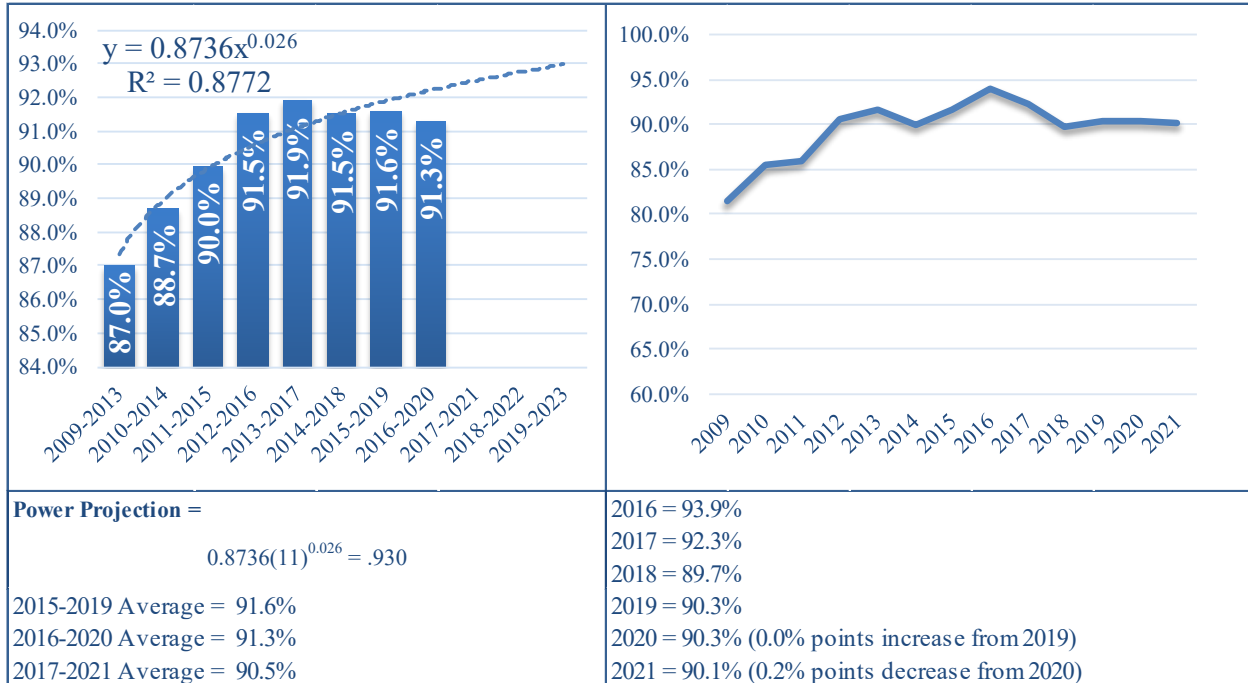
As shown in Figure C-12 above, a polynomial trend analysis projects South Carolina will experience a five-year average of 36 moped traffic fatalities for 2019-2023. Preliminary state data compiled by the OHSJP’s Statistical Analysis & Research Section indicate there were 28 moped traffic fatalities in 2021, an increase of 27.3% from 2020. The state continues its compelling Vulnerable Roadway Users billboard campaign in hopes that it will have a positive impact on the rising negative traffic statistics associated with moped operators. Based on the polynomial trend analysis, the OHSJP’s continued campaign efforts, and the 2016-2020 baseline average, the OHSJP will set an annual goal of 29 moped traffic fatalities by December 31, 2023.

On May 19, 2018, the legislature passed several changes to the laws regarding mopeds. These changes to the SC law took effect in late November 2018. The changes classify a moped as a motor vehicle while subjecting the moped operator to motor vehicle laws and regulations. The moped operator is required to have a regular motor vehicle license or a moped license to operate a moped and the moped must be registered with the SCDMV. A registration card must be carried by the moped operator, and vehicle tags must be displayed on the moped. The moped is exempt from insurance or tax requirements for motor vehicles. Moped operators can obtain a moped license without regard to his/her eligibility for or status of any other driver’s license, but this license can be revoked, suspended, or canceled by SCDMV as any other license. Also, mopeds are limited to

public roadways with a speed limit no greater than 55 MPH. Unfortunately, only moped operators and riders under the age of 21 are required to wear a helmet.

Performance Measure: B-1) Observed seat belt use for passenger vehicles, front seat outboard occupants (survey): To increase observed seatbelt usage rate by 0.1 percentage points from the 2019 baseline of 90.3% to 90.4% by December 31, 2023.

**Figure B-1: South Carolina Observed Seatbelt Usage Rate
5 Year Moving Average with Trend Analysis**

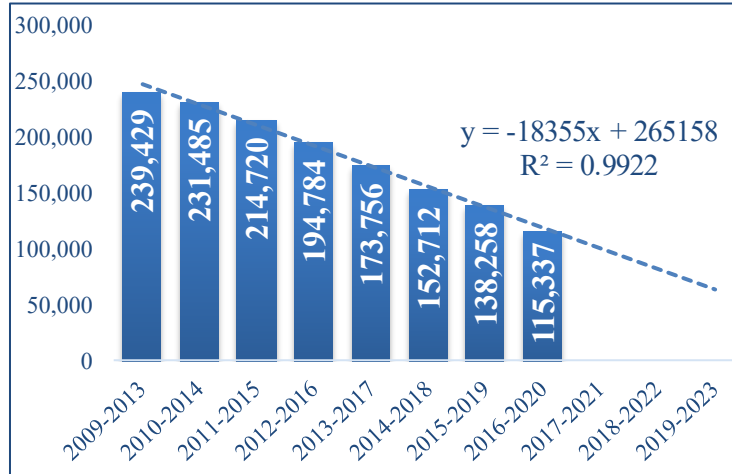


Note: Waiver obtained for 2020 for observational seatbelt survey. 2020 rate estimated by 2019 rate.

As shown in Figure B-1 above, a power trend analysis projects South Carolina will experience a five-year average of 93.0% for the observed seatbelt usage rate for 2019-2023. The annual seatbelt observational study was canceled in 2020 due to COVID. The 2020 observed seatbelt usage rate was estimated to be the same as 2019. The 2021 observed seatbelt usage rate was 90.1%. OHSJP will set an observed seatbelt usage rate of 90.4% by December 31, 2023.

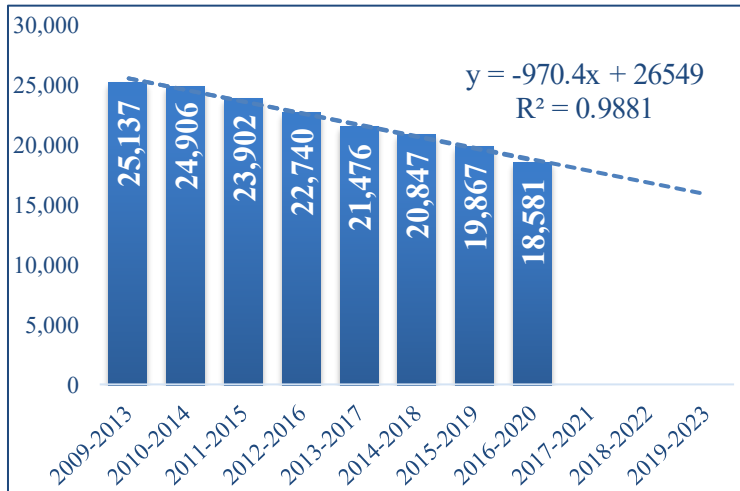
GRANT PROGRAM ACTIVITY REPORTING

Figure A-1: South Carolina Number of Seatbelt Citations Issued
5 Year Moving Average



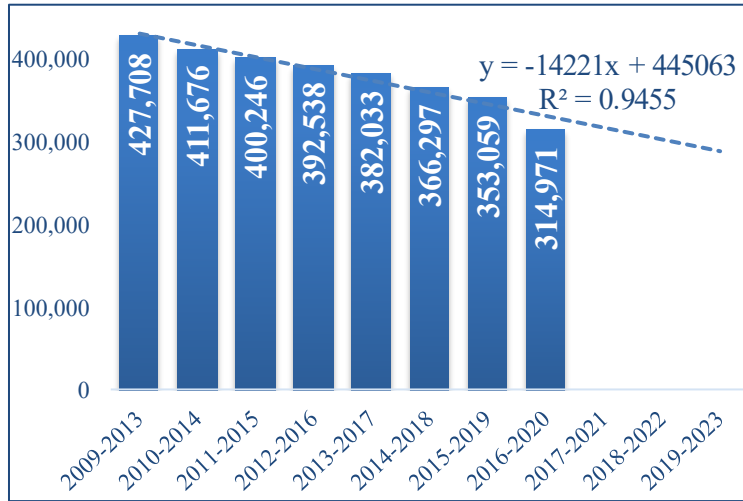
A-1) Number of seat belt citations issued during grant-funded enforcement activities
Seat belt citations: 66,245
Calendar Year A-1: 2021

Figure A-2: South Carolina Number of Impaired Driving Arrests
5 Year Moving Average



A-2) Number of impaired driving arrests made during grant-funded enforcement activities
Impaired driving arrests: 17,996
Calendar Year A-2: 2021

**Figure A-3: South Carolina Number of Speeding Citations Issued
5 Year Moving Average**



A-3) Number of speeding citations issued during grant-funded enforcement activities

Speeding citations: 299,269

Calendar Year A-3: 2021

PROGRAM AREA: PLANNING & ADMINISTRATION

DESCRIPTION OF HIGHWAY SAFETY PROBLEMS

Traffic Collision Fatalities

The National Highway Traffic Safety Administration’s (NHTSA) Fatality Analysis Reporting System (FARS) indicates that there were 1,064 traffic fatalities in South Carolina in 2020. This figure represents an increase of 5.77% from the 1,006 traffic fatalities reported for 2019. Overall, from 2016 to 2020, fatalities increased by 4.31% compared to a decrease of 0.07% nationwide.

Table 1. South Carolina Basic Data							
	2016	2017	2018	2019	2020	% Change: 2016 vs. 2020	% Change: 2020 vs. prior 4-yr Avg.
Total Fatalities	1,020	989	1,036	1,006	1,064	4.31%	5.06%
VMT*	54.40	55.50	56.84	57.94	53.82	-1.07%	-4.18%
VMT Rate**	1.87	1.78	1.82	1.74	1.98	5.88%	9.85%
Population	4,957,968	5,021,268	5,084,156	5,148,714	5,118,425	3.24%	1.29%
Pop Rate***	20.57	19.70	20.38	19.54	20.79	1.07%	3.70%

NHTSA NCSA FARS: 2016-2019 Final File and 2020 Annual Report File (ARF)
 2020 VMT & VMT Rate provided by South Carolina Department of Transportation
 Population provided by U.S. Bureau of Census
 *Vehicle Miles of Travel (billions)
 **Rate per 100 million vehicle miles
 ***Rate per 100,000 population

Table 2. Nationwide Basic Data							
	2016	2017	2018	2019	2020	% Change: 2016 vs. 2020	% Change: 2020 vs. prior 4-yr Avg.
Total Fatalities	37,803	37,471	36,830	36,352	37,776	-0.07%	1.78%
VMT*	3,174	3,210	3,240	3,262	2,904	-8.51%	-9.86%
VMT Rate**	1.19	1.17	1.14	1.11	1.34	12.61%	16.27%
Population	322,941,311	324,985,539	326,687,501	328,239,523	331,449,281	2.63%	1.76%
Pop Rate***	11.71	11.53	11.27	11.07	11.40	-2.65%	0.04%

NHTSA NCSA FARS: 2016-2019 Final File and 2020 Annual Report File (ARF)
 *Vehicle Miles of Travel (billions)
 **Rate per 100 million vehicle miles
 ***Rate per 100,000 population

Traffic Collision Injuries

Figure S-1 contains South Carolina state data which indicates there were 286,913 persons injured in motor vehicle collisions during the five-year period (2016-2020). The traffic collision data compiled by the OHSJP’s Statistical Analysis & Research Section (SARS) indicates that the number of annual motor vehicle injuries sustained during traffic collisions decreased from 61,899 in 2016 to 47,985 in 2020. The 2020 data represents a 22.48% decrease when compared to the number of people injured in traffic collisions in 2016. When compared to the average of the four-year period 2016-2019 (59,732 injuries), the 2020 figure represents a 19.67% decrease.

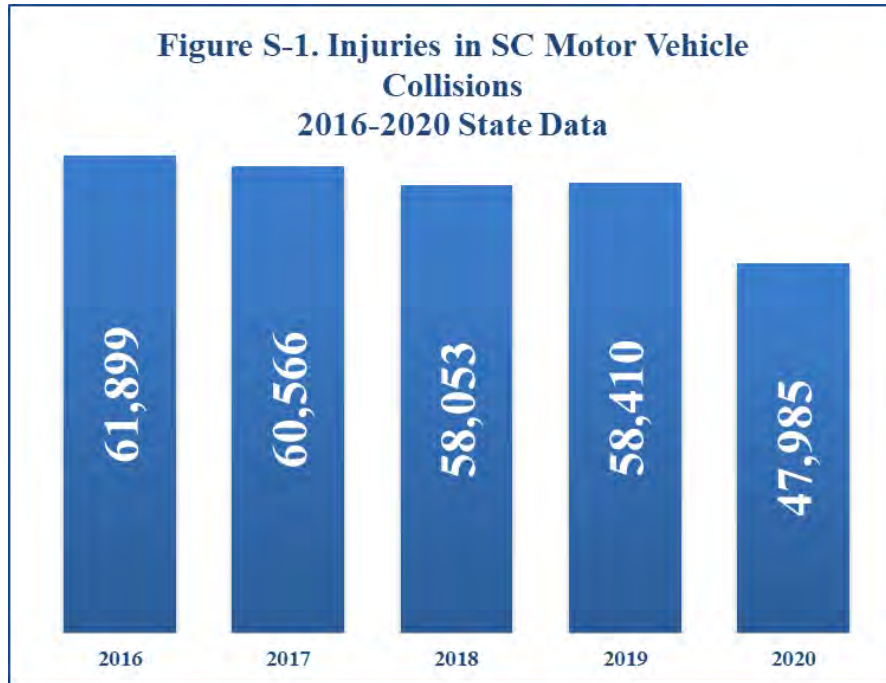
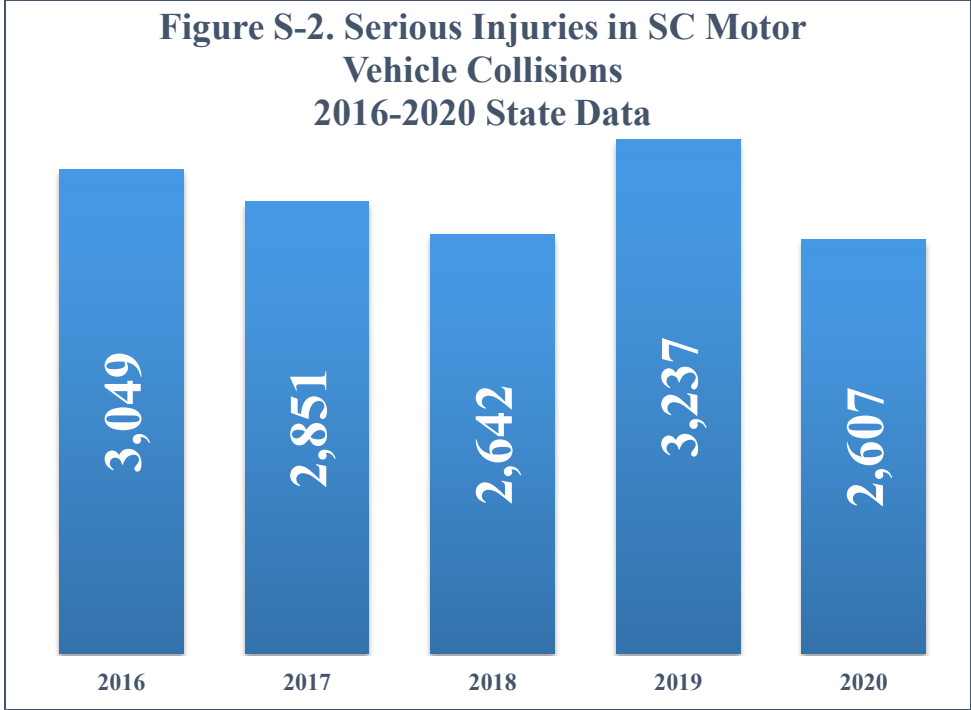


Figure S-2 contains data regarding serious traffic collision injuries in the state from the years 2016-2020. Of the 286,913 traffic collision injuries that occurred during this time period, 14,386 were serious injuries. There were 2,607 traffic-related serious injuries in 2020, a decrease of 14.50% when compared to 2016. The 2020 figure of 2,607 serious traffic collision injuries represents a decrease of 11.48% as compared to the average of the four-year period 2016-2019 (2,945 serious injuries).



Traffic Collisions

State data shows that a total of 688,210 vehicle collisions occurred in South Carolina during the five-year period from 2016 to 2020 (**Figure S-3**). Of the 688,210 vehicle collisions reported during this time period, 16,588 (**Figure S-4**), were fatal or serious-injury collisions. From 2016 to 2020, the state experienced a 14.38% decrease in the number of reported vehicle collisions. When compared to the four-year average of traffic collisions from 2016 to 2019 (141,744 collisions), the 2020 figure represents a 14.47% decrease. The leading counties for fatal and serious injury collisions from 2016 to 2020 were, in decreasing order, Greenville, Charleston, Horry, Spartanburg, Richland, Anderson, Lexington, York, Berkeley, Orangeburg, Florence, Beaufort, Aiken, Dorchester, Pickens, Sumter, Laurens, Lancaster, Oconee, and Colleton.

**Figure S-3. Total SC Motor Vehicle Collisions
2016-2020 State Data**



**Figure S-4. All SC Fatal and Serious Injury Collisions by County,
State Data 2016-2020**

County	2016	2017	2018	2019	2020	Total
Greenville	300	292	272	335	257	1,456
Charleston	272	280	263	306	302	1,423
Horry	269	278	241	242	206	1,236
Spartanburg	201	175	220	213	206	1,015
Richland	214	168	143	201	174	900
Anderson	192	174	148	152	135	801
Lexington	142	165	176	171	123	777
York	143	128	125	157	141	694
Berkeley	102	109	102	124	109	546
Orangeburg	96	76	103	112	118	505
Florence	91	79	97	132	91	490
Beaufort	102	105	78	82	83	450
Aiken	88	108	86	74	77	433
Dorchester	75	68	65	71	72	351
Pickens	61	69	78	81	57	346
Sumter	68	59	50	85	80	342
Laurens	66	65	70	69	64	334
Lancaster	85	65	43	58	59	310
Oconee	51	55	58	70	61	295
Colleton	66	50	47	45	55	263
Georgetown	43	67	61	44	41	256
Cherokee	48	59	47	53	48	255
Kershaw	56	49	48	47	49	249
Darlington	64	38	38	56	35	231
Greenwood	47	46	43	49	46	231
Jasper	60	31	36	55	46	228
Williamsburg	38	41	33	43	36	191
Chesterfield	38	44	28	44	34	188
Chester	39	40	42	37	27	185
Clarendon	33	36	22	46	28	165
Newberry	35	32	26	28	22	143
Fairfield	29	28	32	20	31	140
Dillon	21	27	24	28	24	124
Union	21	16	21	26	30	114
Marion	13	20	19	35	24	111
Marlboro	21	15	13	29	27	105
Hampton	17	16	12	23	30	98
Lee	13	13	25	18	19	88
Abbeville	17	24	14	19	13	87
Calhoun	13	17	15	14	20	79
Edgefield	20	14	13	14	15	76
Barnwell	15	16	19	13	12	75
Bamberg	16	11	18	9	10	64
Saluda	13	18	9	11	8	59
Allendale	9	7	12	9	10	47
McCormick	8	5	8	6	5	32
Total	3,431	3,298	3,143	3,556	3,160	16,588

Associated Performance Measures

Fiscal Year	Performance measure name	Target End Year	Target Period	Target Value
2023	C-1) Number of traffic fatalities (FARS)	2023	5 Year	1,119
2023	C-2) Number of serious injuries in traffic crashes (State crash data files)	2023	5 Year	2,868
2023	C-3) Fatalities/VMT (FARS, FHWA)	2023	5 Year	1.940
2023	C-4) Number of unrestrained passenger vehicle occupant fatalities, all seat positions (FARS)	2023	Annual	324
2023	C-5) Number of fatalities in crashes involving a driver or motorcycle operator with a BAC of .08 and above (FARS)	2023	Annual	305
2023	C-6) Number of speeding-related fatalities (FARS)	2023	Annual	442
2023	C-7) Number of motorcyclist fatalities (FARS)	2023	Annual	151
2023	C-8) Number of unhelmeted motorcyclist fatalities (FARS)	2023	Annual	107
2023	C-9) Number of drivers age 20 or younger involved in fatal crashes (FARS)	2023	Annual	116
2023	C-10) Number of pedestrian fatalities (FARS)	2023	Annual	162
2023	C-11) Number of bicyclists fatalities (FARS)	2023	Annual	20
2023	B-1) Observed seat belt use for passenger vehicles, front seat outboard occupants (survey)	2023	Annual	90.4
2023	C-12) South Carolina Moped Fatalities, with Five Year Trend Analysis	2023	Annual	29
2023	C-3R) South Carolina Traffic Fatalities/VMT (Rural), 5 Year Moving Average with Trend Analysis	2023	Annual	2.73
2023	C-3U) South Carolina Traffic Fatalities/VMT (Urban), 5 Year Moving Average with Trend Analysis	2023	Annual	1.00

Countermeasure Strategy: Highway Safety Office Program Management

Program Area: Planning and Administration

Project Safety Impacts

The Highway Safety Program Management countermeasure strategy enables the provision of staff and resources necessary for the implementation and management of highway safety programs intended to meet the state's goals of reducing collisions, injuries, and fatalities on South Carolina's roadways. Planned activities to be funded under this countermeasure strategy include the following projects: Highway Safety Planning and Administration; Occupant Protection Program Management; Police Traffic Services Program Management; Impaired Driving Countermeasures Program Management; Public Information, Outreach, and Training (PIOT); Law Enforcement Coordination; and Traffic Records Improvements. Staff identify their respective highway safety problems using data, evaluate safety programs and activities, and provide technical assistance and training to grantees across the state.

Linkage between Program Area

Highway Safety Program Management is essential within the State Highway Safety Office (SHSO), and each individual project plays a pivotal role in the planning, implementation, and coordination of highway safety programs and efforts intended to reduce problematic driving behaviors and promote safe driving practices. The primary purpose of the Planning and Administration section is to provide the necessary leadership, planning, guidance, and cooperation in order to achieve an effective and efficient highway safety program. The Public Information, Outreach and Training (PIOT) project addresses various highway safety emphasis areas through a comprehensive approach that includes the dissemination of traffic safety information to the general public and the law enforcement community. This project utilizes marketing campaigns, training for highway safety professionals, and sharing information at public events to help the state meet performance measures and goals related to occupant protection, police traffic services/speeding, DUI, and vulnerable roadway users. The Law Enforcement Coordination project encourages widespread participation in national and state traffic safety campaigns and mobilizations, which is of benefit given that increased traffic enforcement positively impacts driver awareness and driving behaviors. Occupant Protection, Police Traffic Services, and Impaired Driving Countermeasures Program Management serve as centralized sources enabling the program planning, implementation and coordination of programs intended to achieve and sustain positive highway safety impacts related to these respective program areas. Lastly, Traffic Records Improvements is a necessary project given that timely, accurate, and efficient collection and analysis of appropriate traffic records data are essential to highway safety and are critical in the development, implementation, and evaluation of appropriate countermeasures to reduce traffic collisions and injuries.

Rationale

Centralized program planning, development, implementation, and coordination, along with monitoring, evaluating, and auditing projects are necessary to reduce problematic driving behaviors. Highway Safety Office Program Management enables the provision of staff and resources necessary for the implementation and management of highway safety programs. Allocating funds to allow for the implementation of highway safety programming, which utilizes comprehensive strategies, within the state will facilitate the achievement of the state's performance targets and goals and lead to reduced collisions, serious injuries, and fatalities.

Planned activities in countermeasure strategy

Unique Identifier	Planned Activity Name	Description Located on Page No.
PA	Highway Safety Planning & Administration	78
OP-INT	OHSJP Occupant Protection Program Management	79
PTS-INT	OHSJP Police Traffic Services Program Management	80
PTS-LEC	Law Enforcement Coordination	81
M1*ALM4HVE	Impaired Driving Countermeasures Program Management	82
TR	OHSJP Traffic Records Management	83
PIOT-SA	Public Information, Outreach, & Training	84

Planned Activity: Highway Safety Planning and Administration

Planned activity number: PA

Primary Countermeasure Strategy ID: Highway Safety Office Program Management

Planned Activity Description:

The 402 State and Community Highway Safety Program in South Carolina is administered by the Office of Highway Safety and Justice Programs (OHSJP) of the SC Department of Public Safety (SCDPS). The mission of the OHSJP is to develop and implement comprehensive strategies aimed at reducing the number and severity of traffic collisions on the state's streets and highways. The Planning and Administration planned activity provides the administrative functions for the

operation of the Section 402 program. These functions include all tasks necessary for the preparation of the annual Highway Safety Plan; the preparation of the annual Evaluation Report of projects funded during the previous fiscal year; project development activities; ongoing problem identification; preparation of the annual Funding Guidelines and grant project solicitation; monitoring; planning and conducting training programs for subgrantees; providing technical assistance; disseminating technical materials; responding to grant revision requests and other correspondence; notification and awarding of grants; and the development and coordination of numerous public awareness activities with particular emphasis on impaired driving, occupant protection, speed reduction, and other similar efforts.

Specifically, the Planning and Administration project will coordinate highway safety programming focused on public outreach and education, as well as, aggressive traffic law enforcement through collaboration with safety and business organizations; the integration of public health strategies and techniques; the implementation of engineering-related countermeasures; and cooperation with state and local governments. Programming resources will be directed to the nationally and state-identified priority areas outlined in this document.

Intended Subrecipient(s): The South Carolina Department of Public Safety

Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2022	BIL NHTSA 402	Planning and Administration	\$248,814	\$248,814	\$0

Planned Activity: OHSJP Occupant Protection Program Management

Planned Activity Number: OP-INT

Primary Countermeasure Strategy ID: Highway Safety Office Program Management

Planned Activity Description:

Efforts to improve occupant protection issues in the state of South Carolina with an ultimate goal of reducing traffic collisions, injuries, and fatalities must have an administrative component. This project will attempt to increase safety belt and child safety seat usage during the project period through the continued coordination of occupant protection programs statewide. The project will fund an Occupant Protection/Police Traffic Services Program Coordinator (OP/PTSPC) who will be involved in planning and coordinating special public information events during the National

Child Passenger Safety Week in September 2023. The OP/PTSPC will also assist in planning, coordinating, and implementing, with the assistance of the SCDPS Contractor and Public Affairs Coordinator, the *Buckle up, South Carolina. It's the law and it's enforced.* public information, education and enforcement campaign during the Memorial Day holiday of 2023. The OP/PTSPC will continue to administer all Section 402 and Section 405b-funded occupant protection programs. The OP/PTSPC will also be responsible for reviewing and monitoring grant projects and providing technical assistance to project personnel. The OP/PTSPC will also prepare the Occupant Protection sections of the annual Summaries and Recommendations for Highway Safety Projects, the Highway Safety Plan, and the Annual Evaluation Report by the required deadlines. The OP/PTSPC will work with the South Carolina Department of Health and Environmental Control to coordinate Child Safety Seat (CSS) Presentations and Child Passenger Safety (CPS) Technician training classes. The OP/PTSPC will implement a comprehensive approach to increase the overall safety belt usage rate statewide and will be available to provide education to the public on occupant protection through presentations at health fairs, special interest groups, and businesses. Additionally, the OP/PTSPC will oversee the increasing of permanent inspection stations within South Carolina by the end of the grant year.

Intended Subrecipient(s): The South Carolina Department of Public Safety

Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2022	BIL NHTSA 402	Occupant Protection	\$207,058	\$51,764.50	\$0

Planned Activity: OHSJP Police Traffic Services Program Management

Planned activity number: PTS-INT

Primary Countermeasure Strategy ID: Highway Safety Office Program Management

Planned Activity Description:

The Office of Highway Safety and Justice Programs (OHSJP) will fund a Police Traffic Services (PTS) project which will include an Occupant Protection/Police Traffic Services Program Coordinator (OP/PTSPC) who will assist in establishing funding priorities and strategies for implementing Police Traffic Services projects. The OP/PTSPC will develop projects for funding with prospective applicants and prepare the PTS section of the annual Highway Safety Plan, the annual Summaries and Recommendations for Highway Safety Projects, and the Annual Evaluation Report by the required deadlines. The OP/PTSPC will administer assigned grant-funded projects

to include scheduling/conducting on-site monitoring, monthly desk monitoring, and providing technical assistance. The OP/PTSPC will give law enforcement agencies the ability to start effective selective traffic enforcement programs (STEPS), including training relative to, speed enforcement, DUI enforcement, and enforcing occupant restraint laws. The OP/PTSPC will review the grants' goals and objectives and focus task activity towards the accomplishment of the goals and objectives. The OP/PTSPC will work with the Law Enforcement Liaisons (LELs) to alert the Law Enforcement Network (LEN) circuits of the importance of assisting the OHSJP in its efforts to reduce speeding-related collisions, injuries, and fatalities in the state of South Carolina. Additionally, the OP/PTSPC will coordinate with the Highway Safety Grant Program Manager and Grants Administration Manager of the OHSJP to develop appropriate strategies for traffic enforcement to be included in the annual Highway Safety Funding Solicitation document and the Highway Safety Plan.

Intended Subrecipient(s): The South Carolina Department of Public Safety

Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2022	BIL NHTSA 402	Police Traffic Services	\$229,230	\$57,307.50	\$0

Planned Activity: Law Enforcement Coordination

Planned activity number: PTS-LEC

Primary Countermeasure Strategy ID: Highway Safety Office Program Management

Planned Activity Description:

The Law Enforcement Coordination project proposes to continue funding the Law Enforcement Manager, who serves as a Law Enforcement Liaison (LEL), and one additional LEL. The LELs will work with the Law Enforcement Network (LEN) to enforce traffic safety throughout the state in priority areas. The priorities of the project are to develop and maintain the LEN system, to work to establish and maintain relationships between the OHSJP and law enforcement agencies around the state, and to garner law enforcement support for participation in statewide enforcement mobilization campaigns.

The Law Enforcement Coordination internal grant project will also provide LEN support grants to the sixteen (16) LENs established around the state. The sixteen networks correspond to the sixteen judicial circuits in the state. The support grants will be provided through the Law Enforcement Coordination grant to assist the networks with meeting room costs, recognition awards for traffic officers, the costs to attend highway safety training and/or conferences, and educational materials. The LEN system, which includes both state and local law enforcement agencies, will allow

statewide coverage and implementation of law enforcement activity, including multijurisdictional enforcement activities.

Intended Subrecipient(s): The South Carolina Department of Public Safety

Funding Sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2022	BIL NHTSA 402	Police Traffic Services	\$629,058	\$157,264.50	\$160,000

Planned Activity: Impaired Driving Countermeasures Program Management

Planned activity number: M1*ALM4HVE

Primary Countermeasure Strategy ID: Highway Safety Office Program Management

Planned Activity Description:

The project will maintain the employment of an Impaired Driving Countermeasures Program Coordinator (IDCPC) to administer impaired-driving highway safety grants during the course of the grant year. The IDCPC will assist the Public Affairs Coordinator (PAC) of the OHSJP with the development and implementation of a statewide public information and education campaign for the FFY 2023 grant period. The IDCPC will also be responsible for the ongoing administration of impaired driving projects funded through the Highway Safety program, including providing technical assistance, making monthly phone calls to project personnel regarding project status, desk monitoring relative to implementation schedules, and on-site monitoring, as well as responding to requests for grant revisions.

The IDCPC will complete pertinent sections of state and federal documents to include quarterly progress reports; the Annual Report; the Highway Safety Plan; the Summaries and Recommendations; and the Impaired Driving Countermeasures grant application.

Intended Subrecipient(s): The South Carolina Department of Public Safety

Funding Sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2022	BIL 405d ID Mid	Impaired Driving Mid/HVE	\$220,344	\$55,086	\$0

Planned Activity: OHSJP Traffic Records Management

Planned Activity Number: TR

Primary Countermeasure Strategy ID: Highway Safety Office Program Management

Planned Activity Description:

The project will maintain the positions necessary to facilitate the requirements of the SC Traffic Records System (TRS). The project funds the Traffic Records Coordinating Committee (TRCC) Coordinator, who is responsible for managing the TRCC, the South Carolina Collision and Ticket Tracking System (SCCATTS) and the Crash Reporting Sampling System (CRSS). The position is also responsible for Data Quality Control and other tasks associated with South Carolina's Traffic Records Systems. Other positions funded under this project include, but are not limited to, Data Entry Operators, Fatality Analysis Reporting System (FARS) Analysts, the SAFETYNET Coordinator, Information Technology, and Statistical Services Technician.

The project will continue the implementation of SCCATTS and assist the South Carolina Department of Motor Vehicles (SCDMV) in the integration of SCCATTS to the South Carolina Uniform Traffic Ticket Information Exchange System (SCUTTIES) and Case Management System (CMS) interfaces. The project will continue to expand the SCCATTS e-reporting system and phase out as much of the manual data entry process as possible. This will be achieved through the provision of appropriate training for staff, law enforcement officers, and court personnel on the use of the state's electronic forms program. The project will also assist any agency or court with the e-Citation interfaces to ultimately achieve 100% electronic submission of all reports (citations, collisions, and public contacts) to SCDMV. Lastly, the project will provide for continued facilitation of the joint effort between the South Carolina Department of Transportation (SCDOT), South Carolina Judicial Branch (SCJB), South Carolina Department of Public Safety (SCDPS), and SCDMV in the development of the centralized citation database and associated systems.

This project addresses TRS Goal #3 of improving management and coordination of traffic records systems and affects the following Core Traffic Records System Components: Collision; Citation/Adjudication; Roadway; Injury Surveillance; Driver; and Vehicle. The project addresses

each of the core Traffic Records Systems Performance Measures: Timeliness; Accuracy; Completeness; Uniformity; Accessibility; and Data Integration.

Intended Subrecipient(s): The South Carolina Department of Public Safety

Funding Sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2022	BIL NHTSA 402	Traffic Records	\$64,450	\$16,112.50	\$0

Planned Activity: Public Information, Outreach, & Training

Planned activity number: PIOT-SA

Primary Countermeasure Strategy ID: Highway Safety Office Program Management

Planned Activity Description:

The OHSJP will upgrade the quality of highway safety efforts in the state of South Carolina utilizing a multi-faceted approach, which will include marketing campaigns, training for highway safety professionals and sharing information at public events. These are key strategies to help meet performance measures and goals related to issues with occupant protection, police traffic services, DUI, and vulnerable roadway users.

This project will maintain the positions necessary to work in conjunction with Program Coordinators and assist a paid contractor in the development of statewide enforcement campaigns, such as *Buckle Up, South Carolina. It's the law and it's enforced.* and *Sober or Slammer!*, which is South Carolina's version of the national *Drive Sober or Get Pulled Over* campaign. The aforementioned campaigns will contain enforcement, education, community involvement, diversity outreach, and media components in an effort to reduce collisions, injuries, and fatalities related to DUI on South Carolina's roadways and increase occupant protection usage. Other public information initiatives coordinated under this project include Child Passenger Safety, Distracted Driving, Motorcycle Safety, Speed Enforcement (*Operation Southern Slow Down*), and Vulnerable Roadway Users.

The OHSJP will continue to use a full-service marketing firm to assist with such efforts as media buying, creative production, and evaluation of campaigns. However, the OHSJP, with the help of

the agency’s Communications Office and SC Highway Patrol Community Relations Officers (CROs), will oversee earned media efforts, such as issuing news releases, conducting press events, and coordinating media interviews. The marketing firm will continue to assist with campaigns such as *Sober or Slammer!* and *Buckle Up, SC. It’s the law and it’s enforced.*

In the coming year, the OHSJP must increase efforts to reach out to underserved audiences and hard-to-reach populations. The OHSJP already incorporates Hispanic-owned media (mainly TV and radio) into its media buys. However, efforts must be made to ensure that Spanish-speaking residents are getting in-depth information on printed collateral regarding traffic laws and safe driving. Additionally, the OHSJP must increase efforts to reach young men, ages 18-34, in areas where they live, work, and play. The OHSJP is also doing more to incorporate the *Target Zero* campaign by way of social media using SCDPS’ Facebook, Instagram, and Twitter pages and YouTube channel, as well as continuing to expand upon and explore paid social media advertising opportunities.

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

Intended Subrecipient(s): The South Carolina Department of Public Safety

Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2022	BIL NHTSA 402	Safe Communities	\$1,085,425	\$271,356.25	\$0

PROGRAM AREA: OCCUPANT PROTECTION (ADULT AND CHILD PASSENGER SAFETY)

DESCRIPTION OF HIGHWAY SAFETY PROBLEMS

South Carolina has made significant strides in improving safety belt usage rates since the passage and enactment of a primary enforcement safety belt law in 2005. At the time the law was enacted, the state’s observed safety belt usage rate stood at 69.7%. Based on the results of the statewide safety belt survey, conducted in August – October 2021 by Bason Research, the state’s usage rate was 90.1%. The 2021 usage rate represents a 0.2 percentage point decrease from 2019, when the usage rate was 90.3%. The state remains committed to increasing restraint usage in an effort to reduce motor vehicle crash injuries and fatalities, particularly in the light of the state’s relatively high unbelted fatality rate (see **Table 7**).

	2016	2017	2018	2019	2020	% Change: 2016 vs. 2020	% Change: 2020 vs. prior 4-yr Avg.
Total Fatalities	315	308	331	300	372	18.10%	18.66%
VMT Rate**	0.58	0.55	0.58	0.52	0.69	18.97%	23.77%
Pop Rate***	6.35	6.13	6.51	5.83	7.27	14.49%	17.16%
Pct. Of Total	30.88%	31.14%	31.95%	29.82%	34.96%	4.08%	4.01%
Observed Belt Use	93.90%	92.30%	89.70%	90.30%	90.30%*	-3.60%	-1.25%

NHTSA NCSA FARS: 2016-2019 Final File and 2020 Annual Report File (ARF)

2020 VMT provided by South Carolina Department of Transportation

Population provided by U.S. Bureau of Census

**Rate per 100 million vehicle miles

***Rate per 100,000 population

*Waiver obtained for 2020; 2019 results have been utilized for 2020

In South Carolina’s FFY 2020 HSP, the focus for occupant protection was to increase the observed seatbelt usage rate by 0.1 percentage points from the 2020 base of 90.3% to 90.4% by December 31, 2022. Because the state utilized the National Highway Traffic Safety Administration’s (NHTSA) waiver of the requirement for states to conduct an annual seatbelt use survey during calendar year 2020, the state utilized the 2019 results for 2020. The state will strive to increase the safety belt usage rate through educational programs aimed at the state’s citizens, particularly minority groups who lag behind their non-minority counterparts in belt usage rates, enforcement of the safety belt law, and the continuation of the *Buckle Up, South Carolina. It’s the law, and it’s is enforced.* mobilization (BUSC). The mobilization occurs during the weeks leading up to and including Memorial Day and conforms to the national Click it or Ticket model. The state also desires to see an increase in the correct usage of child passenger safety seats. Occupant Protection Programs funded by the highway safety program will train NHTSA Child Passenger Safety technicians and instructors, conduct child passenger safety seat check events, certify child passenger safety fitting stations, conduct educational presentations, target minority groups, and emphasize child passenger safety seat use and enforcement during the statewide Memorial Day occupant protection enforcement mobilization.

As indicated previously, the state of South Carolina has seen a steady increase in safety belt use rates since the passage and enactment of a primary safety belt law, from 69.7% in 2005 to 90.3% in 2020. **Figure 20** demonstrates this increase compared to the national rate for the time period 2016-2020. As seen in **Figure 20**, South Carolina's observed seat belt usage rate was above the national rate for the 2016-2018 period and slightly lower than the national rate in 2019.

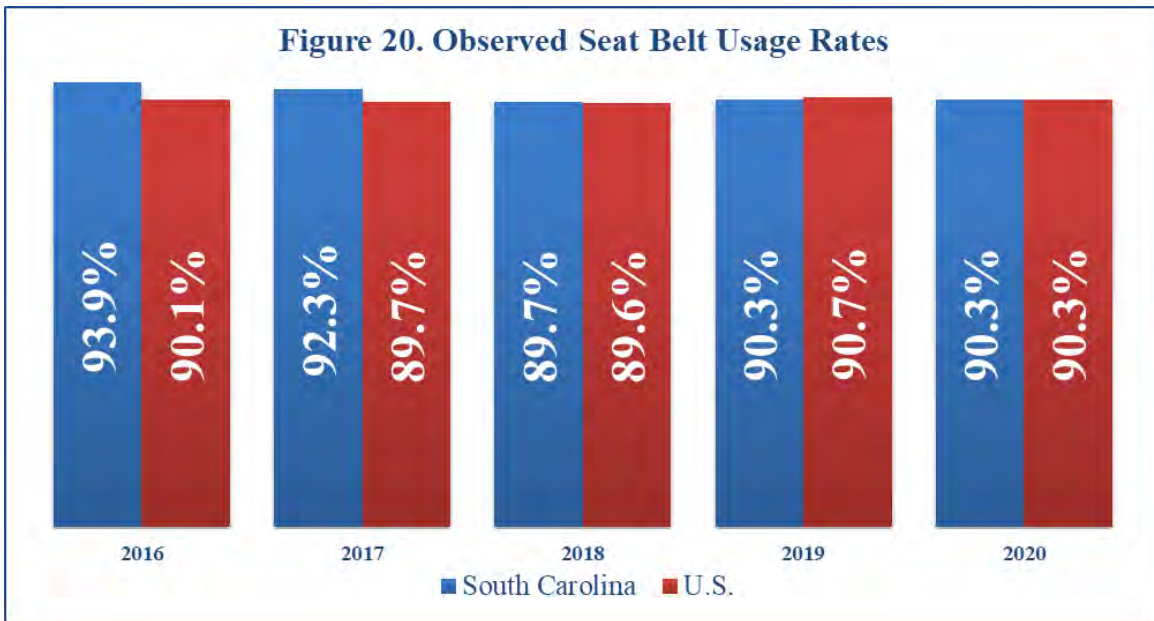
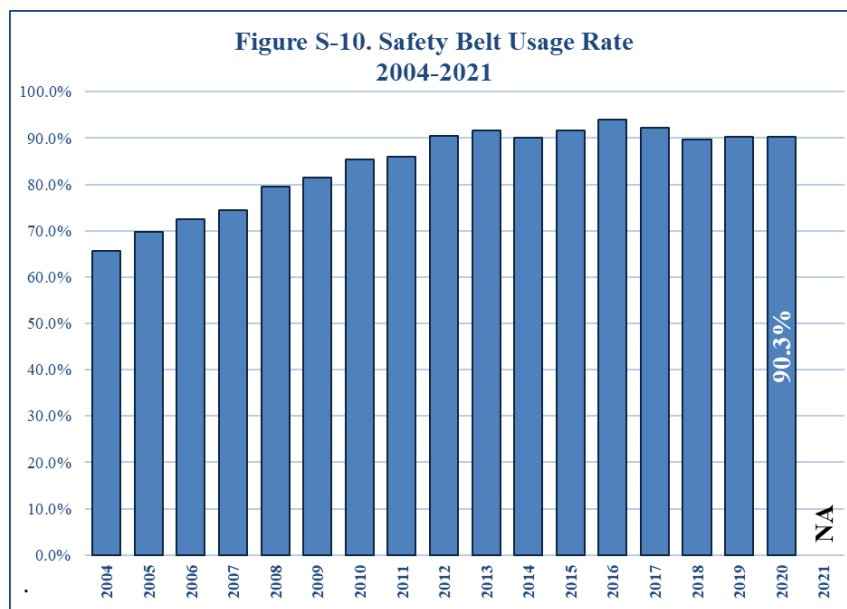


Figure S-10 demonstrates the increase in the state's safety belt usage rate since 2004.



As shown in Table S-8, surveys conducted by the University of South Carolina show that South Carolina has made tremendous progress towards improving the statewide belt usage rate. The progress has been significant since 2010, with non-white belt use moving from 80.6% in CY 2010 to 87.5% in 2020 compared to 88.5% and 92% in 2010 and 2020 respectively for whites. This represents noteworthy forward momentum. Over a 10-year period, non-white belt use moved from 8.9% below that of the majority population’s belt use, to only 4.9% below the majority population. Additionally, from 2018 to 2020, belt usage among non-white drivers increased by 1.4 percentage points. The progress over the years can be attributed to the state of South Carolina's efforts to maintain a diverse approach to messaging along with maintaining safety belt law enforcement efforts. Obviously, there remains a need to continuously educate the public as to the benefits of safety belt usage, but existing efforts to address this issue have been beneficial.

Table S-8 South Carolina Observed Seatbelt Use Rate, 2010-2020											
	6/10	6/11	6/12	6/13	6/14	6/15	6/16	6/17	6/18	6/19	6/20*
Male	82.3	81.8	87.6	89.8	88.3	88.6	92.5	89.7	88.2	87.8	87.8
Female	90.6	89.4	93.3	93.9	91.6	95.0	95.5	94.9	91.6	92.8	92.8
Driver	86.0	86.4	90.0	91.0	89.9	91.5	93.4	91.6	89.5	90.6	90.6
Passenger	85.4	85.6	90.0	94.6	89.3	91.3	95.8	95.7	90.5	88.2	88.2
Urban	87.4	85.6	91.4	91.0	89.0	91.7	93.7	91.7	89.5	90.1	90.1
Rural	80.5	87.0	88.5	94.2	93.1	91.3	94.2	94.3	90.3	91.0	91.0
White	88.5	86.5	91.3	93.1	91.6	92.6	93.9	94.1	91.7	92.0	92.0
Non-white	80.6	82.2	87.8	87.5	85.1	87.5	93.6	86.8	86.1	87.5	87.5
Cars	86.6	88.2	92.0	92.3	90.7	93.1	94.5	92.8	89.9	91.2	91.2
Trucks	81.7	78.7	86.0	90.0	86.9	85.0	90.4	89.7	89.4	86.9	86.9
Overall	85.4	86.0	90.5	91.7	90.0	91.6	93.9	92.3	89.7	90.3	90.3

*Waiver obtained for 2020; 2019 results have been utilized for 2020

The following data sections outline specifically the problems being faced by the state of South Carolina in terms of occupant protection and demonstrate the foundation upon which the state has built its response to the problems for its FFY 2023 Highway Safety Plan.

Traffic Collision Fatalities

In 2020, traffic collisions claimed 37,776 lives throughout the nation, an increase of 1,424 lives when compared to the 36,352 lives lost nationally in 2019. In 2020, vehicle miles traveled (VMT) decreased to 2,904 from 3,262 billion in 2019 (see **Table 2**). Traffic fatalities in the United States increased by 3.92% in 2020 as compared to the prior year. The VMT decreased by 8.51% from 2016 to 2020.

A comparison of South Carolina data (**Table 1**) with national data (**Table 2**) indicates that South Carolina’s 2016-2020 average population-based traffic fatality rate (20.20 per 100,000 persons) was higher than the national rate (11.40) during the same time period. South Carolina’s VMT decreased by 1.07% from 2016 to 2020, and there was a decrease of 4.18% in 2020 compared to the prior four-year average. Additionally, in 2020, the Rural traffic fatalities/VMT in the state increased by 21.13%, 3.21 versus 2.65 in 2019. Total fatalities in 2020 increased from the previous year.

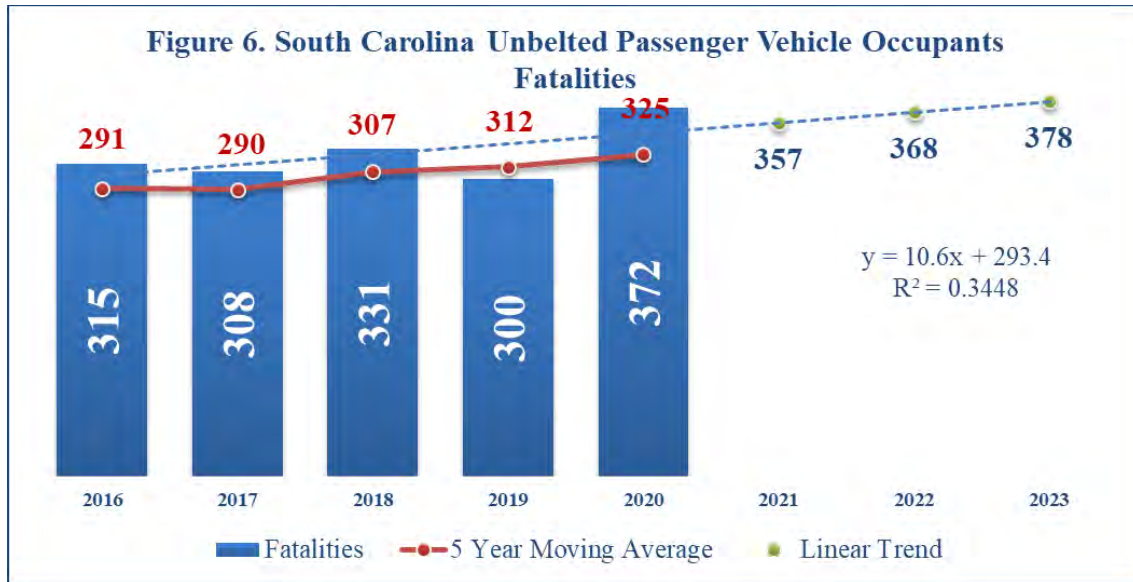
Table 1. South Carolina Basic Data							
	2016	2017	2018	2019	2020	% Change: 2016 vs. 2020	% Change: 2020 vs. prior 4-yr Avg.
Total Fatalities	1,020	989	1,036	1,006	1,064	4.31%	5.06%
VMT*	54.40	55.50	56.84	57.94	53.82	-1.07%	-4.18%
VMT Rate**	1.87	1.78	1.82	1.74	1.98	5.88%	9.85%
Population	4,957,968	5,021,268	5,084,156	5,148,714	5,118,425	3.24%	1.29%
Pop Rate***	20.57	19.70	20.38	19.54	20.79	1.07%	3.70%

NHTSA NCSA FARS: 2016-2019 Final File and 2020 Annual Report File (ARF)
 2020 VMT & VMT Rate provided by South Carolina Department of Transportation
 Population provided by U.S. Bureau of Census
 *Vehicle Miles of Travel (billions)
 **Rate per 100 million vehicle miles
 ***Rate per 100,000 population

Table 2. Nationwide Basic Data							
	2016	2017	2018	2019	2020	% Change: 2016 vs. 2020	% Change: 2020 vs. prior 4-yr Avg.
Total Fatalities	37,803	37,471	36,830	36,352	37,776	-0.07%	1.78%
VMT*	3,174	3,210	3,240	3,262	2,904	-8.51%	-9.86%
VMT Rate**	1.19	1.17	1.14	1.11	1.34	12.61%	16.27%
Population	322,941,311	324,985,539	326,687,501	328,239,523	331,449,281	2.63%	1.76%
Pop Rate***	11.71	11.53	11.27	11.07	11.40	-2.65%	0.04%

NHTSA NCSA FARS: 2016-2019 Final File and 2020 Annual Report File (ARF)
 2020 VMT & VMT Rate provided by South Carolina Department of Transportation
 Population provided by U.S. Bureau of Census
 *Vehicle Miles of Travel (billions)
 **Rate per 100 million vehicle miles
 ***Rate per 100,000 population

Figure 6 shows the numbers of unbelted passenger vehicle occupants (i.e. occupants of passenger cars, light trucks, and vans) killed in South Carolina from 2016 through 2020. The number of unbelted passenger-vehicle-occupant fatalities was at its highest in 2020 (372 fatalities) and at its lowest in 2019 (300). The 2020 data point represents an 18.47% increase compared to the 2016-2019 average (314 fatalities) and an 18.10% decrease from the 2016 total.



In South Carolina, observed safety belt use decreased 1.42% in 2020 (90.3%) compared to the 2016-2019 average (91.6%). The observed seat belt usage rate was at its lowest in 2018 (89.7%) during the five-year period and at its highest in 2016 (93.9%).

In South Carolina, unbelted passenger vehicle fatalities accounted for 34.96% of all traffic-related fatalities in 2020. This is a 4.01% increase when compared to the prior four-year average (30.95%) and a 4.08% increase compared to 2016.

According to NHTSA’s FARS data, in South Carolina, restraint use among fatally-injured passenger-vehicle occupants was below that of the nation for the past five (5) years (Table 27). The 2020 restraint use percentage for fatally-injured passenger vehicle occupants in South Carolina represents an 8.04% decrease compared to the average of the previous four years (46%). The US as a whole also saw a decrease (9.37%) in this index compared to the average of the previous four years (48.33%).

Table 7. South Carolina Unbelted Passenger Vehicle Occupant Fatalities

	2016	2017	2018	2019	2020	% Change: 2016 vs. 2020	% Change: 2020 vs. prior 4-yr Avg.
Total Fatalities	315	308	331	300	372	18.10%	18.66%
VMT Rate**	0.58	0.55	0.58	0.52	0.69	18.97%	23.77%
Pop Rate***	6.35	6.13	6.51	5.83	7.27	14.49%	17.16%
Pct. Of Total	30.88%	31.14%	31.95%	29.82%	34.96%	4.08%	4.01%
Observed Belt Use	93.90%	92.30%	89.70%	90.30%	90.30%	-3.60%	-1.25%

NHTSA NCSA FARS: 2016-2019 Final File and 2020 Annual Report File (ARF)
 2020 VMT & VMT Rate provided by South Carolina Department of Transportation
 Population provided by U.S. Bureau of Census
 **Rate per 100 million vehicle miles
 ***Rate per 100,000 population

Restraint Use	2016	2017	2018	2019	2020
South Carolina	45.0%	46.3%	46.4%	46.3%	42.3%
U.S.	47.7%	48.5%	48.4%	48.7%	43.8%

NHTSA NCSA FARS: 2016-2019 Final File and 2020 Annual Report File (ARF)

In 2020 in South Carolina, as indicated in **Table S-9**, 491 motor vehicle occupants were totally ejected from the motor vehicles in which they were riding during traffic collisions, and of those, 132, or 26.88%, were fatally injured. In addition, 301 occupants were partially ejected and 40 of those, or 13.29%, were fatally injured. Of the 279,387 occupants not ejected, 540, or 0.19%, were fatally injured.

Ejection Status	Fatal Injury	Serious Injury	Minor Injury	Possible Injury	No Apparent Injury	Total	Percent
Not Ejected	540	1,688	9,242	32,877	235,040	279,387	97.72%
Partially Ejected	40	21	36	33	171	301	0.11%
Totally Ejected	132	160	118	52	29	491	0.17%
Not Applicable	2	5	25	69	4,111	4,212	1.47%
Unknown	2	8	32	117	1,343	1,502	0.53%
Total	716	1,882	9,453	33,148	240,694	285,893	100.0%

As indicated in **Table S-10**, during the period 2016-2020, there were 2,610 individuals totally ejected from the motor vehicles in which they were riding during traffic collisions, and of those, 616, or 23.60%, were fatally injured. In addition, 1,173 were partially ejected, and 159 of those, or 13.55%, were fatally injured. Of the 1,663,411 occupants not ejected, 2,593 or 0.16% were fatally injured.

Ejection Status	Fatal Injury	Serious Injury	Minor Injury	Possible Injury	No Apparent Injury	Total	Percent
Not Ejected	2,593	9,432	49,920	202,791	1,398,675	1,663,411	97.94%
Partially Ejected	159	134	144	149	587	1,173	0.07%
Totally Ejected	616	804	596	287	307	2,610	0.15%
Not Applicable	4	21	100	335	21,448	21,908	1.29%
Unknown	7	52	99	852	8,364	9,374	0.55%
Total	3,379	10,443	50,859	204,414	1,429,381	1,698,476	100.0%

As shown in **Table S-11**, estimates indicate that, of the 687 occupant fatalities with known restraint usage in 2020, 382 (55.60%) were not restrained, and 305 (44.40%) were restrained. According to State Data, from 2016 to 2020 there were 3,202 fatalities in which the restraint use was known in South Carolina. Of this number, 1,682, or 52.53%, were unrestrained.

Year	Known Restraint Use	Unrestrained	Percent Unrestrained
2016	619	328	52.99%
2017	623	322	51.69%
2018	665	342	51.43%
2019	608	308	50.66%
2020	687	382	55.60%
Total	3,202	1,682	52.53%

County data shows interesting trends in terms of unrestrained traffic collision fatalities, particularly at night. As shown in **Table 28**, for the years 2016-2020, 56.97% of South Carolina’s passenger vehicle occupant fatalities that occurred at night were unrestrained. The following six counties accounted for the highest percentages of unrestrained nighttime passenger vehicle occupant fatalities: Newberry (13 fatalities, 12 [92.31%] unrestrained); Edgefield (12 fatalities, 10 [83.33%] unrestrained); Marion (12 fatalities, 10 [83.33%] unrestrained); Sumter (17 fatalities, 13 [76.47%] unrestrained); Abbeville (12 fatalities, 9 [75%] unrestrained); and Colleton (50 fatalities, 34 [68%] unrestrained).

Of the 46 counties in the state, Chester, Laurens, and Union had the smallest percentages of unrestrained night-time fatalities (23 fatalities, 9 [39.13%] unrestrained); (50 fatalities, 20 [40%] unrestrained); and (10 fatalities, 4 [40%] unrestrained).

County	2016	2017	2018	2019	2020	2020 Total Passenger Vehicle Occupant Fatalities at Night	2016-2020 Unrestrained Vehicle Occupant Fatalities at Night	2016-2020 Total Passenger Vehicle Occupant Fatalities at Night	% Unrestrained at Night
Abbeville	1	3	2	1	2	3	9	12	75.00%
Aiken	2	12	6	5	8	10	33	53	62.26%
Allendale	0	2	1	2	1	2	6	10	60.00%
Anderson	9	7	5	7	12	17	40	66	60.61%
Bamberg	2	0	2	0	1	2	5	10	50.00%
Barnwell	2	3	1	0	0	2	6	12	50.00%
Beaufort	2	6	4	2	1	4	15	29	51.72%
Berkeley	7	3	7	5	14	20	36	66	54.55%
Calhoun	4	1	2	0	1	2	8	14	57.14%
Charleston	10	12	14	16	14	19	66	119	55.46%
Cherokee	0	4	2	3	2	4	11	24	45.83%
Chester	5	0	1	0	3	3	9	23	39.13%
Chesterfield	3	4	2	2	5	5	16	25	64.00%
Clarendon	4	2	4	3	2	4	15	29	51.72%
Colleton	6	4	5	3	16	18	34	50	68.00%
Darlington	7	3	3	4	4	6	21	34	61.76%
Dillon	1	1	0	2	6	8	10	22	45.45%
Dorchester	5	4	4	4	2	7	19	36	52.78%

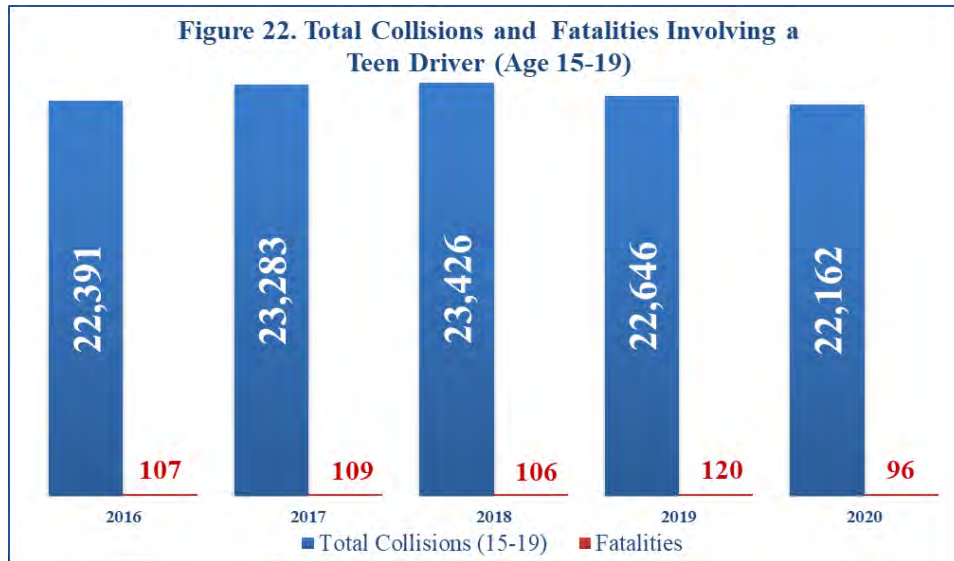
Table 28. Unrestrained Passenger Vehicle Occupant Fatalities at Night(8pm-6am) by County

County	2016	2017	2018	2019	2020	2020 Total Passenger Vehicle Occupant Fatalities at Night	2016-2020 Unrestrained Vehicle Occupant Fatalities at Night	2016-2020 Total Passenger Vehicle Occupant Fatalities at Night	% Unrestrained at Night
Edgefield	1	4	2	0	3	5	10	12	83.33%
Fairfield	1	3	4	1	4	6	13	21	61.90%
Florence	6	5	11	3	5	10	30	49	61.22%
Georgetown	1	3	4	2	2	7	12	23	52.17%
Greenville	14	10	9	16	12	27	61	122	50.00%
Greenwood	0	0	3	1	3	4	7	15	46.67%
Hampton	0	0	0	3	3	5	6	10	60.00%
Horry	12	16	10	11	16	25	65	98	66.33%
Jasper	7	3	2	6	1	4	19	33	57.58%
Kershaw	4	8	0	1	3	7	16	28	57.14%
Lancaster	2	1	2	5	2	2	12	18	66.67%
Laurens	2	4	1	3	10	12	20	50	40.00%
Lee	1	1	3	0	1	2	6	10	60.00%
Lexington	8	9	13	6	12	13	48	80	60.00%
McCormick	1	0	0	2	0	0	3	5	60.00%
Marion	3	4	1	2	0	0	10	12	83.33%
Marlboro	0	1	4	1	1	2	7	12	58.33%
Newberry	3	2	1	3	3	4	12	13	92.31%
Oconee	2	2	2	3	1	3	10	20	50.00%
Orangeburg	2	3	10	8	8	15	31	66	46.97%
Pickens	3	6	4	5	5	9	23	37	62.16%
Richland	13	9	11	8	13	21	54	85	63.53%
Saluda	0	1	2	0	2	3	5	8	62.50%
Spartanburg	10	9	12	11	5	19	47	85	55.29%
Sumter	6	1	2	2	2	3	13	17	76.47%
Union	3	0	0	0	1	4	4	10	40.00%
Williamsburg	8	1	2	4	3	5	18	29	62.07%
York	3	3	5	5	7	10	23	55	41.82%
Total	186	180	185	171	222	363	944	1,657	56.97%

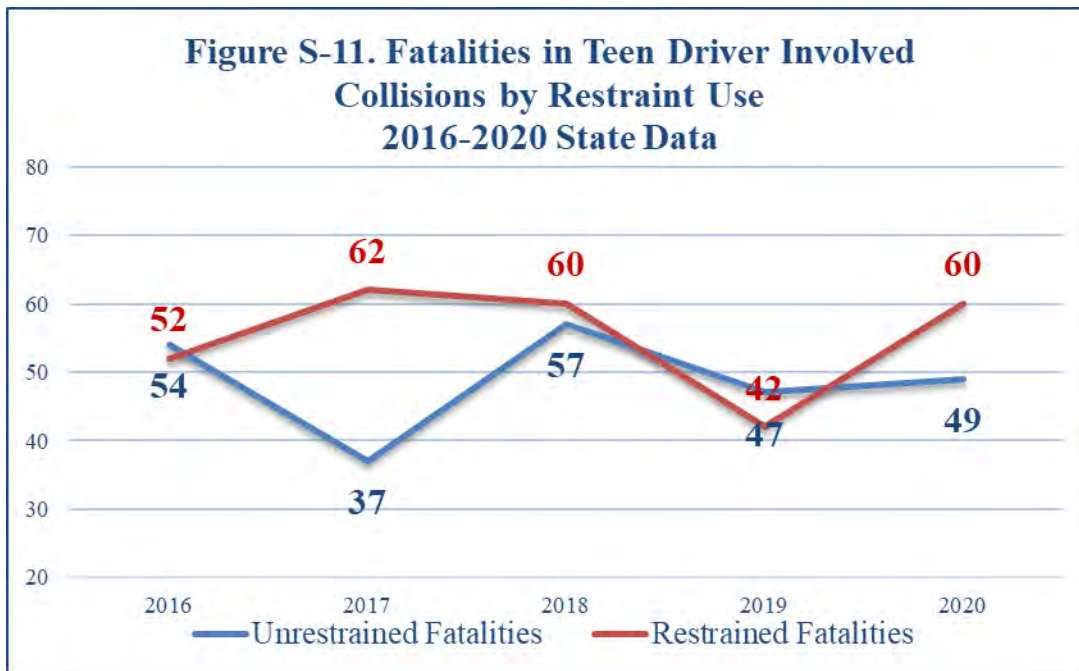
NHTSA NCSA FARS: 2016-2019 Final File and 2020 Annual Report File (ARF)

Analyzing teen driver data shows challenging statistics for this age group relative to safety belt use, particularly in terms of traffic fatalities. As shown in **Table S-12** and **Figure 22**, state data from 2016 to 2020 indicates that drivers between the ages of 15 and 19 were involved in 110,710 traffic collisions, or 16.1% of the total number of collisions during that time period. The number of collisions involving a teen driver decreased 17.6% in 2020 compared to the year 2016.

Year	Total Collisions	Involving a Teen Driver (age 15-19)	Percent	# of Fatalities involving a Teen Driver
2016	141,599	23,283	16.4%	109
2017	141,874	23,426	16.5%	106
2018	142,406	22,646	15.9%	120
2019	141,096	22,162	15.7%	96
2020	121,235	19,193	15.8%	116
Total	688,210	110,710	16.1%	547



Also, shown in **Figure S-11**, are the number of fatalities in teen driver-involved collisions by restraint usage. There were a total of 538 such fatalities from 2016 to 2020. Of those in which restraint usage was known (520), 244, or 46.92% were unrestrained.



Restraint usage among fatally-injured persons in traffic collisions in which a teen was driving is shown in **Table S-11**, **Table S-13** and **Figure S-11**. There were 104,698 traffic collisions that involved a teen driver in which restraint devices were used by all occupants from 2016 to 2020. These collisions resulted in the deaths of 276 persons. Conversely, there were 3,093 collisions that

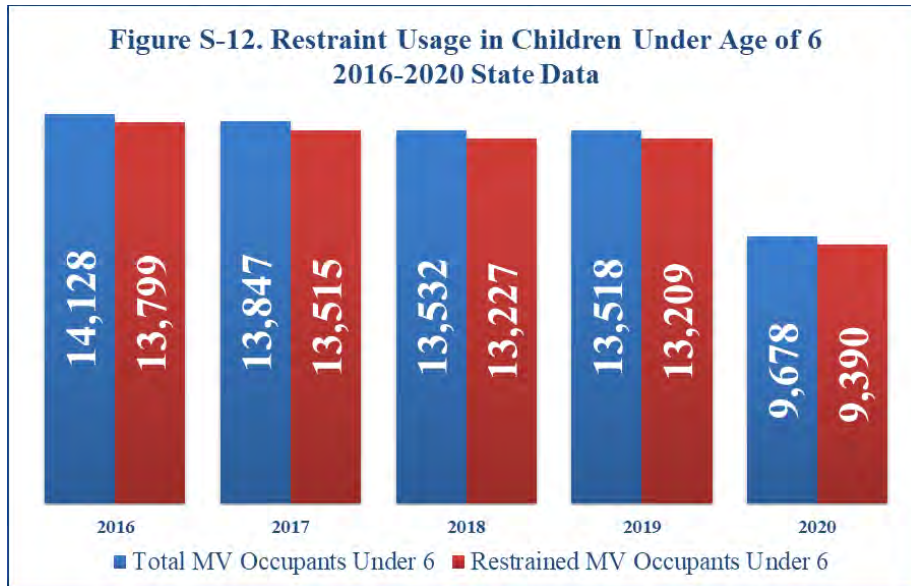
involved a teen driver in which restraint devices were not used for at least one occupant, resulting in the deaths of 244 persons.

Year	Known Restraint Use	Unrestrained	Percent Unrestrained
2016	619	328	52.99%
2017	623	322	51.69%
2018	665	342	51.43%
2019	608	308	50.66%
2020	687	382	55.60%
Total	3,202	1,682	52.53%

Year	All Occupants Restrained Collision	Restraint Collision Fatalities	At Least One Occupant Unrestrained Collision	Unrestrained Collision Fatalities	Unknown Restraint Collision	Unknown Restraint Collision Fatalities
2016	21,983	52	705	54	595	3
2017	22,257	62	622	37	547	7
2018	21,534	60	570	57	542	3
2019	20,953	42	577	47	632	7
2020	17,971	60	619	49	603	7
Total	104,698	276	3,093	244	2,919	27

After analyzing the traffic data relative to the use of appropriate restraints by children, there is a slightly more promising outlook for the state than for teen drivers. During the calendar years 2016-2020, 64,703 children under six years of age were motor vehicle occupants involved in traffic collisions in South Carolina (**Table S-15**). During this five-year period, 63,140 of those children were restrained by a safety restraint device (**Figure S-12**). These figures show that 4.8% of children injured in South Carolina traffic collisions during the five-year period, 2016-2020, were unrestrained.

Year	Under 6 MV Occupants	Under 6 Fatalities	Under 6 Injured	Under 6 Injured Unrestrained	Percent Injured Unrestrained
2016	14,128	10	2,030	90	4.4%
2017	13,847	8	1,906	95	5.0%
2018	13,532	8	1,800	80	4.4%
2019	13,518	6	1,718	76	4.4%
2020	9,678	9	1,197	71	5.9%
Total	64,703	41	8,651	412	4.8%



Traffic Collision Injuries

The state data listed in **Figure S-3** shows that in 2020 there were 121,235 motor vehicle collisions in South Carolina. **Figure S-1** for 2020 also indicates that there were 47,985 reported traffic collision injuries during the year, compared to 61,899 reported in 2016. State data in **Figure S-1** shows a decrease of 22.48% in total traffic collision injuries since 2016, from 61,899 total injuries to 47,985 in 2020; also, the 2020 figure is lower than the average of the four prior years 2016-2019 (59,732). The number of total traffic collision injuries in 2020 (47,985) decreased by 17.85% compared to the number of total injuries in 2019 (58,410).

State data listed in **Table S-14** shows that during the five-year period from 2016 to 2020 in South Carolina, there were 1,698,476 motor vehicle occupants (i.e. occupants of passenger cars, trucks, vans, and SUVs) involved in collisions; of these, 269,155 were injured and of those, 14,488, or 5.4%, were unrestrained.

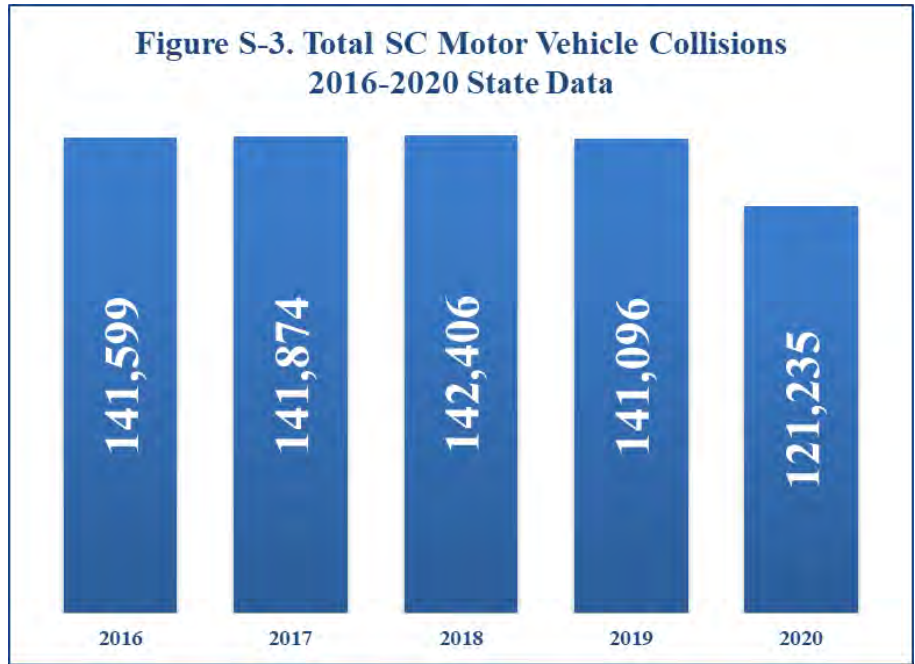
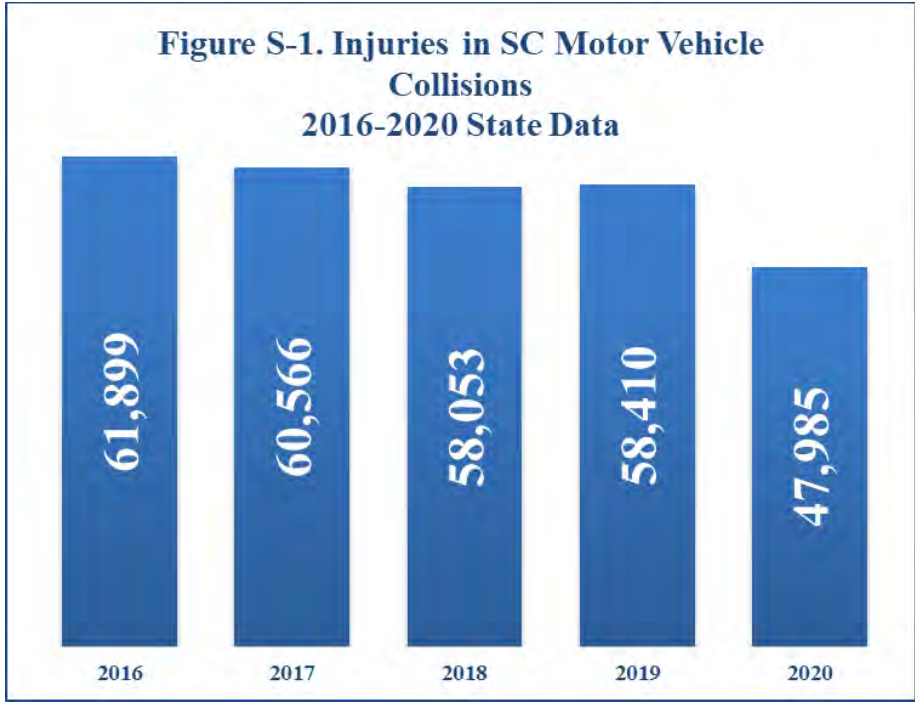


Table S-14 Passenger Vehicle Occupant Injuries* and Restraint Usage, State Data 2016-2020				
Year	Total MV Occupants	Total MV Occupants Injured	Total MV Injured Occupants Unrestrained	Percent Injured Unrestrained
2016	354,521	57,922	2,967	5.1%
2017	354,103	56,521	2,828	5.0%
2018	353,375	54,694	2,805	5.1%
2019	350,584	54,819	2,789	5.1%
2020	285,893	45,199	3,099	6.9%
Total	1,698,476	269,155	14,488	5.4%

*Includes fatally injured occupants.

Figure S-13 provides a graphical representation of the total number of passenger vehicle occupants injured and the percentage unrestrained during collisions that occurred from 2016 to 2020.

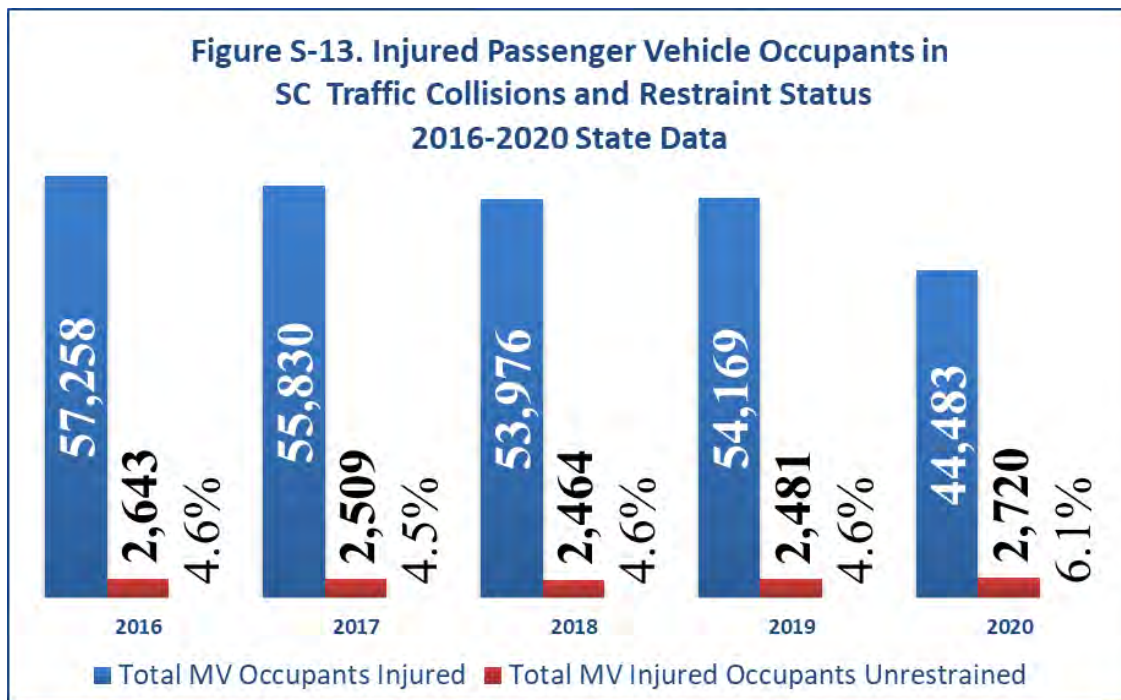


Table S-15 displays information related to passenger vehicle occupants under the age of six who sustained injuries in passenger vehicle collisions. During the calendar years 2016-2020, 64,703 children under six years of age were passenger vehicle occupants involved in traffic collisions in South Carolina. Of those children, 8,651, or 13.4%, suffered some type of injury. Of the 8,651 injured, 412, or 4.8%, were unrestrained. During the five-year period, 41 occupants under the age of six were killed in traffic collisions. Informal surveys conducted at seat check events by the SC Department of Health and Environmental Control (SCDHEC), indicate that proper usage of child safety seats is historically less than 15% in South Carolina. These statistics indicate a continued

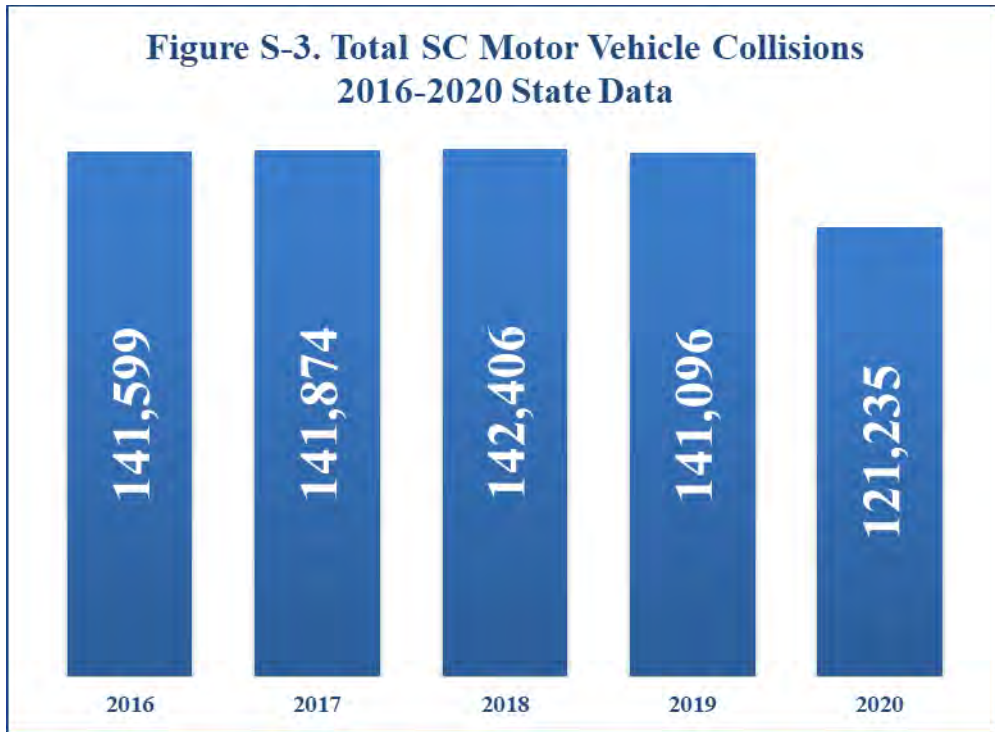
need for the development and implementation of occupant restraint programs statewide, since misuse of safety seats may result in death or serious injury to a child.

Table S-15 Passenger Vehicle Occupants Under Age Six, Fatalities, Injuries and Restraint Usage, State Data 2016-2020					
Year	Under 6 MV Occupants	Under 6 Fatalities	Under 6 Injured	Under 6 Injured Unrestrained	Percent Injured Unrestrained
2016	14,128	10	2,030	90	4.4%
2017	13,847	8	1,906	95	5.0%
2018	13,532	8	1,800	80	4.4%
2019	13,518	6	1,718	76	4.4%
2020	9,678	9	1,197	71	5.9%
Total	64,703	41	8,651	412	4.8%

Traffic Collisions

There were 688,210 total traffic collisions in South Carolina from 2016 to 2020 (**Figure S-3**). This total includes fatal collisions, injury collisions, and property-damage-only collisions. State data in **Figure S-3** shows a decrease of 14.08% in total collisions from 2019 (141,096) compared to 2020 (121,235). The 2020 figure represents a decrease of 14.47% as compared to the average of the previous four years of 2016-2019 (141,744). From 2016 to 2020, the 688,210 total collisions involved 1,698,476 passenger vehicle occupants (see **Table S-16**). Of those occupants, 25,858, or 1.5%, were unrestrained. These figures indicate that 98.5% of all occupants involved in traffic collisions during this time period were utilizing some sort of safety restraint device.

Table S-16 Total Passenger Vehicle Occupants in SC Crashes and Restraint Status, State Data 2016-2020		
Year	Total MV Occupants	Total MV Occupants Unrestrained
2016	354,521	5,197
2017	354,103	5,142
2018	353,375	4,859
2019	350,584	4,913
2020	285,893	5,747
Total	1,698,476	25,858



During the calendar years 2016-2020 (see **Table S-17**), 64,703 children under six years of age were passenger vehicle occupants involved in traffic collisions in South Carolina. During this five-year period, 63,140 of those children were restrained by a safety restraint device. These figures indicate that approximately 98% of children involved in 2016-2020 traffic collisions were utilizing some sort of safety restraint device.

Table S-17 Passenger Vehicle Occupants Under Age Six in SC Crashes and Restraint Usage, State Data 2016-2020			
Year	Under 6 MV Occupants	Under 6 Number Restrained	Under 6 Injured Unrestrained
2016	14,128	13,799	90
2017	13,847	13,515	95
2018	13,532	13,227	80
2019	13,518	13,209	76
2020	9,678	9,390	71
Total	64,703	63,140	412

Associated Performance Measures

Fiscal Year	Performance measure name	Target End Year	Target Period	Target Value
2023	C-4) Number of unrestrained passenger vehicle occupant fatalities, all seat positions (FARS)	2023	Annual	324
2023	B-1) Observed seat belt use for passenger vehicles, front seat outboard occupants (survey)	2023	Annual	0.904
2023	C-3R) South Carolina Traffic Fatalities/VMT (Rural), 5 Year Moving Average with Trend Analysis	2023	Annual	2.73
2023	C-3U) South Carolina Traffic Fatalities/VMT (Urban), 5 Year Moving Average with Trend Analysis	2023	Annual	1.00

Countermeasure Strategies in Program Area

Countermeasure Strategy	Description Located on Page No.
Highway Safety Office Program Management	77
Child Passenger Safety Technicians	101
Child Restraint System Inspection Station(s)	106
OP Communication and Outreach	113
Short-term, High Visibility Seat Belt Law Enforcement	115

Countermeasure Strategy: Child Passenger Safety Technicians

Program Area: Occupant Protection (Adult and Child Passenger Safety)

Project Safety Impacts

The overall traffic safety impact of the chosen countermeasure strategy will be a greater number of children who survive automobile collisions without serious injuries because this countermeasure

strategy will increase the number of Child Passenger Safety (CPS) technicians certified to educate the public on proper child restraint use.

Linkage Between Program Area

State data indicates that during the years 2016-2020, 64,703 children under six years of age were occupants involved in traffic collisions in South Carolina. During this five-year period, 63,140 of those children were restrained by a safety restraint device. These figures indicate that approximately 98% of children involved in 2016-2020 traffic collisions were utilizing some sort of safety restraint device. Although approximately 98% of children were utilizing some sort of safety restraint device, informal studies conducted by the South Carolina Department of Environmental Control (SCDHEC) indicate that only 15% of child safety seats are properly installed. Given that 85% of child safety seats are improperly installed, there is a significant need for increased opportunities to educate the public on the proper use of child safety seats. By increasing the number of technicians trained to educate the public in the proper use of child restraints and to provide caregivers with "hands on" assistance, the number of parents/caregivers who properly restrain the children under their care will also increase.

The Occupant Protection/Police Traffic Services Program Coordinator (OP/PTSPC) will work with the SCDHEC to coordinate Child Safety Seat (CSS) Presentations and Child Passenger Safety (CPS) Technician training classes. The OP/PTSPC will implement a comprehensive approach to increase the overall safety belt usage rate above 90% with a target of 100% safety belt usage. The OP/PTSPC will be available to provide education to the public on occupant protection through presentations at health fairs, special interest groups, and businesses. The OP/PTSPC will also oversee efforts aimed at increasing the number of permanent fitting stations within South Carolina, especially in underserved areas of the state. In 2023, SCDHEC will augment its child restraint efforts by continuing its Diversity Outreach Project for high-risk populations (children of Hispanic and African-American descent), spearheaded by the agency's Emergency Management Services and Trauma Division, and will include collaboration and coordination with their Office of Minority Health Division and SCDHEC's Public Health Regional professionals. The Diversity Outreach Project will target non-white children and their parents who are less likely than their white counterparts to use safety restraints. The county areas of Cherokee, Union, Edgefield, Newberry, Abbeville, Allendale, Bamberg, Colleton, Dillon, Lee, and McCormick are targeted for development of Occupant Protection safety education and CPS fitting stations since these counties serve the at-risk population of drivers on rural roadways and do not currently have CPS fitting stations. The efforts of the Diversity Outreach Project will be supplemented using communications and outreach statewide. These activities will occur throughout the grant year.

Rationale

The state currently complies with countermeasures deemed highly effective by the *Countermeasures that Work* guide, such as statewide primary safety belt enforcement, short-term high-visibility belt law enforcement following the national *Click it or Ticket* model, combined nighttime seat belt and alcohol enforcement, and communications and outreach strategies for lower belt use groups. South Carolina also implements countermeasures that have been deemed effective in specific situations, such as sustained enforcement. In addition, the state has implemented countermeasures that have not clearly been demonstrated as effective overall but may have an impact in specific areas, such as the development of inspection stations for child safety seats.

Planned activity in countermeasure strategy

Unique Identifier	Planned Activity Name	Description Located on HSP Page No.
OP-2	Recruiting, Training, and Maintaining Child Passenger Safety Technicians	103

Planned Activity: Recruiting, Training, and Maintaining Child Passenger Safety Technicians

Planned activity number: OP-2

Primary Countermeasure Strategy ID: Child Passenger Safety Technicians

Planned Activity Description:Recruiting of Technicians

The typical audience for the NHTSA Child Passenger Safety Technician training is composed of law enforcement, firefighters, and emergency medical personnel. Recruitment of agencies to participate in the SC Fitting Station Network is accomplished through a number of avenues. Word-of-mouth advertising about the program from agency to agency in areas surrounding currently staffed fitting stations generates a great deal of interest in the training. As SCDHEC Vehicle Occupant Protection project staff travel throughout the state, visits are made to agencies that do not currently have CPS Technicians trained. Focus is concentrated on areas of the state that have few or no fitting stations. For law enforcement agencies that are members of the South Carolina Law Enforcement Network (SCLLEN), funding is sometimes available through the SCLLEN to pay the registration fee associated with the CPS Technician certification course, enabling an agency with a tight budget to train personnel, with the only investment required being time away from the office. Law enforcement officers attending the CPS Technician training also earn Continuing Law

Enforcement Education units (CLEEs). Fire and rescue agencies are quickly becoming the predominant agency requesting training, and efforts are under way to secure continuing education credit for firefighters as well. The state also trains a large number of SC Highway Patrol Troopers as CPS Technicians.

SCDHEC will continue to recruit CPS technicians through partnerships with public health agency staff, law enforcement, fire departments, EMS, Safe Kids Coalitions, health educators in the private sector, and various community organizations.

Training of Technicians

In order to ensure that the state addresses the identified highway safety challenges of the high rural fatality rate and low seatbelt usage rate among minority populations, in FFY 2023, the SCDHEC’s South Carolina Buckles Occupant Protection project will increase the number of certified CPS Technicians throughout the state. Targeted efforts to certify technicians in the 11 counties in which there are currently no CPS fitting stations will be made; however, the South Carolina Buckles program typically hosts certification courses as requested by local agencies/organizations. When requests are received, project staff consult the available statistical data to assess the likelihood of expanding its reach to the identified at-risk populations. Requests are then prioritized so as to ensure that resources are being directed towards the areas of greatest need. During FFY 2023, twelve (12) Child Passenger Safety Technician courses will be held. SCDHEC’s target is to certify 120 new CPS technicians in FFY 2023, and to provide three (3) continuing education classes to recertify 30 CPS technicians. These technicians will add to the list of the state’s child passenger safety technicians who will staff inspection stations and participate in inspection events held in FFY 2023.

As of June 2022, course offerings for the entire grant period have not been finalized; however, the chart below contains a tentative listing of four courses to be held during FFY 2023.

<u>FFY 2023 CPS Technician Courses</u>	
Location:	Number of courses to be held:
York County	1
Oconee County	1
Aiken County	1
Sumter County	1

Child Passenger Safety (CPS) Technician training is conducted at the site of the host agency, and invitations are sent to surrounding agencies requesting that they also send personnel. Agencies sending personnel to the CPS Technician training are encouraged to become a part of the South Carolina Child Passenger Safety (SCCPS) Fitting Station Network. Agencies participating in the

SCCPS Fitting Station Network must list themselves on the NHTSA website as a permanent fitting station. Once an agency becomes a NHTSA-recognized fitting station, they are eligible to receive both convertible child restraint and booster seats from the SCDHEC. The seats are kept on hand so that if a seat is deemed unsafe during an inspection, a replacement can be offered as a trade for the unsafe seat. The child must be present so the seat can be fitted to the child, and the parent receives education on the proper use and installation of the child restraint. The Lower Anchors and Tethers for Children (LATCH) Restraint System manual is also provided to the fitting station.

Retention of Technicians

South Carolina’s average recertification rate for FFY 2022, from October 2021 through April 2022, is 45.47%. After a class is held, technicians are encouraged to contact SCDHEC staff with any needs the agency may have for daily operation or recertification. SCDHEC staff offer a one-day training that provides six continuing education units (CEUs) and verification of seat installations. A copy of the CEU curriculum is provided to CPS Technician Instructors, allowing the technician to offer the class in their area. Continuing education is offered at the SCCPS Summit held in September of every other year and also provides an opportunity for seat installation verification. The next course will be held at the end of FFY 2022 on September 13, 2022. SCDHEC staff sends an email to technicians a few months before their certification expires, offering assistance with any aspect of the recertification process. The OHSJP also pays the initial technician and renewal fees of the Occupant Protection/Police Traffic Services Program Coordinator (OP/PTSPC) and Troopers of the SC Highway Patrol in order to certify as many individuals as possible.

Intended Subrecipient(s): South Carolina Department of Health and Environmental Control

Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2022	BIL NHTSA 402	Occupant Protection	\$199,860 (entire grant)	\$49,965	\$199,860

Countermeasure Strategy: Child Restraint System Inspection Station(s)

Program Area: Occupant Protection (Adult and Child Passenger Safety)

Project Safety Impacts

The overall projected traffic safety impact of the chosen countermeasure strategy will be a greater number of children who survive automobile collisions without serious injuries because this countermeasure strategy will increase the availability of locations in which parents/guardians may receive education from certified CPS technicians on proper child restraint use.

Linkage Between Program Area

The linkage is detailed in greater depth in the state's HSP; however, informal surveys conducted by SCDHEC indicate that only 15% of child safety seats are properly, indicating the need for enhanced access to education on proper child restraint use.

Rationale

The rationale for selecting this countermeasure strategy is detailed in greater depth in the state's HSP; however, it is clear that enhanced access to education on proper child restraint use is needed in this state. This may be achieved, in part, through the development of inspection stations for child safety seats.

Planned activity in countermeasure strategy

Unique Identifier	Planned Activity Name	Description Located on HSP Page No.
OP-1	Increasing the number of Inspection Stations	106

Planned Activity: Increasing the number of Inspection Stations

Planned Activity Number: OP-1

Primary Countermeasure Strategy ID: Child Restraint System Inspection Station(s)

Planned Activity Description:

A partnership between the SC Department of Public Safety (SCDPS) and the SC Department of Health and Environmental Control (SCDHEC) will continue in FFY 2023 with the implementation

of the South Carolina Vehicle Occupant Protection grant project. The main focus of the project will be to educate and train local law enforcement and other first responders, public health agency staff, and parents/caregivers concerning the proper usage of Child Passenger Safety (CPS) and occupant restraint devices. Two full-time Child Passenger Safety (CPS) Technician Instructors with the SCDHEC will be funded to ensure that training is taking place statewide to certify new CPS technicians and recertify current technicians. The project will seek to increase all forms of vehicle occupant protection, particularly among the state's identified at-risk populations of minorities and drivers on rural roadways, by educating the public about the importance of safety belt use and supporting national and statewide emphases. The project will also provide staff to serve as the state contacts for National Safe Kids in terms of CPS certification and will continue to coordinate diversity outreach efforts with the Office of Highway Safety and Justice Programs. With the OHSJP's partnerships with SCDHEC, Safe Kids, and highway safety subgrantees, thirty-five (35) of the forty-six (46) counties in the state currently have at least one Child Restraint Inspection Station. This represents 94.4% of the statewide population, according to the US Census (2020), having access to a Child Restraint Inspection Station. At each child safety seat inspection station and during seat check events, educational material is distributed to better educate parent/guardians on the proper way to ensure the safety of their children while riding as passengers in automobiles. Presentations are also conducted across the state at churches, day care centers, schools, and civic organizations by the SCDHEC CPS Technician Instructors, Safe Kids coalitions, and South Carolina Highway Patrol's Community Resource Officers (CROs).

In an effort to curtail the misuse of child safety seats, South Carolina has established an active network of child inspection stations across the state in order for the public to have access to someone who will assist with properly installing child safety seats. Each child restraint inspection station is staffed with nationally-certified child passenger safety technicians who are available during official posted hours and/or by appointment. According to the most recent US Census (2020), South Carolina has a population of 5,118,425 people within 46 counties. Inspection stations are located in 35 of the 46 counties. Using data from the census, counties containing inspection stations have a total population of 4,832,991. Based on both the census data and locations of fitting stations, SC fitting stations reach 94.4% of the state's population. Still, more efforts are needed, especially for the state's high risk populations.

In 2023, the state will continue its efforts to address equity in its highway safety programs and services in a variety of ways. The state will participate in NHTSA's national tribal traffic safety initiative to reduce motor-vehicle-related, crashes, injuries and fatalities in tribal communities by partnering with the Catawba Indian Nation to provide marketing materials and resources regarding applicable highway safety grant funding opportunities, and potentially sponsoring a CPS inspection event and/or establishing a fitting station on the reservation. In addition, the Diversity Outreach Project will continue its work to increase fitting stations in areas where Hispanic and African American individuals reside. The project is a collaboration between SCDPS, SCDHEC's

EMS and Trauma Division, SCDHEC's Office of Minority Health, and SCDHEC's Public Health Regional professionals.

The table below contains a listing of each of the inspection stations in South Carolina that are staffed with a certified CPS technician and includes the total number of inspection stations that service rural and urban areas and high risk populations (minority and low income). As of June 7, 2022, South Carolina has 792 nationally certified child passenger safety technicians, and 28 of those are certified instructors. It is important to note that this number changes regularly as new technicians are certified and others' certifications lapse.

In an effort to provide services to underserved areas within the state, the OHSJP provides child safety seats and educational materials to the SC Highway Patrol's Occupant Protection Division. The SC Highway Patrol has CROs throughout the state who currently handle all CPS events and provide installation of child safety seats. In addition, safety materials, law cards, and fitting station listings are placed in all health districts (one health department is located in each county) and pediatricians' offices across the state.

Based on the 2020 Safe Kids Annual Report (the most recent year for which a report has been completed), South Carolina's technician to child ratio ranks sixth nationally and fourth nationally in classes taught per population.

South Carolina’s Child Restraint Inspection Stations Serving Urban and Rural Populations Staffed with a Nationally Certified Child Passenger Safety Technician

Fitting Stations Statewide staffed with a Nationally Certified Passenger Safety Technician				
As of 5/2/2022				
	Organization Name	County	Rural/Urban	Car seat distribution site?
1	Aiken Department of Public Safety	Aiken	Urban	
2	Safe Kids Aiken County/Tri-Development Center	Aiken	Rural	Yes
3	Alicia Stephenson	Anderson	Urban	
4	Anderson City Fire Department Station 1	Anderson	Urban	
5	Anderson City Fire Department Station 2	Anderson	Urban	
6	Anderson City Fire Department Station 3	Anderson	Urban	
7	Anderson County DHEC Office	Anderson	Urban	
8	Safe Kids Anderson County	Anderson	Rural	
9	LCHCS/Barnwell Pediatrics	Barnwell	Rural	
10	Beaufort County First Steps	Beaufort	Urban	Yes
11	Beaufort Fire Department Station 1	Beaufort	Urban	
12	Beaufort Fire Department Station 2	Beaufort	Urban	
13	Beaufort/Port Royal Fire Station	Beaufort	Urban	
14	Port Royal Fire Station	Beaufort	Rural	
15	Town of Hilton Head Fire and Rescue	Beaufort	Urban	Yes
16	Bluffton Township Fire District	Beaufort	Urban	
17	Berkeley County Sheriff’s Office	Berkeley	Urban	
18	Goose Creek Police Department	Berkeley	Urban	Yes
19	Hanahan Fire/EMS	Berkeley	Rural	
20	Calhoun County EMS	Calhoun	Urban	Yes
21	Charleston County EMS	Charleston	Urban	
22	Charleston Fire Department	Charleston	Urban	
23	Isle of Palms Fire Department	Charleston	Urban	Yes
24	Isle of Palms Police Department	Charleston	Urban	
25	Mt. Pleasant Fire Department	Charleston	Rural	
26	North Charleston City Hall	Charleston	Urban	
27	North Charleston Fire Department Station 1	Charleston	Urban	
28	North Charleston Fire Department Station 10	Charleston	Urban	
29	North Charleston Fire Department Station 11	Charleston	Urban	
30	North Charleston Fire Department Station 12	Charleston	Urban	
31	North Charleston Fire Department Station 2	Charleston	Urban	

34	North Charleston Fire Department Station 6	Charleston	Urban	
32	North Charleston Fire Department Station 8	Charleston	Urban	
33	North Charleston Fire Department Station 9	Charleston	Urban	
35	St. Andrews Fire Department	Charleston	Urban	Yes
36	St. John's Fire Department	Charleston	Rural	Yes
37	The Medical University of South Carolina	Charleston	Urban	
38	Chester Police Department	Chester	Urban	
39	Lando Fire Department	Chester	Urban	
40	Chesterfield Sheriff's Department	Chesterfield	Urban	
41	Clarendon County Fire Rescue	Clarendon	Urban	
42	Manning Fire Department	Clarendon	Urban	
43	Hartsville Fire Department	Darlington	Urban	Yes
44	Baby CSI	Dorchester	Urban	
45	Dorchester County Fire Rescue	Dorchester	Urban	Yes
46	Dorchester County Fire Rescue	Dorchester	Urban	Yes
47	Summerville Fire and Rescue Headquarters	Dorchester	Rural	Yes
48	Summerville Fire and Rescue Station 2	Dorchester	Rural	
49	Summerville Fire and Rescue Station 3	Dorchester	Rural	
50	Summerville Fire and Rescue Station 4	Dorchester	Urban	
51	Summerville Fire and Rescue Station 5	Dorchester	Urban	
52	Fairfield County Sheriff's Office	Fairfield	Rural	Yes
53	Lake City Fire Department	Florence	Rural	
54	Safe Kids Pee Dee/Coastal/McLeod Regional Medical Center	Florence	Urban	Yes
55	Georgetown City Fire Department Station 2	Georgetown	Rural	
56	Georgetown City Fire Headquarters	Georgetown	Urban	
57	Georgetown County Fire	Georgetown	Urban	
58	Midway Fire/Rescue	Georgetown	Urban	
59	St. James Santee Family Healthcare Center/Georgetown Pediatric Center	Georgetown	Rural	
61	Berea Fire Department	Greenville	Urban	Yes
60	Boiling Springs Fire Department	Greenville	Urban	Yes
62	Boiling Springs Fire Department Station 12	Greenville	Urban	Yes
63	Boiling Springs Fire Department Station 14	Greenville	Urban	Yes
64	Boiling Springs Fire Department Station 15	Greenville	Urban	Yes
65	Clear Springs Fire and Rescue	Greenville	Urban	
66	Greenville Memorial Hospital	Greenville	Urban	

67	Greer Fire Department	Greenville	Urban	
68	Lugoff Fire Department	Greenville	Urban	Yes
69	Mauldin Fire Department	Greenville	Urban	
70	Palmetto Medical Training LLC	Greenville	Urban	
71	Parker Fire Department	Greenville	Urban	
72	Piedmont Park Fire Department	Greenville	Urban	
73	Prisma Health Patewood Campus	Greenville	Rural	
74	Shriners Hospital for Children Greenville	Greenville	Rural	
75	Simpsonville Fire Department	Greenville	Urban	
76	Simpsonville Police Department	Greenville	Urban	
77	Special Needs Clinic	Greenville	Urban	
78	Greenwood City Police Department	Greenwood	Rural	
79	Safe Kids Lakelands	Greenwood	Urban	
80	Hampton County Sheriff's Office	Hampton	Rural	
81	Conway Police Department	Horry	Urban	Yes
82	Horry County Fire/Rescue	Horry	Rural	Yes
83	Myrtle Beach Fire Department Station 1	Horry	Rural	Yes
84	Myrtle Beach Fire Department Station 2	Horry	Rural	Yes
85	Myrtle Beach Fire Department Station 3	Horry	Rural	Yes
86	Myrtle Beach Fire Department Station 4	Horry	Rural	Yes
87	Myrtle Beach Fire Department Station 5	Horry	Urban	Yes
88	Myrtle Beach Fire Department Station 6	Horry	Urban	Yes
89	Myrtle Beach Police Department	Horry	Urban	
90	North Myrtle Beach DPS	Horry	Rural	
91	Jasper County First Steps	Jasper	Urban	Yes
92	Camden Fire Department	Kershaw	Urban	Yes
93	Camden Fire Department Station 2	Kershaw	Urban	Yes
94	A Step Above CDC	Lancaster	Urban	
95	Lancaster County EMS	Lancaster	Rural	
96	Laurens County Sheriff's Office	Laurens	Rural	
97	Prisma Health Laurens County Hospital	Laurens	Rural	
98	Batesburg/Leesville Police Department	Lexington	Urban	Yes
99	Cayce Public Safety	Lexington	Urban	
100	Irmo Fire District Northlake	Lexington	Urban	
101	Lexington County Sheriff's Department	Lexington	Rural	Yes
102	Lexington Police Department	Lexington	Rural	Yes
103	West Columbia Police Department	Lexington	Urban	Yes

104	Marion City Fire Department	Marion	Urban	
105	Bennettsville Fire Department	Marlboro	Urban	
106	Seneca Fire Department	Oconee	Rural	
107	Walhalla Fire Department	Oconee	Rural	
108	OBC Safe Kids/The Regional Medical Center	Orangeburg	Rural	
109	Easley Fire Department #2	Pickens	Rural	
110	Pickens City Fire Department	Pickens	Urban	
111	Capital Parent and Baby Specialty Services	Richland	Urban	
112	City of Columbia Police Department	Richland	Urban	Yes
113	Irmo Fire District	Richland	Rural	
114	Irmo Police Department	Richland	Rural	
115	Richland County Sheriff's Department	Richland	Rural	Yes
116	SCDHEC	Richland	Rural	
117	South Carolina Center for Community Literacy	Richland	Rural	
118	South Carolina State Fire Office	Richland	Rural	
119	Saluda County DHEC	Saluda	Urban	Yes
120	Saluda County Sheriff's Department	Saluda	Urban	Yes
121	Boiling Springs Fire Department	Spartanburg	Urban	Yes
122	North Spartanburg Fire Department	Spartanburg	Rural	Yes
123	Pelham-Batesville Fire Department	Spartanburg	Urban	Yes
124	Reidville Fire Department	Spartanburg	Urban	
125	Safe Kids of the Piedmont/Spartanburg Regional Medical Center	Spartanburg	Urban	Yes
126	Westview Fairforest Fire Department Headquarters	Spartanburg	Urban	
127	Westview Fairforest Fire Department Station 2	Spartanburg	Urban	
128	Whitney Fire Department	Spartanburg	Urban	
129	Safe Kids Sumter/Prisma Health Tuomey	Sumter	Urban	
130	Sumter County EMS	Sumter	Urban	
131	Sumter Fire Department	Sumter	Rural	Yes
132	Tandem Health	Sumter	Urban	Yes
133	Williamsburg County Fire	Williamsburg	Urban	
134	Britax Child Safety, Inc. PCS	York	Urban	
135	Clover Police Department	York	Urban	
136	International Center of York County	York	Rural	
137	Piedmont EMS	York	Urban	
138	York County Coroner's Office	York	Urban	

Intended Subrecipient(s): South Carolina Department of Health and Environmental Control

Funding Sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2022	BIL NHTSA 402	Occupant Protection	\$199,860 (entire grant)	\$49,965	\$199,860

Countermeasure Strategy: OP Communication and Outreach

Program Area: Occupant Protection (Adult and Child Passenger Safety)

Project Safety Impacts

Communication campaigns serve to educate the public on the importance of using occupant restraint devices, and they serve to inform the public of upcoming high-visibility enforcement efforts. Educating the public on the importance of occupant restraint usage should increase occupant protection usage rates among the population. Given the knowledge that seatbelts save lives, if the number of unrestrained occupants can be decreased and observed seatbelt rates can be increased, a significant positive impact on traffic safety can be achieved.

Linkage Between Program Area

South Carolina is committed to its focus on the dissemination of traffic safety information to the general public and the law enforcement community. Marketing campaigns, training for highway safety professionals and sharing information at public events are key strategies to help meet performance measures and goals related to issues with Occupant Protection in the state.

The OHSJP’s Public Information Outreach and Training (PIOT) section will continue to use a full-service marketing firm to assist with such efforts as media buying, creative production, and evaluation of campaigns. However, the OHSJP, with the help of the agency’s Communications Office and SC Highway Patrol Community Relations Officers (CROs), will oversee earned media efforts, such as issuing news releases, conducting press events, and coordinating media interviews. The marketing firm will continue to assist with campaigns, including *Buckle Up, SC. It’s the law and it’s enforced.*

Child Passenger Safety is another important public information initiative for the State Highway Safety Office. Special public information events during National Child Passenger Safety Week in September 2023 will occur in FFY 2023. Additionally, the State Highway Safety Office (SHSO)

will also assist in planning, coordinating, and implementing, with the assistance of the SCDPS Contractor, the *Buckle up, South Carolina. It's the law and it's enforced.* public information, education and enforcement campaign during the Memorial Day holiday of 2023.

Communication and outreach contribute to heightened public awareness, which when combined with enforcement, have been beneficial in addressing the issues faced by the state, as determined through its problem identification process.

Rationale

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

Planned activities in countermeasure strategy

Unique Identifier	Planned Activity Name	Description Located on Page No.
OP-INT	OHSJP Occupant Protection Program Management	79
M1HVE	Occupant Protection Communication Campaign	114

Planned Activity: Occupant Protection Communication Campaign

Planned Activity Number: M1HVE

Primary Countermeasure Strategy ID: Communications and Outreach

Planned Activity Description:

Highway Safety staff will coordinate statewide public information and education efforts to promote compliance with occupant protection laws and impaired driving laws. The overarching Target Zero theme will be utilized by the OHSJP and the SCDPS for all social media and paid media campaigns throughout the year.

The OHSJP will work with local project personnel and law enforcement officials to implement the *Buckle Up, SC* campaign throughout South Carolina during the Memorial Day holiday period in an effort to improve safety belt usage rates within the state. The campaign emphasis areas will include a variety of media outreach techniques which will include television, radio, paid social

media, digital media, and outdoor advertising. Highway Safety staff, other SCDPS staff, and partner agencies/groups will continue to educate and inform the citizens of the state and its visitors about the state’s primary enforcement safety belt law. Educational strategies will also be incorporated into event venues such as college football games, the Carolina Country Music Festival, and the Carolina Cup, with the intent of reaching all citizens and visitors of the state, in particular those minority populations (African-American and Hispanic) and others (rural white males) which have traditionally shown a lower rate of safety belt and child passenger safety restraint usage than white, urban and female counterparts. All major mobilization emphases of the OHSJP will include messages to reach the diverse population of the state. The OHSJP will incorporate into its diversity outreach strategy a variety of media aimed at reaching teens, African Americans, Hispanics, and rural residents across South Carolina. The goal of the outreach is to encourage safety on the roadways in these populations by urging the use of appropriate occupant restraints and attempting to reduce specific risk-taking behaviors such as drinking and driving

Intended Subrecipient(s): The South Carolina Department of Public Safety

Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2021	FAST Act 405b High	HVE	\$331,291	\$82,822.75	\$0
2022	BIL 405b High	HVE	\$82,709	\$20,677.25	\$0
2022	SUPPLEMENTAL BIL 405b High	Information System	\$40,007.36	\$10,001.84	\$0
2022	BIL 405b High	Information System	\$45,992.64	\$11,498.16	\$0

Countermeasure Strategy: Short-term, High Visibility Seat Belt Law Enforcement

Program Area: Occupant Protection (Adult and Child Passenger Safety)

Project Safety Impacts

The state will use two strategies to address the Occupant Protection issues plaguing South Carolina. In order to increase the safety belt usage rate, the state will continue its existing

educational program which is intended to alert the state’s citizens, particularly minority groups, who lag behind their non-minority counterparts in belt usage rates, to the primary enforcement safety belt law. Additionally, the state will continue to conduct a statewide occupant protection enforcement mobilization during and around the Memorial Day holiday each year to coincide with the national enforcement mobilization in order to increase safety belt usage.

Linkage Between Program Area

Based on the analysis of the problem identification data, South Carolina faces significant issues related to Occupant Protection. Allocating funds to high-visibility enforcement of the state's primary seatbelt law will facilitate the state's achievement of the outlined Occupant Protection performance targets. Achievement of these performance targets will serve to reduce collisions, severe-injuries, and fatalities in the state.

Rationale

Short-term high-visibility belt law enforcement following the national *Click it or Ticket* model is a countermeasure deemed highly effective by the *Countermeasures that Work* guide.

Planned activity in countermeasure strategy

Unique Identifier	Planned Activity Name	Description Located on HSP Page No.
PTS-OP	High Visibility Enforcement of Seat Belt Law	116

Planned Activity: High visibility enforcement of seat belt law

Planned activity number: PTS-OP

Primary Countermeasure Strategy ID: Short-term, High Visibility Seat Belt Law Enforcement

Planned Activity Description:

The state of South Carolina will again conduct a high-visibility statewide enforcement and education campaign during the Memorial Day 2023 holiday period from May 22 – June 4, 2023, known as *Buckle Up, South Carolina. It’s the law and it’s enforced. (BUSC)*, modeled after the national *Click-It-or-Ticket* mobilization to emphasize the importance of and to increase the use of occupant restraints. The campaign will include paid and earned media, increased enforcement activity by state and local law enforcement agencies, and diversity outreach elements in order to increase safety belt and child restraint use among the state’s minority populations. The campaign will focus on nighttime safety belt enforcement to attempt to reduce unrestrained traffic fatalities

and injuries, especially during these hours. The 2023 *BUSC* campaign media plan will follow similarly the media buy plan implemented for the 2022 *BUSC* campaign. The SC Highway Patrol (SCHP), the SC State Transport Police (STP), and the Law Enforcement Network system in South Carolina, which is composed of local law enforcement agencies statewide, have indicated that they will again participate in 2023. This level of participation will again allow the OHSJP to cover 100% of the state’s population. Additionally, all Police Traffic Services enforcement subgrantees have an objective to participate in the *BUSC* campaign and have an objective specifically related to increasing Occupant Protection violation citations. Diversity outreach is accomplished through focusing placement of paid media on stations and during time slots that attract African American, Hispanic, youth, and rural male audiences. These demographic groups have shown statistically to have lower safety belt use rates than non-minority, urban, and female counterparts. Campaign on-air messages, both radio and television, will be translated/dubbed into Spanish and aired on Hispanic television and radio stations statewide. The paid media components of this effort will include airing television and radio spots to alert the general public of the enforcement mobilization and to send the message that law enforcement in the state is serious about enforcing the state’s occupant protection laws. The campaign will utilize the state’s enforcement slogan, *Buckle up, South Carolina. It’s the law, and it’s enforced. (BUSC)*. The OHSJP will also hold press events in key media markets of the state to enhance the effort and to alert the general public regarding the enforcement and media components of the campaign. The mobilization crackdown will be coordinated through the SC Law Enforcement Network. Saturation patrols, nighttime seatbelt enforcement, and direct enforcement strategies will be employed to focus on occupant protection violations.

Intended Subrecipients

Agency	County	Project Title
Moncks Corner Police Department	Berkeley	Moncks Corner Traffic Enforcement Unit
Town of Port Royal Police Department	Beaufort	Town of Port Royal Police Department Traffic Unit
Chesterfield County Sheriff’s Office	Chesterfield	Chesterfield County Traffic Enforcement Unit
Town of Mount Pleasant Police Department	Charleston	Mount Pleasant Traffic Enforcement Unit
City of Camden Police Department	Kershaw	Camden Police Department Traffic Officers
City of Clemson Police Department	Pickens, Anderson	City of Clemson Traffic Enforcement Unit
Georgetown County Sheriff’s Office	Georgetown	GCSO Traffic Unit
Kershaw County Sheriff’s Office	Kershaw	Kershaw County Traffic Enforcement Project
Berkeley County Sheriff’s Office	Berkeley	2023 Traffic Safety Unit

Berkeley County Sheriff's Office	Berkeley	2023 Traffic Safety Unit - Overtime
City of Goose Creek Police Department	Berkeley	Traffic Enforcement Officers
City of Cayce Police Department	Lexington, Richland	City of Cayce Traffic Enforcement Unit
City of Orangeburg Police Department	Orangeburg	City of Orangeburg Traffic Enforcement Unit: Project Continuation
City of Spartanburg Police Department	Spartanburg	City of Spartanburg Traffic Unit
City of Spartanburg Police Department	Spartanburg	City of Spartanburg OT Speed Enforcement Project
Lancaster Police Department	Lancaster	Lancaster Traffic Enforcement
Lancaster County Sheriff's Office	Lancaster	Speed Enforcement
Sumter County Sheriff's Office	Sumter	Overtime Traffic Enforcement Project
Town of Summerville	Dorchester, Berkeley, Charleston	Summerville Specialized Traffic Enforcement
Travelers Rest Police Department	Greenville	Overtime Hours For Traffic Safety
York County Sheriff's Office	York	Continuation of Traffic Enforcement Unit - Overtime
York County Sheriff's Office	York	Continuation of Traffic Enforcement Unit

Funding Sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2022	BIL NHTSA 402	Police Traffic Services	\$2,263,876 (total for PTS-OP and PTS-EU)	\$609,941.50	\$2,263,876

PROGRAM AREA: POLICE TRAFFIC SERVICES
DESCRIPTION OF HIGHWAY SAFETY PROBLEMS

Traffic Collision Fatalities

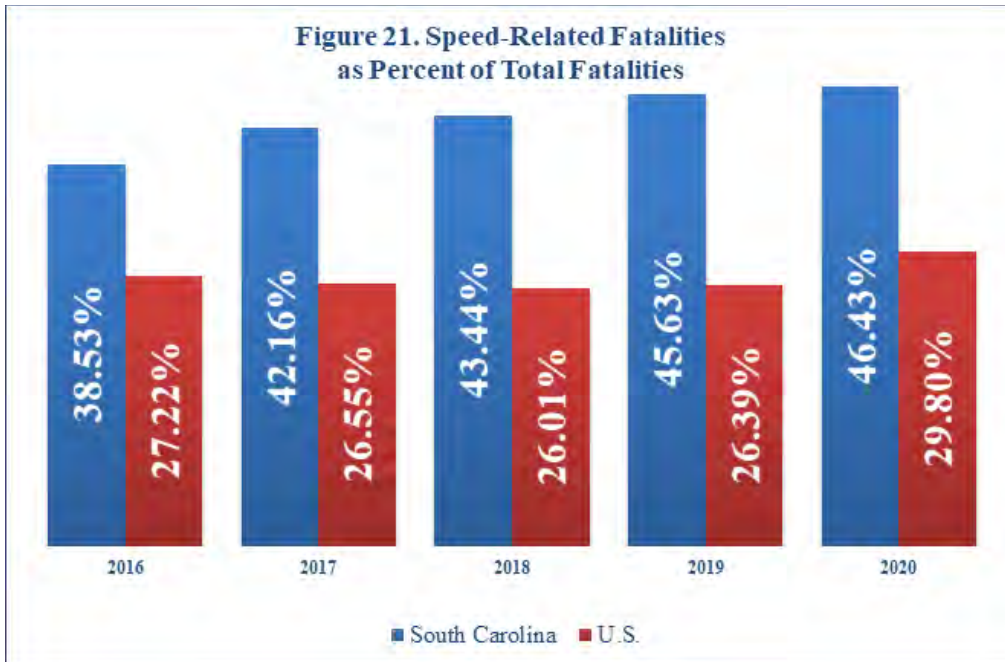
According to NHTSA’s FARS data, a speeding-related fatality is defined as one that occurred in a collision in which a driver was charged with a speeding-related offense, or in which an officer indicated that racing, driving too fast for conditions, or exceeding the posted speed limit was a contributing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

Data (shown in **Table 6** and **Figure 21**) indicates that speeding-related fatalities from 2016 to 2020 were at their lowest in 2016 (393 fatalities) and at their highest during 2020 (494 fatalities). The 494 speeding-related fatalities in South Carolina in 2020 represent a 25.70% increase when compared to the 2016 total (393). South Carolina’s population-based fatality rate followed a similar pattern, with the highest rate in 2020 (9.65) and the lowest in 2016 (7.93). South Carolina’s 2020 speeding-related population-based fatality rate (9.65 deaths per 100,000 population) represents a 13.56% increase compared to the 2016-2019 average (8.50) and a 21.69% increase compared to the 2016 rate.

In 2016, 38.53% of all traffic fatalities in South Carolina were speeding-related. This proportion was at its highest in 2020 (46.43%). The 2020 percentage (46.43%) is 3.99% higher than the average of the previous four years. Additionally, the 2020 proportion of speeding-related fatalities to total traffic fatalities increased 7.90% when compared to the proportion for 2016.

Table 6. South Carolina Speeding Related Fatalities							
	2016	2017	2018	2019	2020	% Change: 2016 vs. 2020	% Change: 2020 vs. prior 4-yr Avg.
Total Fatalities	393	417	450	459	494	25.70%	14.95%
VMT Rate**	0.72	0.75	0.79	0.79	0.92	27.78%	20.66%
Pop Rate***	7.93	8.30	8.85	8.91	9.65	21.69%	13.56%
Pct. Of Total	38.53%	42.16%	43.44%	45.63%	46.43%	7.90%	3.99%

NHTSA NCSA FARS: 2016-2019 Final File and 2020 Annual Report File (ARF)
 2020 VMT & VMT Rate provided by South Carolina Department of Transportation
 Population provided by U.S. Bureau of Census
 **Rate per 100 million vehicle miles
 ***Rate per 100,000 population



As shown in **Table 29**, speeding-related fatalities increased nationally (14.27%) in 2020 when compared to the prior four-year average. The population-based fatality rate also increased (12.40%) nationally when compared to the prior four-year average. The nation’s five-year average for the speeding-related percentage of total fatalities was 27.19%, with the 2020 figure (29.80%) representing a 2.58% increase when compared to the 2016 figure and a 3.26% increase when compared to the 2016-2019 average. South Carolina experienced an overall upward trend in two key traffic indices during the 2016-2020 period: total speeding-related fatalities and total speeding-related fatality population-based rate. Additionally, South Carolina’s percentage of fatalities that were speeding-related remained greater than that of the nation during the entire 2016-2020 period. In 2020, 46.43% of South Carolina’s total traffic fatalities were speeding-related, compared to 29.80% for the nation.

	2016	2017	2018	2019	2020	% Change: 2016 vs. 2020	% Change: 2020 vs. prior 4-yr Avg.
Total Fatalities	10,291	9,947	9,579	9,592	11,258	9.40%	14.27%
VMT Rate**	0.32	0.31	0.30	0.29	0.39	21.88%	27.87%
Pop Rate***	3.19	3.06	2.93	2.92	3.40	6.58%	12.40%
Pct. Of Total	27.22%	26.55%	26.01%	26.39%	29.80%	2.58%	3.26%

NHTSA NCSA FARS: 2016-2019 Final File and 2020 Annual Report File (ARF)

Population provided by U.S. Bureau of Census

**Rate per 100 million vehicle miles

***Rate per 100,000 population

According to NHTSA’s FARS data (**Table 30**), from 2016 to 2020, the counties accounting for the highest percentages of the speeding-related fatalities in South Carolina were: Spartanburg (6.87%); Charleston (5.92%); Horry (5.92%); Greenville (5.83%); Richland (5.60%); Lexington (4.47%); Anderson (4.20%) and Berkeley (3.93%).

As shown in **Table 30**, the counties with the most speeding-related fatalities from 2016 to 2020 were: Spartanburg (152); Charleston (131); Horry (131); Greenville (129); Richland (124); Lexington (99); Anderson (93); and Berkeley (87). Two of these eight counties experienced a decrease in the number of speeding-related fatalities in 2019 when compared to the prior four-year averages: Horry (-0.95%) and Lexington (-17.07%).

Table 30. Speed-Related Fatalities by County								
County	2016	2017	2018	2019	2020	Total 2016-2020		% Change: 2020 vs. prior 4-yr Avg.
						N	%	
Abbeville	4	6	0	1	1	12	0.54%	-63.64%
Aiken	20	20	12	17	12	81	3.66%	-30.43%
Allendale	0	0	2	1	2	5	0.23%	166.7%
Anderson	21	17	18	15	22	93	4.20%	23.94%
Bamberg	2	0	1	0	1	4	0.18%	0.00%
Barnwell	2	3	0	1	3	9	0.41%	100.0%
Beaufort	6	10	7	7	10	40	1.81%	33.33%
Berkeley	15	15	11	14	32	87	3.93%	132.7%
Calhoun	4	6	7	2	2	21	0.95%	-57.89%
Charleston	19	26	19	29	38	131	5.92%	63.44%
Cherokee	3	7	6	7	6	29	1.31%	4.35%
Chester	7	3	4	6	9	29	1.31%	80.00%
Chesterfield	3	6	6	6	6	27	1.22%	14.29%
Clarendon	10	12	9	10	4	45	2.03%	-60.98%
Colleton	7	7	9	7	16	46	2.08%	113.3%
Darlington	13	8	11	9	5	46	2.08%	-51.22%
Dillon	6	7	5	4	7	29	1.31%	27.27%
Dorchester	11	8	3	13	5	40	1.81%	-42.86%
Edgefield	2	4	4	2	6	18	0.81%	100.0%
Fairfield	5	5	9	0	10	29	1.31%	110.5%
Florence	12	13	19	16	20	80	3.62%	33.33%
Georgetown	2	6	7	8	5	28	1.27%	-13.04%
Greenville	22	14	26	26	41	129	5.83%	86.36%
Greenwood	5	4	6	3	6	24	1.08%	33.33%
Hampton	0	1	1	4	5	11	0.50%	233.3%
Horry	15	26	30	34	26	131	5.92%	-0.95%
Jasper	13	6	6	4	9	38	1.72%	24.14%
Kershaw	7	7	7	6	8	35	1.58%	18.52%
Lancaster	4	5	4	7	4	24	1.08%	-20.00%
Laurens	16	18	18	13	6	71	3.21%	-63.08%
Lee	3	3	6	2	2	16	0.72%	-42.86%
Lexington	14	16	27	25	17	99	4.47%	-17.07%
McCormick	3	1	1	5	0	10	0.45%	-100.0%
Marion	4	5	5	7	5	26	1.17%	-4.76%
Marlboro	3	6	5	4	7	25	1.13%	55.56%
Newberry	1	6	4	5	8	24	1.08%	100.0%
Oconee	2	8	7	9	6	32	1.45%	-7.69%
Orangeburg	15	16	17	21	15	84	3.80%	-13.04%
Pickens	5	12	10	9	11	47	2.12%	22.22%
Richland	29	23	27	20	25	124	5.60%	1.01%
Saluda	1	2	0	1	2	6	0.27%	100.0%
Spartanburg	15	21	43	37	36	152	6.87%	24.14%
Sumter	9	9	8	11	8	45	2.03%	-13.51%
Union	7	4	4	3	1	19	0.86%	-77.78%
Williamsburg	10	6	5	8	7	36	1.63%	-3.45%

County	2016	2017	2018	2019	2020	Total 2016-2020		% Change: 2020 vs. prior 4-yr Avg.
						N	%	
York	16	9	14	20	17	76	3.43%	15.25%
Total	393	417	450	459	494	2,213	100.0%	14.95%

NHTSA NCSA FARS: 2016-2019 Final File and 2020 Annual Report File (ARF)

South Carolina’s speed-related population-based fatality rate increased about 13.56% in 2020 (9.65 fatalities per 100,000 population) compared to the average of the previous four years (8.50). The counties with the highest five-year average of speed-related population-based fatality rates during the 2016-2020 period (see **Table 31**) were Calhoun (28.79); Clarendon (26.72); Jasper (26.49); Fairfield (26.44); Colleton (24.24); Williamsburg (23.16); Laurens (21.20); and McCormick (21.05). It should be noted that the population-based fatality rates can vary drastically from year to year and thus should be considered with caution.

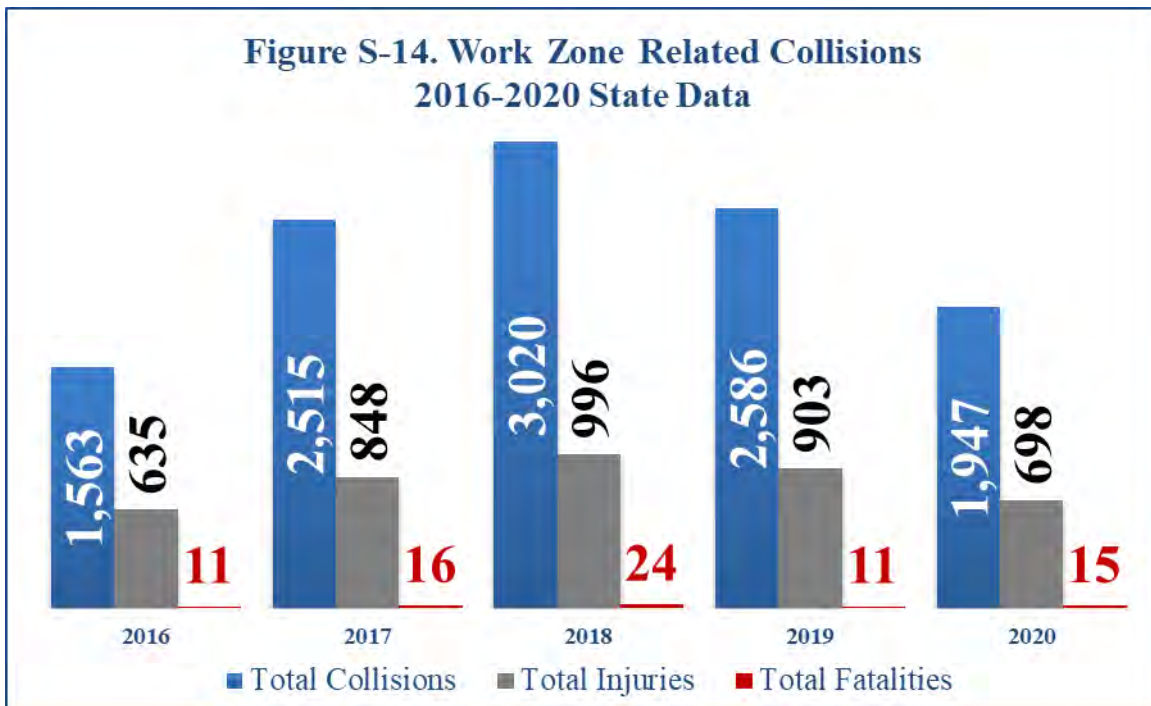
County	2016	2017	2018	2019	2020	2016-2020 Average	% Change: 2020 vs. prior 4-yr Avg.
Abbeville	16.22	24.42	0.00	4.08	4.12	9.77	-63.19%
Aiken	11.96	11.88	7.08	9.95	7.11	9.60	-30.44%
Allendale	0.00	0.00	22.41	11.51	24.88	11.76	193.4%
Anderson	10.74	8.58	8.99	7.41	10.80	9.30	20.98%
Bamberg	13.81	0.00	7.01	0.00	7.51	5.67	44.33%
Barnwell	9.26	14.05	0.00	4.79	14.57	8.53	107.4%
Beaufort	3.28	5.36	3.71	3.64	5.34	4.27	33.71%
Berkeley	7.19	6.99	4.97	6.14	13.92	7.84	120.1%
Calhoun	27.13	40.83	48.07	13.74	14.17	28.79	-56.34%
Charleston	4.79	6.47	4.68	7.05	9.31	6.46	62.02%
Cherokee	5.29	12.30	10.51	12.22	10.67	10.20	5.88%
Chester	21.67	9.29	12.38	18.61	27.87	17.96	79.94%
Chesterfield	6.50	13.05	13.08	13.14	13.87	11.93	21.16%
Clarendon	29.19	35.28	26.67	29.63	12.84	26.72	-57.46%
Colleton	18.63	18.64	23.89	18.58	41.45	24.24	107.9%
Darlington	19.33	11.94	16.48	13.51	7.95	13.84	-48.10%
Dillon	19.53	22.95	16.33	13.12	24.74	19.34	37.56%
Dorchester	7.04	5.03	1.87	7.98	3.10	5.00	-43.54%
Edgefield	7.51	14.90	14.74	7.34	23.39	13.58	110.2%
Fairfield	22.09	22.13	40.22	0.00	47.74	26.44	126.1%
Florence	8.66	9.39	13.74	11.57	14.59	11.59	34.63%
Georgetown	3.25	9.70	11.25	12.76	7.89	8.97	-14.67%
Greenville	4.41	2.76	5.05	4.97	7.80	5.00	81.55%
Greenwood	7.12	5.67	8.50	4.24	8.65	6.84	35.53%
Hampton	0.00	5.13	5.17	20.81	26.94	11.61	246.4%
Horry	4.67	7.82	8.72	9.60	7.41	7.64	-3.84%
Jasper	46.29	21.04	20.59	13.30	31.26	26.49	23.54%
Kershaw	10.88	10.73	10.64	9.02	12.23	10.70	18.56%
Lancaster	4.45	5.41	4.21	7.14	4.17	5.08	-21.45%
Laurens	24.02	26.94	26.91	19.26	8.88	21.20	-63.42%
Lee	17.14	17.25	34.69	11.88	12.10	18.61	-40.23%
Lexington	4.89	5.51	9.17	8.37	5.78	6.74	-17.22%
McCormick	31.34	10.47	10.63	52.84	0.00	21.05	-100.0%
Marion	12.59	15.98	16.10	22.83	17.13	16.93	1.52%
Marlboro	11.12	22.48	18.95	15.32	26.25	18.82	54.73%

Table 31. Speed-Related Fatalities by County: Rate per 100,000 Population							
County	2016	2017	2018	2019	2020	2016-2020 Average	% Change: 2020 vs. prior 4-yr Avg.
Newberry	2.64	15.63	10.41	13.01	21.21	12.58	103.5%
Oconee	2.61	10.34	8.94	11.31	7.63	8.17	-8.05%
Orangeburg	16.96	18.25	19.54	24.37	17.81	19.39	-9.96%
Pickens	4.06	9.72	7.99	7.09	8.37	7.45	16.03%
Richland	7.09	5.59	6.52	4.81	6.01	6.00	0.11%
Saluda	4.95	9.85	0.00	4.88	10.60	6.06	115.4%
Spartanburg	4.99	6.85	13.69	11.57	10.98	9.61	18.37%
Sumter	8.41	8.46	7.52	10.31	7.58	8.45	-12.60%
Union	25.30	14.60	14.64	10.98	3.67	13.84	-77.59%
Williamsburg	31.34	19.22	16.34	26.34	22.56	23.16	-3.21%
York	6.20	3.38	5.11	7.12	6.03	5.57	10.49%
Total	7.93	8.30	8.85	8.91	9.65	8.73	13.56%

NHTSA NCSA FARS: 2016-2019 Final File and 2020 Annual Report File (ARF)

Work Zone Traffic Fatalities

Figure S-14 indicates that from 2016 to 2020 work zone-related traffic fatalities increased (36.36%) in 2020 as compared to 2016. The fatality number for 2020 is slightly lower than the average number of fatalities for the previous four years, 2016-2019 (16 fatalities). However, it should be noted that with traffic collision fatality numbers this small, significant percentage increases can be seen with a relatively small increase in the data.



According to state data, there were 11,631 work zone-related collisions in South Carolina from 2016 to 2020. These collisions resulted in 77 fatalities and 4,080 persons injured. Types of work

zone-related collisions include shoulder/median work, lane shift/crossover, intermittent/moving work, lane closures, and other areas that may be in or around the actual work zone.

State data indicates that work zone-related collisions and injuries increased from 2016 through 2018, and began to decline in 2019. The data also shows that work zone-related collisions increased approximately 25% from 2016 to 2020. Injuries as a result of work zone-related collisions have risen by 9.92% from 635 persons injured in 2016 to 698 persons injured in 2020; however, the numbers in these types of collisions are relatively small when compared to total collisions, injuries, and fatalities. Therefore, percentages can be affected with relatively minor changes in the data. However, the state takes each collision, injury, and fatality seriously and will continue to address this traffic safety issue through a project fully funded by the South Carolina Department of Transportation (SCDOT).

In June 2006, the South Carolina Highway Patrol (SCHP) was awarded a three-year grant for \$1,750,000 from the SCDOT to reduce work zone speeding-related fatalities. Thus, the Safety Improvement Team (SIT) Campaign was implemented. The two agencies have continued this partnership through 2022 with SCDOT providing the same level of funding each year and SCDPS supporting SCDOT's goal of reducing fatalities and serious injuries in work zones, a goal shared by SCDPS. The project was deemed a success, believed to have contributed to a significant reduction in work zone fatalities and serious injuries since 2005, decreasing from 61 in 2005 to 33 in 2017. As a result of the increased gas tax passed in South Carolina in 2017, SCDOT has tripled its construction budget and therefore the state has seen an increase in the number of work zones. Due to the large number of work zones throughout the state, it was determined that the need for additional law enforcement officers exceeded those of the dedicated SIT. SCDOT and SCDPS Highway Patrol worked together to develop a plan that allows all SCDPS law enforcement personnel the opportunity to work in an off-duty capacity in work zones. Though the project is not funded with NHTSA dollars, it still represents a valuable tool in the state's arsenal to reduce collisions, injuries, and fatalities.

Traffic Collision Injuries

State data shows a decrease of 22.48% in total traffic collision injuries, from 61,899 total injuries in 2016 to 47,985 in 2020. The 2020 figure represents a decrease of 19.67% when compared to the average of the four prior years 2016-2019 (59,732).

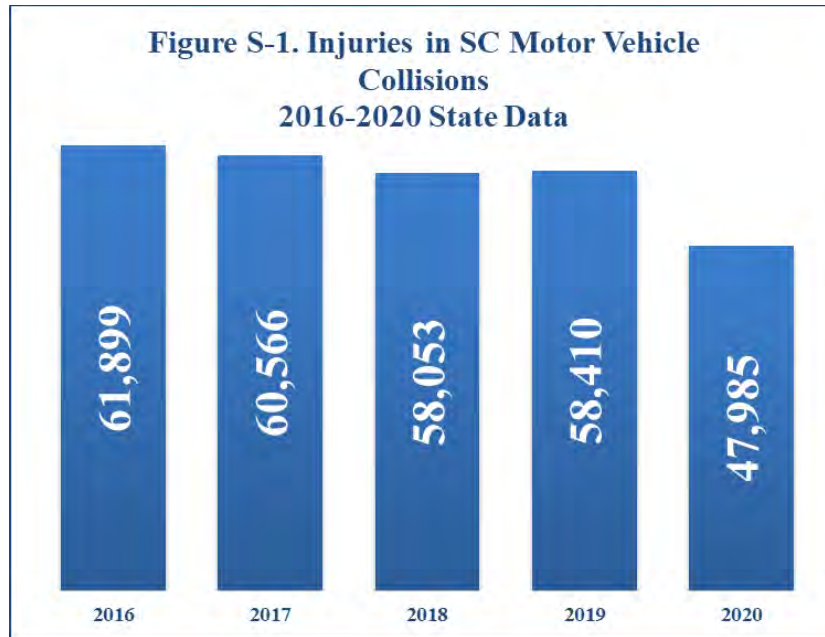
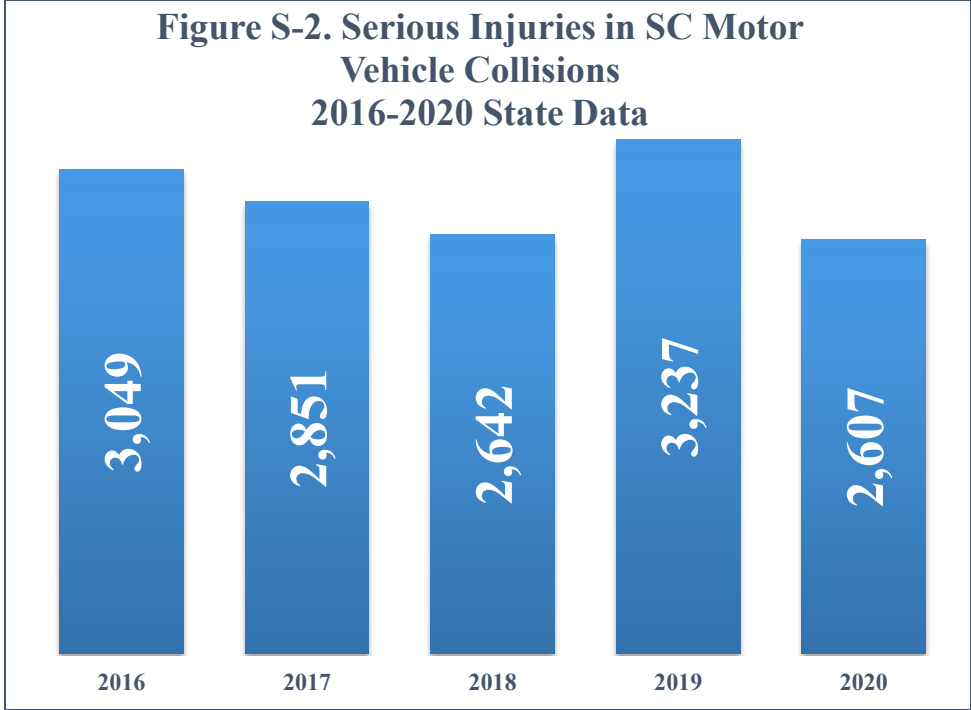


Table S-18 shows the number of speeding-related crashes for the state of South Carolina during the years 2016-2020. Of the 47,985 total traffic-related injuries reported in 2020, 15,190 or 31.66%, occurred in speeding-related crashes. Injuries sustained in speeding-related traffic crashes decreased from 20,954 in 2016 to 15,190 in 2020, a decrease of 27.51%. On average, for the years 2016-2020, injuries occurring in speeding-related traffic crashes accounted for 32.69% of all traffic collision injuries. The 2020 figure for speeding-related collision injuries (15,190) is 22.69% lower than the average for speeding-related collision injuries (19,647) from 2016 to 2019.

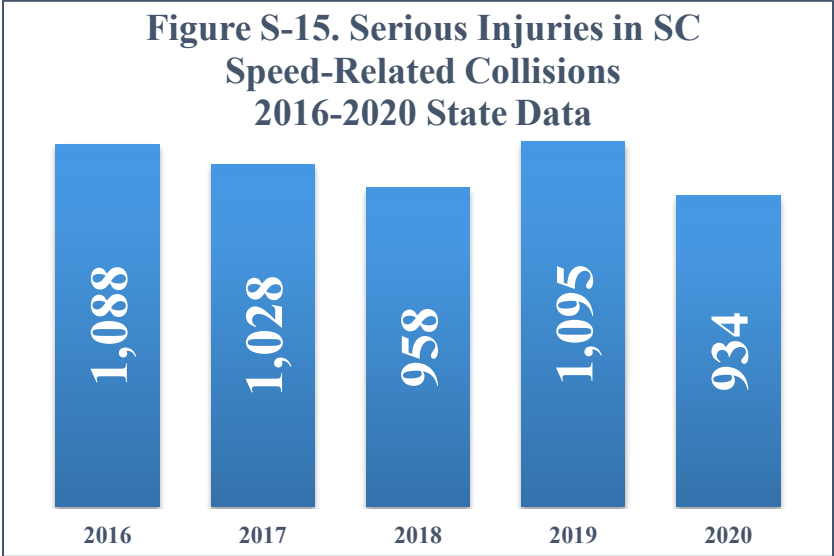
**Table S-18 Speeding-Related Crashes in South Carolina,
State Data 2016-2020**

Year	Injury Collision	Property Damage Only Collision	All Persons Injured
2016	13,783	32,668	20,954
2017	13,391	32,861	20,273
2018	12,854	32,917	19,042
2019	12,478	30,517	18,319
2020	10,678	26,690	15,190
Total	63,184	155,653	93,778

State data shows a decrease of 14.50% in serious injuries, from 3,049 in 2016 to 2,607 in 2020 (**Figure S-2**). Serious injuries in 2020 decreased by 19.46% compared to the number of serious injuries in 2019 (3,237). The 2020 figure represents a decrease of 11.48% when compared to the average number of serious injuries for the years 2016-2019 (2,945).

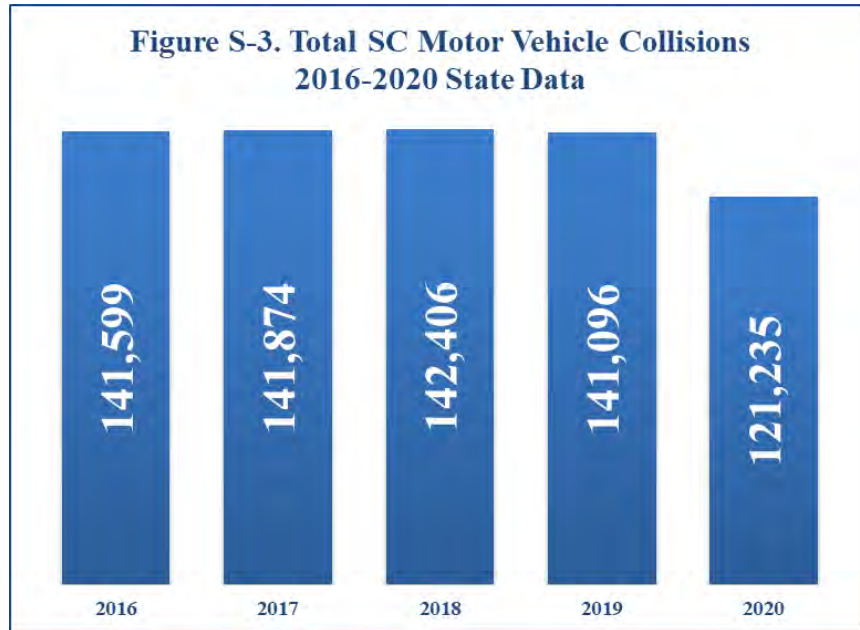


In **Figure S-15**, state data from 2016-2020 shows that the number of serious injuries resulting from speed-related collisions decreased 14.15% in South Carolina, from 1,088 serious injuries in 2016 to 934 in 2020. The 2020 figure also represents a 10.36% decrease when compared to the average number of serious injuries in speed-related collisions for the four years 2016-2019 (1,042). Of the 2,607 traffic-related serious injuries reported in 2020, 934, or 35.83%, occurred in speed-related collisions.

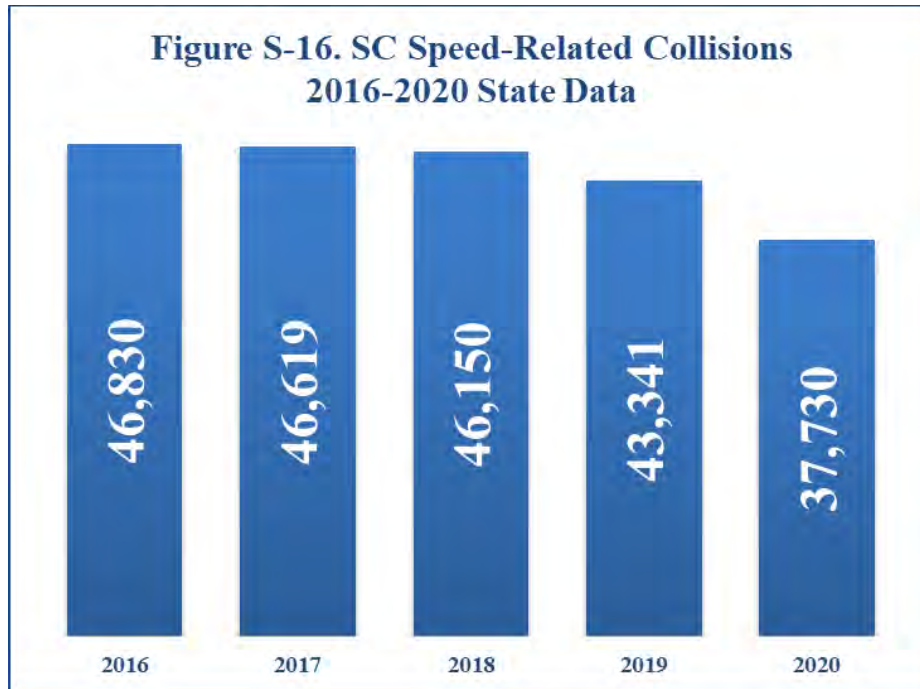


Traffic Collisions

There were 688,210 traffic collisions in South Carolina from 2016 to 2020. This total includes fatal collisions, injury collisions, and property-damage-only collisions. There was a decrease, 14.87%, in total collisions from 2018 (142,406) to 2020 (121,235); 2018 was the year with the highest number of collisions during the five-year period. The 2020 figure represents a decrease of 14.38% as compared to 2016 and a decrease of 14.47% as compared to the prior four-year average (141,744).



There were 220,670 total speeding-related traffic collisions in South Carolina from 2016 to 2020 (**Figure S-16**). Speeding-related collisions accounted for 32.06% of the total number of traffic collisions in the state during the five-year period. In 2020, speeding-related collisions decreased by 12.95% when compared to 2019, from 43,341 in 2019 to 37,730 in 2020. The 2020 figure also represents a decrease of 19.43% when compared to the 2016 figure (46,830) and a decrease of 17.50% when compared to the average number of speeding-related collisions (45,735) for the four-year period 2016-2019.



Associated Performance Measures

Fiscal Year	Performance measure name	Target End Year	Target Period	Target Value
2023	C-6) Number of speeding-related fatalities (FARS)	2023	Annual	442

Countermeasure Strategies in Program Area

Countermeasure Strategy	Description Located on Page No.
Highway Safety Office Program Management	77
Short-term, High Visibility Law Enforcement	129
Traffic Safety Officer Training	135

Countermeasure Strategy: Short-term, High Visibility Law Enforcement

Program Area: Police Traffic Services

Project Safety Impacts

Traffic law enforcement plays a crucial role in deterring impaired driving, increasing safety belt and child restraint usage, encouraging compliance with speed laws, and reducing other unsafe driving actions. A combination of highly-visible enforcement, public information, education, and training is needed to achieve a significant impact in reducing traffic collision injuries and fatalities in South Carolina. This can be accomplished through establishing dedicated traffic enforcement units (PTS units) that include comprehensive highly-visible enforcement efforts relative to speeding, DUI, occupant protection, and other traffic laws. It should be noted that on many occasions, a speeding-related violation results in a more severe violation, such as driving under suspension, DUI, or other serious criminal violations.

Comprehensive traffic enforcement efforts involving components such as selective traffic enforcement, public education activities, and accountability standards, can lead to noticeable traffic safety impacts.

Linkage Between Program Area

Based on the analysis of the problem identification data, South Carolina faces significant issues in speeding-related indices. Allocating funds to the establishment of dedicated traffic enforcement units that include comprehensive highly-visible selective traffic enforcement efforts and public education will facilitate the state's achievement of the outlined speed-related performance targets. Achievement of these performance targets will serve to reduce collisions, serious injuries, and fatalities in the state.

Rationale

PTS enforcement units will use countermeasures demonstrated to be highly effective in NHTSA's *Countermeasures That Work* document. Some of these countermeasures include the enforcement of speed limits through the use of measuring equipment such as Radars and/or Lidars, (CTW, Chapter 3: Sections 2.2 and 2.3 [pp. 3-28 to 3-29]) and Communications and Outreach Supporting Enforcement (CTW, Chapter 3: Section 4.1, [pp. 3-32 to 3-33]). PTS enforcement units will also use countermeasures outlined in the document that have proven successful in DUI enforcement (pp. 1-25 to 1-30) and occupant restraint enforcement (p. 2-18 to 2-20). An example of this type of combined enforcement would be to emphasize nighttime safety belt enforcement while conducting a sustained DUI enforcement effort simultaneously, otherwise known as integrated nighttime seat belt enforcement (p. 2-21 to 2-23).

Planned activities in countermeasure strategy

Unique Identifier	Planned Activity Name	Description Located on Page No.
M5HVE	DUI Enforcement Teams	154
PTS-EU	PTS Enforcement Units	130

Planned Activity: PTS Enforcement Units

Planned activity number: PTS-EU

Primary Countermeasure Strategy ID: Short-term, High Visibility Law Enforcement

Planned Activity Description:

A total of twenty-two (22) PTS enforcement units will be developed and implemented in those areas identified during the Problem Identification process as areas in which the analysis of traffic collision and citation data indicate a major traffic safety problem. The PTS projects selected for funding are located in counties identified as having a significant problem with speeding-related traffic collisions, serious injuries, and fatalities (see charts titled “**SC Fatal and Serious Injury Collisions 2016-2020 (2020 Preliminary)**” and “**SC Fatal and Serious Injury Speed\Too Fast for Conditions Collisions 2016-2020 (2020 Preliminary)**”). Priority counties are highlighted in red). This includes county sheriffs’ offices and municipal law enforcement agency projects identified by the supporting data. Of the twenty-two PTS enforcement projects, fifteen (15) are straight-time activity hour-based enforcement projects and seven (7) are overtime activity hour-based enforcement projects; these projects will fund a minimum of 23,400-35,360 activity hours of general traffic, speed enforcement, and specialized straight-time and overtime enforcement activities in municipalities located in priority counties, or in jurisdictions that have had a significant increase in speed-related collisions over the previous year. These projects will also encompass DUI enforcement efforts as each project requires the persons performing grant-funded activity hours (Section 402-funded) to engage in aggressive DUI enforcement activity.

SC Fatal and Serious Injury Collisions 2016-2020 (2020 Preliminary)						
County	2016	2017	2018	2019	2020	2016-2020
Greenville	300	292	272	335	257	1,456

SC Fatal and Serious Injury Collisions 2016-2020 (2020 Preliminary)						
County	2016	2017	2018	2019	2020	2016-2020
Charleston	272	280	263	306	302	1,423
Horry	269	278	241	242	206	1,236
Spartanburg	201	175	220	213	206	1,015
Richland	214	168	143	201	174	900
Anderson	192	174	148	152	135	801
Lexington	142	165	176	171	123	777
York	143	128	125	157	141	694
Berkeley	102	109	102	124	109	546
Orangeburg	96	76	103	112	118	505
Florence	91	79	97	132	91	490
Beaufort	102	105	78	82	83	450
Aiken	88	108	86	74	77	433
Dorchester	75	68	65	71	72	351
Pickens	61	69	78	81	57	346
Sumter	68	59	50	85	80	342
Laurens	66	65	70	69	64	334
Lancaster	85	65	43	58	60	311
Oconee	51	55	58	70	61	295
Colleton	66	50	47	45	55	263
Georgetown	43	67	61	44	41	256
Cherokee	48	59	47	53	48	255
Kershaw	56	49	48	47	49	249
Darlington	64	38	38	56	35	231
Greenwood	47	46	43	49	46	231
Jasper	60	31	36	55	46	228
Williamsburg	38	41	33	43	36	191
Chesterfield	38	44	28	44	34	188
Chester	39	40	42	37	27	185
Clarendon	33	36	22	46	28	165
Newberry	35	32	26	28	22	143
Fairfield	29	28	32	20	31	140
Dillon	21	27	24	28	24	124
Union	21	16	21	26	30	114
Marion	13	20	19	35	24	111
Marlboro	21	15	13	29	28	106
Hampton	17	16	12	23	29	97
Lee	13	13	25	18	19	88
Abbeville	17	24	14	19	13	87
Calhoun	13	17	15	14	20	79
Edgefield	20	14	13	14	15	76
Barnwell	15	16	19	13	12	75
Bamberg	16	11	18	9	10	64
Saluda	13	18	9	11	8	59
Allendale	9	7	12	9	10	47
McCormick	8	5	8	6	5	32
	3,431	3,298	3,143	3,556	3,161	16,589

SC Fatal and Serious Injury Speed/Too Fast for Conditions Collisions 2016-2020 (2020 Preliminary)						
County	2016	2017	2018	2019	2020	2016-2020
Greenville	78	83	79	101	82	423
Spartanburg	67	67	89	83	84	390
Charleston	71	76	70	69	99	385
Horry	71	91	69	73	61	365
Richland	86	61	56	56	58	317
Lexington	46	55	74	72	38	285
Anderson	67	49	51	57	47	271
Orangeburg	37	38	47	64	58	244
York	53	44	48	50	44	239
Berkeley	44	40	34	45	40	203
Aiken	42	46	34	29	33	184
Laurens	44	34	37	37	24	176
Florence	36	25	38	35	35	169
Beaufort	34	38	31	25	22	150
Pickens	26	25	30	30	23	134
Sumter	26	24	19	30	29	128
Darlington	34	17	18	22	17	108
Lancaster	24	18	19	22	22	105
Oconee	13	24	26	22	20	105
Kershaw	20	23	18	20	20	101
Dorchester	24	23	16	17	21	101
Georgetown	17	27	22	15	16	97
Jasper	29	17	15	15	16	92
Williamsburg	15	16	19	23	16	89
Clarendon	19	21	15	19	12	86
Colleton	20	19	15	9	20	83
Cherokee	20	17	13	15	17	82
Chester	17	17	16	15	14	79
Newberry	19	21	13	12	14	79
Greenwood	20	15	10	21	11	77
Chesterfield	13	23	10	14	14	74
Fairfield	19	10	17	5	17	68
Dillon	12	16	12	13	11	64
Marlboro	10	9	9	13	11	52
Union	13	9	7	7	14	50
Marion	6	8	7	17	9	47
Calhoun	6	8	10	12	10	46
Hampton	6	5	5	15	12	43
Lee	7	9	10	5	9	40
Abbeville	10	12	4	10	3	39
Edgefield	10	7	5	6	9	37
Barnwell	4	7	8	6	7	32
Allendale	3	4	7	6	5	25
Saluda	7	9	2	5	2	25
Bamberg	5	2	7	0	4	18
McCormick	4	1	3	4	1	13
	1,254	1,210	1,164	1,241	1,151	6,020

During FFY 2023, PTS Enforcement projects throughout the state will participate in Law Enforcement Networks established in the 16 Judicial Circuits in South Carolina. They will participate in statewide and national highway safety campaigns and enforcement crackdown/mobilization programs. These campaigns include DUI crackdowns (*Sober or Slammer!*), occupant protection mobilizations (*Buckle Up, South Carolina*), focused roadway corridor speed enforcement (*Operation Southern Slow Down*), and combined enforcement activity, to include nighttime safety belt enforcement. The PTS projects will conduct traffic safety presentations to increase community awareness of traffic safety-related issues and issue press releases of the projects' activities.

Law Enforcement Networks will continue to meet and share information among agencies, to disseminate information from the Office of Highway Safety and Justice Programs, and to conduct multijurisdictional traffic enforcement activities.

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

Intended Subrecipients

Agency	County	Project Title
Town of Mount Pleasant	Charleston	Mount Pleasant Traffic Enforcement Unit
City of Spartanburg Police Department	Spartanburg	City of Spartanburg Traffic Unit
City of Spartanburg Police Department	Spartanburg	City of Spartanburg OT Speed Enforcement
York County Sheriff's Office	York	Continuation of Traffic Enforcement Unit - Overtime
York County Sheriff's Office	York	Continuation of Traffic Enforcement Unit
City of Goose Creek Police Department	Berkeley	Traffic Enforcement Officers
Berkeley County	Berkeley	2023 Traffic Safety Unit
Berkeley County	Berkeley	2023 Traffic Safety Unit - Overtime

Moncks Corner Police Department	Berkeley	Moncks Corner Traffic Enforcement Unit
Sumter County Sheriff's Office	Sumter	Overtime Traffic Enforcement Project
City of Orangeburg	Orangeburg	City of Orangeburg Traffic Enforcement Unit: Project Continuation
Port Royal Police Department	Beaufort	Town of Port Royal Traffic Unit
Town of Summerville	Dorchester	Summerville Specialized Traffic Enforcement
Lancaster Police Department	Lancaster	Lancaster Traffic Enforcement
Lancaster County Sheriff's Office	Lancaster	Speed Enforcement
Georgetown County	Georgetown	GCSO Traffic Unit
Kershaw County Sheriff's Office	Kershaw	Kershaw County Traffic Enforcement Project
Chesterfield County Sheriff's Office	Chesterfield	Chesterfield County Traffic Enforcement Unit
City of Camden	Kershaw	Camden Police Department Traffic Officers
City of Cayce	Lexington	City of Cayce Traffic Enforcement Unit
City of Clemson	Pickens	City of Clemson Enhanced Traffic Enforcement
Travelers Rest Police Department	Greenville	Overtime Hours for Traffic Safety

Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2022	BIL NHTSA 402	Police Traffic Services	\$2,263,876 (total for PTS-OP and PTS-EU)	\$565,969	\$2,263,876

Countermeasure Strategy: Traffic Safety Officer Training

Program Area: Police Traffic Services

Project Safety Impacts

Well-trained traffic enforcement officers are an essential aspect of helping to reduce the number of traffic-related collisions, injuries, and fatalities through a variety of enforcement strategies. Reducing traffic-related collisions, injuries, and fatalities throughout the state is considered to be a significant traffic safety impact.

Linkage Between Program Area

Based on the analysis of the problem identification data, South Carolina faces significant issues in speeding-related indices. Allocating funds to the provision of educational programs that accompany traffic enforcement projects will produce well-rounded, well-trained traffic enforcement officers. These highly trained traffic enforcement officers will facilitate the state's achievement of the outlined speeding-related performance targets. Achievement of these performance targets will serve to reduce traffic collisions, serious injuries, and fatalities in the state.

Rationale

The enforcement and investigative training provided by the SC Criminal Justice Academy (SCCJA) as part of the Traffic Safety Officer (TSO) Program is designed to enhance law enforcement officers' ability to quickly and accurately identify drivers exhibiting problematic driving behaviors, such as driving while impaired. If these highly-trained officers conduct high visibility enforcement (short-term or sustained) and/or general traffic enforcement, it would serve as a high-level deterrent to the dangerous driving behaviors cited as contributing factors for the numerous traffic collisions that occur in the state. As such, allocating funds for the countermeasure strategy of law enforcement training will facilitate the state's achievement of the outlined performance targets, which will ultimately serve to reduce collisions, serious injuries, and fatalities in the state.

Planned activity in countermeasure strategy

Unique Identifier	Planned Activity Name	Description Located on Page No.
PTS-TSO	Traffic Safety Officer Training	136

Planned Activity: Traffic Safety Officer Training

Planned activity number: PTS-TSO

Primary Countermeasure Strategy ID: Traffic Safety Officer Training

Planned Activity Description:

The South Carolina Criminal Justice Academy (SCCJA) coordinates the Traffic Safety Officer (TSO) Certification program and other extensive law enforcement training programs with the primary purpose of reducing fatalities and injuries on the state's roadways. SCCJA provides comprehensive traffic enforcement/investigative training to the state's traffic law enforcement officers. Officers trained in the collision investigation courses will be able to determine the cause(s) of motor vehicle collisions and cite the individual(s) responsible with the appropriate charge(s). Professionally trained officers will also be able to proficiently prosecute violators, which will result in higher conviction rates, which will in turn help deter traffic infractions. The Traffic Safety Officer Program will provide professional training to the law enforcement officers of South Carolina during the FFY 2023 grant year in the following classes: DUI Detection and Standardized Field Sobriety Testing (SFST), DUI Detection and SFST Reinstatement, SFST Recertification, Speed Measurement Device (SMD) Instructor, SMD Instructor Recertification, SMD Operator, SMD Operator Reinstatement, SMD Operator Recertification, At-Scene Traffic Collision Investigation, Technical Traffic Collision Investigation, Traffic Collision Reconstruction, Traffic Collision Reconstruction Refresher, Motorcycle Collision Investigation, Pedestrian and Bicycle Collision Reconstruction, Commercial Motor Vehicle Collision Reconstruction, Motorcycle/Pedestrian/Bike Collision Reconstruction Refresher, Advanced Collision Investigation, DataMaster DMT Operator Certification, and DataMaster DMT Operator Recertification

Intended Subrecipient(s): South Carolina Criminal Justice Academy

Funding Sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2022	SUPPLEMENTAL BIL NHTSA 402	Police Traffic Services	\$317,234.43	\$79,308.61	\$317,234.43
2022	BIL NHTSA 402	Police Traffic Services	\$101,049.57	\$25,262.39	\$101,049.57

PROGRAM AREA: IMPAIRED DRIVING (DRUG & ALCOHOL)

DESCRIPTION OF HIGHWAY SAFETY PROBLEMS

The state of South Carolina has been committed to reducing the occurrence of alcohol-impaired driving and the resulting traffic collisions, injuries, and fatalities. The state has experienced significant reductions in alcohol-impaired driving traffic fatalities in recent years. The most recent Fatality Analysis Reporting System (FARS) data provided by the National Highway Traffic Safety Administration (NHTSA) indicates that 315 people died on South Carolina roadways in 2020 as a result of alcohol-impaired driving collisions.

Data in **Table 5** shows that in 2016, there were 343 alcohol-impaired driving fatalities in South Carolina. This number was trending downwards and reached a low for the five-year period of 276 in 2019. The downward trend ended in 2020. The 2020 count of 315 alcohol-impaired driving fatalities represents a 3.79% increase from the 2016-2019 average, though it is an 8.16% decrease from the 2016 total (343). The VMT-based alcohol-impaired traffic fatality rate for 2020 (0.59) represents an 8.76% increase from the prior four-year average and a 6.35% decrease when compared to the 2016 rate (0.63). South Carolina’s alcohol-impaired population-based fatality rate followed a pattern similar to the VMT rate and total fatalities, with the 2020 rate (6.15 deaths per 100,000 population) representing a 2.29% increase when compared to the 2016-2019 average (6.01) and an 11.13% decrease when compared to the 2016 rate (6.92).

Table 5. South Carolina Alcohol-Impaired Driving Fatalities							
	2016	2017	2018	2019	2020	% Change: 2016 vs. 2020	% Change: 2020 vs. prior 4-yr Avg.
Total Fatalities	343	305	290	276	315	-8.16%	3.79%
VMT Rate**	0.63	0.55	0.51	0.48	0.59	-6.35%	8.76%
Pop Rate***	6.92	6.07	5.70	5.36	6.15	-11.13%	2.29%
Pct. Of Total	33.63%	30.84%	27.99%	27.44%	29.61%	-4.02%	-0.37%

NHTSA NCSA FARS: 2016-2019 Final File and 2020 Annual Report File (ARF)
 2020 VMT & VMT Rate provided by South Carolina Department of Transportation
 Population provided by U.S. Bureau of Census
 **Rate per 100 million vehicle miles
 ***Rate per 100,000 population

NHTSA’s FARS data (**Table 1**) for calendar year (CY) 2020 shows that 1,064 people were killed in South Carolina traffic collisions. In the period from 2016 through 2020, NHTSA’S FARS indicates that there were 5,115 traffic fatalities in South Carolina. This resulted in an average of 1,023 traffic fatalities per year over the five-year period. Over this period, traffic fatalities increased from 1,020 in 2016 to 1,064 in 2020. The 2020 count represents a 5.06% increase, when compared to the average of the prior four years (1,013 fatalities), and a 4.31% increase when compared to the count in 2016.

Table 1. South Carolina Basic Data							
	2016	2017	2018	2019	2020	% Change: 2016 vs. 2020	% Change: 2020 vs. prior 4-yr Avg.
Total Fatalities	1,020	989	1,036	1,006	1,064	4.31%	5.06%
VMT*	54.40	55.50	56.84	57.94	53.82	-1.07%	-4.18%
VMT Rate**	1.87	1.78	1.82	1.74	1.98	5.88%	9.85%
Population	4,957,968	5,021,268	5,084,156	5,148,714	5,118,425	3.24%	1.29%
Pop Rate***	20.57	19.70	20.38	19.54	20.79	1.07%	3.70%

NHTSA NCSA FARS: 2016-2019 Final File and 2020 Annual Report File (ARF)

2020 VMT & VMT Rate provided by South Carolina Department of Transportation

Population provided by U.S. Bureau of Census

*Vehicle Miles of Travel (billions)

**Rate per 100 million vehicle miles

***Rate per 100,000 population

Table 15 indicates that nationwide, alcohol-impaired traffic fatalities increased by 9.04% in 2020 compared to the average of the four prior years, and VMT-based and population-based fatality rates increased by 20.30% and 7.15%, respectively, when compared to the average of the four prior years. Nationally, the alcohol-impaired VMT-based fatality rate increased by 14.29% in 2020 when compared to 2016, and the percentage of alcohol-impaired fatalities increased by 1.84%. All indices (total fatalities, VMT rate, population-based fatality rate, and percent of total) increased nationally but declined statewide when compared to 2016.

Table 15. Nationwide Alcohol-Impaired Driving Fatalities							
	2016	2017	2018	2019	2020	% Change: 2016 vs. 2020	% Change: 2020 vs. prior 4-yr Avg.
Total Fatalities	10,967	10,880	10,710	10,196	11,654	6.26%	9.04%
VMT Rate**	0.35	0.34	0.33	0.31	0.40	14.29%	20.30%
Pop Rate***	3.40	3.35	3.28	3.11	3.52	3.53%	7.15%
Pct. Of Total	29.01%	29.03%	29.08%	28.05%	30.85%	1.84%	2.06%

NHTSA NCSA FARS: 2016-2019 Final File and 2020 Annual Report File (ARF)

**Rate per 100 million vehicle miles

***Rate per 100,000 population

As shown in **Figure 18**, the percentage of fatalities in South Carolina that involved alcohol-impaired driving was above that of the nation from 2016 to 2017. However, in 2018, 27.99% of all fatalities in South Carolina were alcohol-impaired driving fatalities, which was 3.75% lower than the nationwide percentage during that same year. Also, in 2019, 27.44% of all fatalities in South Carolina were alcohol-impaired driving fatalities, which was 2.17% lower than the nationwide percentage during that same year. In 2020, the percentage of alcohol-impaired driving fatalities in South Carolina was approximately 4.02% lower than the nationwide percentage during that same year.

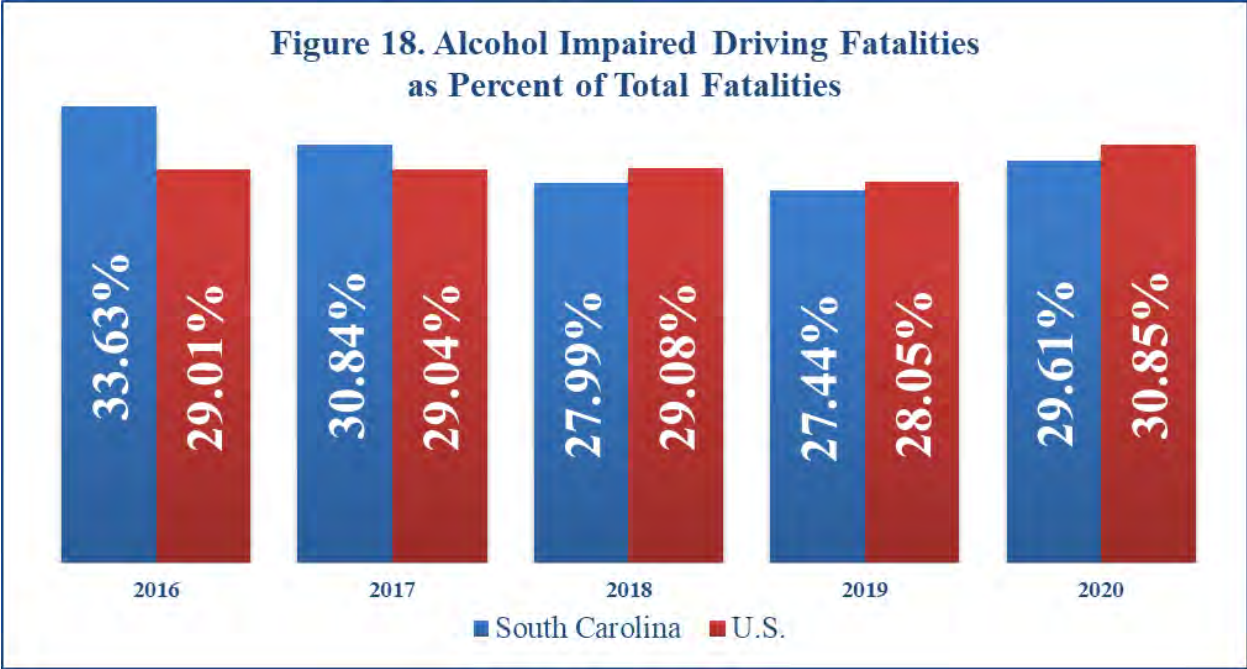
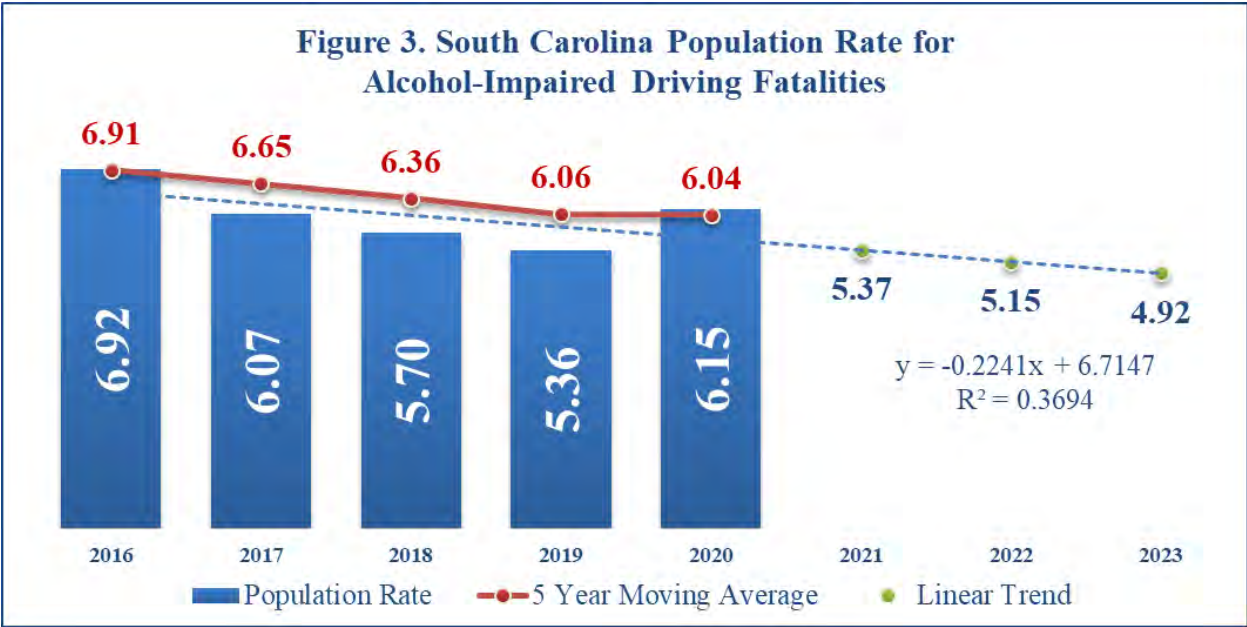
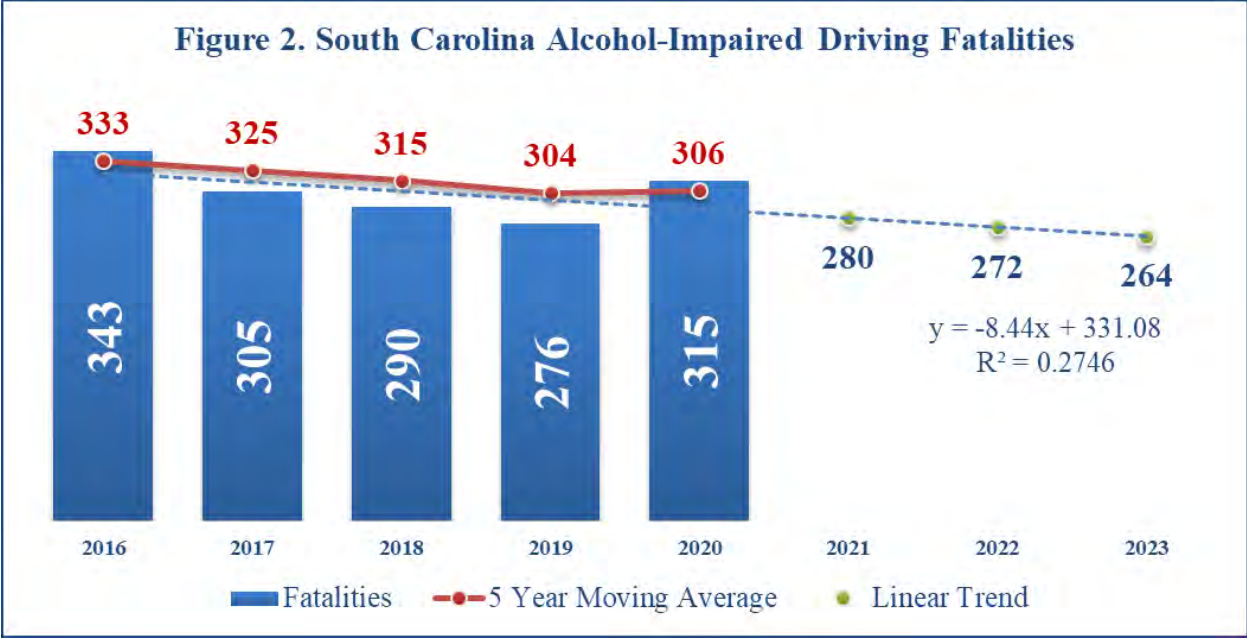


Figure 2 and **Figure 3** are based on NHTSA’s FARS data and display graphically the downward trends in South Carolina from 2016-2019 in terms of two key indices of alcohol- impaired driving fatality data: alcohol-impaired driving fatalities and the population-based alcohol-impaired driving fatality rate. However, in 2020, data shows an increase in both alcohol-impaired driving fatalities (+14.13%) and the population-based alcohol-impaired driving fatality rate (+14.74%).



Alcohol-Impaired Driving Fatalities: Counties

Table 16 shows the alcohol-impaired driving fatalities by county for South Carolina. According to NHTSA’s FARS data, from 2016 to 2020, the five counties with the most alcohol-impaired driving fatalities were Charleston (113); Greenville (104); Horry (99); Richland (99) and Spartanburg (85). Of these five counties, two showed a decrease in the number of 2020 traffic fatalities when compared to the respective prior four-year average: Charleston (-14.07%) and Horry (-6.62%). The remaining three experienced increases in the number of 2020 traffic fatalities

when compared to the respective prior four-year average: Greenville (0.12%); Richland (5.85%); and Spartanburg (37.56%). Throughout the five-year period 2016-2020, the counties with the highest percentages of alcohol-impaired driving fatalities as compared to the total traffic fatalities were Barnwell (50.00%); Lee (46.67%); Williamsburg (43.08%); Fairfield (37.10%); and Richland (35.87%).

Table 16. Alcohol-Impaired Driving Fatalities by County									
Alcohol-Impaired Driving (A-I) Fatalities*									
County	2016	2017	2018	2019	2020	Total A-I Fatalities	Total Fatalities	% A-I	% Change: 2020 vs. prior 4-yr Avg.
Abbeville	1	0	0	1	2	5	21	23.81%	252.0%
Aiken	13	6	7	7	3	36	163	22.09%	-67.37%
Allendale	0	1	2	2	1	6	18	33.33%	-16.67%
Anderson	14	16	10	7	16	63	231	27.27%	33.90%
Bamberg	1	0	2	0	2	5	18	27.78%	135.3%
Barnwell	3	4	1	1	2	10	20	50.00%	2.56%
Beaufort	9	8	5	2	5	27	113	23.89%	-21.05%
Berkeley	13	12	13	5	15	58	194	29.90%	40.47%
Calhoun	3	2	2	0	0	7	31	22.58%	-82.86%
Charleston	19	19	29	26	20	113	340	33.24%	-14.07%
Cherokee	1	7	3	5	4	20	70	28.57%	10.00%
Chester	8	7	3	1	3	22	63	34.92%	-29.03%
Chesterfield	3	4	3	5	4	19	61	31.15%	-11.95%
Clarendon	6	5	4	3	3	20	79	25.32%	-40.23%
Colleton	8	5	5	6	16	39	118	33.05%	171.9%
Darlington	9	4	8	4	4	30	97	30.93%	-33.60%
Dillon	6	2	1	1	3	13	52	25.00%	26.53%
Dorchester	7	7	2	7	8	31	112	27.68%	38.53%
Edgefield	1	0	4	0	3	8	28	28.57%	178.3%
Fairfield	5	3	5	3	7	23	62	37.10%	63.41%
Florence	10	15	12	14	7	57	173	32.95%	-46.83%
Georgetown	0	3	4	4	2	13	60	21.67%	-21.43%
Greenville	25	21	19	18	21	104	393	26.46%	0.12%
Greenwood	3	5	4	1	4	17	68	25.00%	13.85%
Hampton	0	0	0	2	5	7	28	25.00%	833.3%
Horry	19	17	18	26	19	99	349	28.37%	-6.62%
Jasper	7	3	3	7	3	23	81	28.40%	-32.65%
Kershaw	8	5	2	4	5	23	87	26.44%	3.23%
Lancaster	5	4	4	3	4	20	80	25.00%	-14.63%
Laurens	9	11	14	6	5	45	128	35.16%	-45.18%
Lee	3	3	4	2	2	14	30	46.67%	-31.15%
Lexington	20	21	14	12	18	84	254	33.07%	6.95%
McCormick	2	0	0	3	0	5	16	31.25%	-100.0%
Marion	3	1	1	2	3	10	48	20.83%	109.5%
Marlboro	1	1	1	1	2	5	48	10.42%	145.2%
Newberry	4	3	1	1	5	14	43	32.56%	128.6%
Oconee	4	6	5	7	2	24	76	31.58%	-59.07%
Orangeburg	11	12	13	13	12	60	178	33.71%	4.20%
Pickens	3	8	4	5	8	27	101	26.73%	76.84%
Richland	25	16	21	17	21	99	276	35.87%	5.85%
Saluda	1	1	0	1	2	5	19	26.32%	150.0%
Spartanburg	17	13	18	15	22	85	304	27.96%	37.56%
Sumter	10	6	7	7	5	35	100	35.00%	-28.38%
Union	2	2	1	3	1	9	32	28.13%	-48.72%

Table 16. Alcohol-Impaired Driving Fatalities by County									
Alcohol-Impaired Driving (A-I) Fatalities*									
County	2016	2017	2018	2019	2020	Total A-I Fatalities	Total Fatalities	% A-I	% Change: 2020 vs. prior 4-yr Avg.
Williamsburg	11	4	5	5	3	28	65	43.08%	-58.40%
York	11	13	9	15	14	62	185	33.51%	19.83%
Totals	343	305	290	276	315	1529	5115	29.89%	3.79%

NHTSA NCSA FARS: 2016-2019 Final File and 2020 Annual Report File (ARF)

Different county pictures emerge when looking at population-based alcohol-impaired traffic fatality rates in South Carolina. The population-based traffic fatality rates by county are shown in **Table 17**, which shows that the counties with the highest population-based fatality rates in 2020 were Colleton (41.45); Fairfield (33.42); Hampton (26.94); Bamberg (15.03); and Orangeburg (14.25). Many of these counties are much smaller in population than the average SC County, and it should be noted that the counties' population-based fatality rates can vary drastically from year to year as **Table 17** shows. Thus, counties with the highest rates in 2020 may have had a much smaller rate in prior years. As a result, caution should be exercised when using this data to frame and inform strategies.

Table 17. Alcohol-Impaired Driving Fatalities by County: Rate per 100,000 Population					
	2016	2017	2018	2019	2020
Abbeville	4.06	0.00	0.00	4.08	8.23
Aiken	7.78	3.56	4.13	4.10	1.78
Allendale	0.00	11.10	22.41	23.02	12.44
Anderson	7.16	8.07	4.99	3.46	7.85
Bamberg	6.91	0.00	14.01	0.00	15.03
Barnwell	13.89	18.73	4.73	4.79	9.71
Beaufort	4.91	4.29	2.65	1.04	2.67
Berkeley	6.23	5.59	5.88	2.19	6.53
Calhoun	20.35	13.61	13.73	0.00	0.00
Charleston	4.79	4.73	7.14	6.32	4.90
Cherokee	1.76	12.30	5.26	8.73	7.12
Chester	24.77	21.67	9.29	3.10	9.29
Chesterfield	6.50	8.70	6.54	10.95	9.24
Clarendon	17.51	14.70	11.85	8.89	9.63
Colleton	21.29	13.31	13.27	15.92	41.45
Darlington	13.38	5.97	11.98	6.00	6.36
Dillon	19.53	6.56	3.27	3.28	10.60
Dorchester	4.48	4.40	1.24	4.30	4.95
Edgefield	3.76	0.00	14.74	0.00	11.69
Fairfield	22.09	13.28	22.35	13.42	33.42
Florence	7.22	10.83	8.68	10.12	5.11
Georgetown	0.00	4.85	6.43	6.38	3.15
Greenville	5.01	4.14	3.69	3.44	4.00
Greenwood	4.27	7.09	5.67	1.41	5.77
Hampton	0.00	0.00	0.00	10.40	26.94
Horry	5.92	5.11	5.23	7.34	5.41
Jasper	24.92	10.52	10.29	23.28	10.42
Kershaw	12.44	7.67	3.04	6.01	7.64
Lancaster	5.57	4.33	4.21	3.06	4.17

Table 17. Alcohol-Impaired Driving Fatalities by County: Rate per 100,000 Population					
	2016	2017	2018	2019	2020
Laurens	13.51	16.46	20.93	8.89	7.40
Lee	17.14	17.25	23.13	11.88	12.10
Lexington	6.99	7.23	4.76	4.02	6.12
McCormick	20.89	0.00	0.00	31.70	0.00
Marion	9.45	3.20	3.22	6.52	10.28
Marlboro	3.71	3.75	3.79	3.83	7.50
Newberry	10.54	7.82	2.60	2.60	13.26
Oconee	5.23	7.75	6.39	8.80	2.54
Orangeburg	12.44	13.69	14.94	15.09	14.25
Pickens	2.44	6.48	3.19	3.94	6.09
Richland	6.11	3.89	5.07	4.09	5.05
Saluda	4.95	4.93	0.00	4.88	10.60
Spartanburg	5.65	4.24	5.73	4.69	6.71
Sumter	9.34	5.64	6.58	6.56	4.74
Union	7.23	7.30	3.66	10.98	3.67
Williamsburg	34.47	12.81	16.34	16.46	9.67
York	4.27	4.88	3.29	5.34	4.96
County Average	9.80	7.66	7.62	7.51	8.92

NHTSA NCSA FARS: 2016-2019 Final File and 2020 Annual Report File (ARF)

As shown in **Figure S-5**, according to state data, from 2016 to 2020, a total of 286,913 people were injured in motor-vehicle collisions in South Carolina. Of the 286,913 injuries, 19,359, or 6.75%, were impaired driving-related (State data cannot separate alcohol- and drug-impaired driving). **Figure S-5** displays graphically the comparison between total injuries and impaired driving-related injuries in the state from 2016 to 2020.

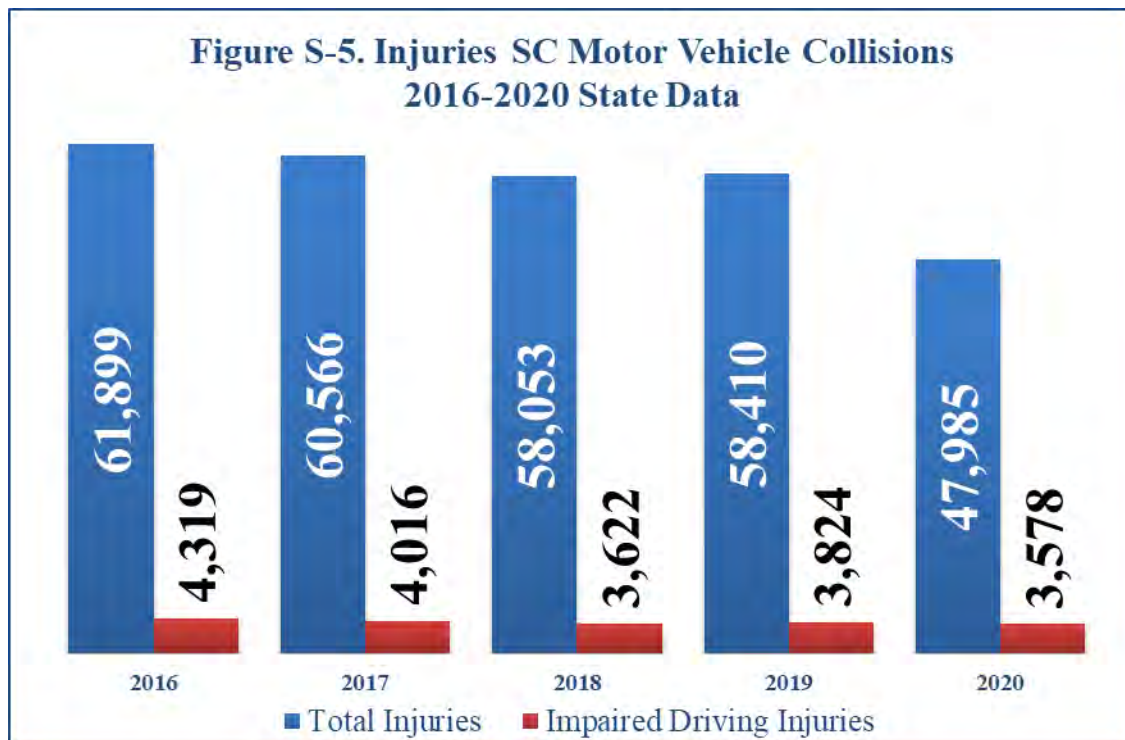
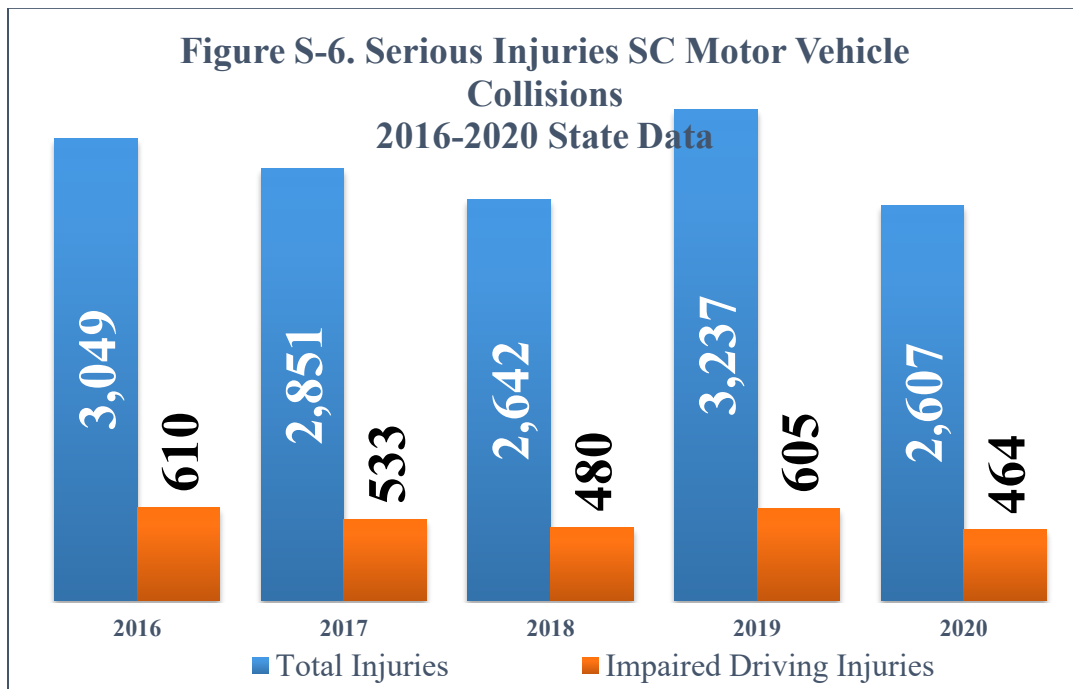
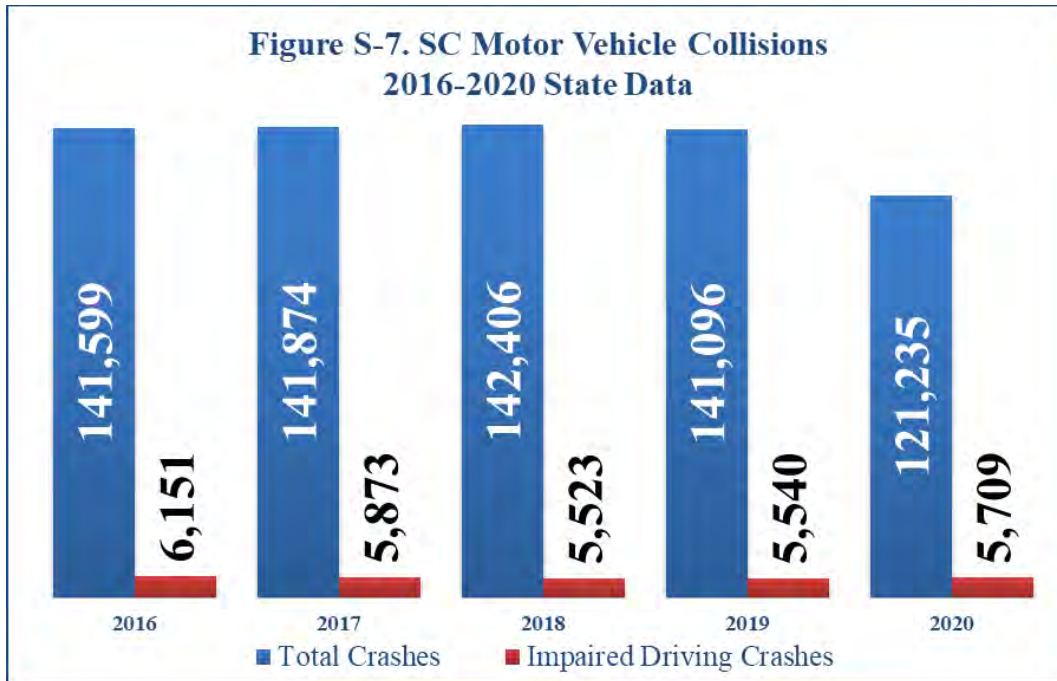


Figure S-6 compares total serious traffic-related injuries in SC from 2016 to 2020 to those serious injuries resulting from of impaired-driving collisions. From 2016 to 2020, SC experienced a total of 14,386 serious traffic-related injuries. Of these 14,386 serious injuries, 2,692, or 18.71%, were impaired driving-related. The state experienced a decrease (23.93%) in 2020 in impaired-driving-related serious injuries (464), compared to the number of impaired-driving-related serious injuries in 2016 (610); the state also experienced a 16.70% decrease in 2020 compared to the average of the four-year period 2016-2019 (557 serious injuries).



Impaired-Driving Collisions

According to state data, over the five-year period 2016-2020, South Carolina experienced 28,796 impaired-driving collisions. There was a decrease (7.19%) in the number of impaired-driving collisions, from 6,151 in 2016 to 5,709 in 2020 (**Figure S-7**). The 2020 figure of 5,709 impaired-driving-related collisions was 1.09% lower than the average number of impaired-driving-related collisions for the years 2016-2019 (5,772).



Drivers Involved in Impaired-Driving-Related Collisions

Drivers in the 25-29 year old age group made up the largest age group among all drivers (28,861) that contributed to an impaired-driving collision from 2016-2020, totaling 4,690 drivers. Of the 4,690 drivers, 271, or 5.78%, were involved in a fatal impaired-driving collision. The second highest group of drivers that contributed to an impaired-driving collision was the 20-24 year old age group (4,381 drivers). Of the 4,381 drivers, 209, or 4.77%, were involved in a fatal impaired-driving-related collision. This age group was followed by drivers aged 30-34, totaling 3,979. Of those, 209, or 5.25%, were involved in a fatal impaired-driving-related collision (Tables S-1 and S-2).

During the period 2016-2020, 79.67% of the drivers that contributed to an impaired-driving collision were male, 20.15% were female, and 0.19% were gender unknown (Table S-3). In regards to ethnicity, Caucasians were the leading group of drivers that contributed to an impaired-driving collision, constituting 59.89% of the total drivers (Table S-4). African Americans were the next highest group, with 35.15%, followed by Hispanic drivers, who accounted for 3.78% of the total drivers that contributed to an impaired-driving collision. The remaining 0.68%, 0.25%, 0.19%, and 0.06% were represented by Other, Alaskan Native/American Indian ethnicities, unknown, and Multi-Racial ethnicities, respectively.

Table S-1. Impaired Driving Crashes by 'Contributed To' Driver Age Group, State Data 2016-2020						
Age Group	2016	2017	2018	2019	2020	Total
Under 15	1	1	0	3	1	6
15-19	235	246	208	190	230	1,109
20-24	990	930	801	798	862	4,381
25-29	1,036	956	911	895	892	4,690
30-34	805	819	741	768	846	3,979
35-39	664	643	649	654	659	3,269
40-44	549	539	504	522	543	2,657
45-49	509	482	490	457	446	2,384
50-54	485	441	390	380	389	2,085
55-59	422	375	364	371	371	1,903
60-64	228	216	236	232	237	1,149
65-69	137	118	136	139	117	647
70+	77	81	83	93	100	434
Unknown	38	36	34	41	19	168
Total	6,176	5,883	5,547	5,543	5,712	28,861

Table S-2. Impaired Driving Fatal Crashes by 'Contributed To' Driver Age Group, State Data 2016-2020						
Age Group	2016	2017	2018	2019	2020	Total
Under 15	0	1	0	1	1	3
15-19	17	11	13	13	20	74
20-24	43	52	40	38	36	209
25-29	60	48	46	50	67	271
30-34	37	53	46	35	38	209
35-39	32	39	34	34	44	183
40-44	24	29	26	31	35	145
45-49	31	33	23	26	28	141
50-54	26	25	23	20	21	115
55-59	16	15	23	22	22	98
60-64	16	13	13	12	15	69
65-69	10	13	7	8	12	50
70+	5	9	8	10	11	43
Unknown	0	0	2	1	0	3
Total	317	341	304	301	350	1,613

Table S-3. Impaired Driving Fatal Crashes by 'Contributed To' Driver Gender, State Data 2016-2020						
Gender	2016	2017	2018	2019	2020	Total
Female	61	65	66	76	57	325
Male	256	276	236	224	293	1,285
Unknown	0	0	2	1	0	3
Total	317	341	304	301	350	1,613

Ethnicity	2016	2017	2018	2019	2020	Total
Caucasian	198	217	167	173	211	966
African American	108	104	125	111	119	567
Hispanic	8	18	7	13	15	61
Other	3	2	0	3	3	11
Alaskan Native/American Indian	0	0	3	0	1	4
Unknown	0	0	2	1	0	3
Multi-Racial	0	0	0	0	1	1
Total	317	341	304	301	350	1,613

Alcohol-Impaired Driving Fatalities: BAC Percentages

As shown in **Table 18**, from 2016 through 2020, the percentage of fatalities in South Carolina in which the highest BAC in the crash was 0.08 or above was approximately 29.77%, and approximately only 5.36% of the known BAC test results were in the 0.01 to 0.07 range. Additional analysis shows about 20.77% of these fatal collisions involved a driver whose BAC was double that of the legal limit or greater at the time of the collision.

Highest BAC	Number of Fatal Collisions
0.00	3,065
0.01-0.07	253
0.08-0.14	425
0.15-0.21	564
0.22-0.28	302
0.29-0.35	85
0.36+	30
Total**	4,723

NHTSA NCSA FARS: 2016-2019 Final File and 2020 Annual Report File (ARF)
 **Pieces may not sum to total due to rounding from imputation method.

Alcohol-Impaired Driving Fatalities: Month, Day, and Time

As shown in **Table 19**, the three months with the greatest number of alcohol-impairment-related fatal crashes in South Carolina during the 2016-2020 period were May (135 crashes, 9.63% of the total), July (126 crashes, 8.96% of total), and October (126 crashes, 8.96% of total). Nationwide, the three months with the greatest percentage of such crashes were July (9.56%), August (9.32%), and September (9.20%).

From 2016-2020, alcohol-impairment-related fatal crashes were more common on Fridays, Saturdays, and Sundays than on other days of the week for South Carolina and the US as a whole. In South Carolina, most alcohol-impairment-related fatal crashes occurred on Saturdays (345

crashes, 24.56% of total), followed by Sundays (291 crashes, 20.68%), and then Fridays (198 crashes, 14.09%). The same pattern was observed for the nation. Nationally, 22.13% of alcohol-impairment-related fatal crashes occurred on Saturdays, 20.74% on Sundays, and 15.07% on Fridays.

During the 2016-2020 period, alcohol-impairment-related fatal crashes were more common after 6 p.m. and before 3 a.m. for South Carolina and the US as a whole. In South Carolina, the most alcohol-impairment-related fatal crashes occurred between 9 p.m. to midnight (333 crashes, 23.67%), midnight and 3 a.m. (298 crashes, 21.18%), followed by 6 p.m. to 9 p.m. (277 crashes, 19.67%). Nationwide the pattern was similar; a total of 21.95% of alcohol-impairment-related fatal crashes occurred between 9 p.m. to midnight, 21.74% between midnight and 3 a.m., and 18.81% between 6 p.m. and 9 p.m. In South Carolina, 88.06% of alcohol-impairment-related fatal collisions occurred between the hours of 3 p.m. and 6 a.m.

Table 19. Alcohol-Impairment Related Fatal Crashes* by Month, Day of Week, and Time of Day: Totals 2016-2020				
	South Carolina N= 1,406		U.S. N= 49,436	
	N	%	N	%
MONTH				
January	110	7.83%	3,422	6.92%
February	104	7.40%	3,295	6.67%
March	115	8.15%	3,708	7.50%
April	106	7.57%	3,765	7.62%
May	135	9.63%	4,306	8.71%
June	121	8.58%	4,521	9.15%
July	126	8.96%	4,726	9.56%
August	124	8.84%	4,609	9.32%
September	116	8.25%	4,550	9.20%
October	126	8.96%	4,429	8.96%
November	117	8.30%	4,088	8.27%
December	106	7.55%	4,016	8.12%
DAY OF WEEK				
Sunday	291	20.68%	10,252	20.74%
Monday	124	8.82%	5,339	10.80%
Tuesday	125	8.87%	4,854	9.82%
Wednesday	150	10.69%	5,112	10.34%
Thursday	173	12.29%	5,490	11.10%
Friday	198	14.09%	7,452	15.07%
Saturday	345	24.56%	10,938	22.13%
TIME OF DAY				
0:00am-2:59am	298	21.18%	10,750	21.74%
3:00am-5:59am	168	11.98%	5,665	11.46%
6:00am-8:59am	65	4.62%	2,286	4.62%
9:00am-11:59am	37	2.60%	1,577	3.19%
12:00pm-2:59pm	66	4.72%	2,832	5.73%
3:00pm-5:59pm	163	11.56%	5,631	11.39%
6:00pm-8:59pm	277	19.67%	9,300	18.81%
9:00pm-11:59pm	333	23.67%	10,849	21.95%
Unknown Hours			548	1.11%

NHTSA NCSA FARS: 2016-2019 Final File and 2020 Annual Report File (ARF)

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

Alcohol-Impaired Fatalities: Route Category

As shown in **Table 20**, during 2016-2020, over half (64.15 %) of the impaired driving-related fatalities in SC occurred on State Highways, followed by U.S. Highways (20.94%), Interstates (9.29%), and County Roads (5.55%). Other and Local Street-Township routes had the least number of impaired driving-related fatalities with 0.07%, and 0.00% of the total number of fatalities, respectively.

Route Category	Number of Fatalities	Percentage of Total
Interstate	142	9.29%
U.S. Highway	320	20.94%
State Highway	981	64.15%
County Road	85	5.55%
Local Street - Township	0	0.00%
Other	1	0.07%
Total	1,529	100.0%

NHTSA NCSA FARS: 2016-2019 Final File and 2020 Annual Report File (ARF)

Alcohol-Impaired Fatal and Serious Injury Collisions

The Office of Highway Safety and Justice Programs' (OHSJP) Statistical Analysis and Research Section (SARS) also reviewed the counties with the highest reported frequencies of fatal and serious injury DUI-related collisions in South Carolina from 2016 to 2020. Combining DUI-related "fatal and serious injury" data is another way that the OHSJP analyzed the impaired-driving problem in the state. As shown in **Table S-5**, during the five-year period 2016-2020, the counties identified as experiencing the most DUI-related fatal and serious injury collisions were Greenville (330), Lexington (221), Horry (217), Spartanburg (215), Charleston (194), Richland (192), Anderson (186), York (160), Berkeley (126), Florence (103), Aiken (100), Orangeburg (97), Beaufort (90), Laurens (88), Dorchester (83), Oconee (77), Sumter (76), Lancaster (73), Colleton (72), and Pickens (72). These counties were identified during the FFY 2023 Problem Identification process as priority areas for Impaired Driving Countermeasures projects.

**Table S-5. All Fatal and Serious Injury Alcohol and/or Drug Collisions,
State Data 2016-2020**

County	2016	2017	2018	2019	2020	2016-2020	% DUI 2016-2020
Greenville	88	71	63	55	53	330	22.66%
Lexington	52	49	49	36	35	221	28.44%
Horry	40	52	31	53	41	217	17.56%
Spartanburg	50	28	41	47	49	215	21.18%
Charleston	31	46	38	45	34	194	13.63%
Richland	47	31	38	36	40	192	21.33%
Anderson	36	54	33	31	32	186	23.22%
York	29	26	31	40	34	160	23.05%
Berkeley	27	29	23	24	23	126	23.08%
Florence	19	20	22	25	17	103	21.02%
Aiken	27	20	23	17	13	100	23.09%
Orangeburg	18	15	17	21	26	97	19.21%
Beaufort	17	24	17	12	20	90	20.00%
Laurens	17	20	18	18	15	88	26.35%
Dorchester	16	19	8	19	21	83	23.65%
Oconee	8	17	12	20	20	77	26.10%
Sumter	16	13	10	16	21	76	22.22%
Lancaster	20	16	9	14	14	73	23.55%
Colleton	11	12	11	12	26	72	27.38%
Pickens	14	13	10	20	15	72	20.81%
Cherokee	15	16	8	12	15	66	25.88%
Kershaw	17	16	13	12	8	66	26.51%
Darlington	17	12	10	18	6	63	27.27%
Greenwood	9	11	11	12	11	54	23.38%
Chesterfield	12	10	8	11	9	50	26.60%
Jasper	12	5	6	15	7	45	19.74%
Clarendon	9	9	4	14	7	43	26.06%
Chester	10	10	10	5	5	40	21.62%
Abbeville	4	13	3	7	5	32	36.78%
Georgetown	5	10	8	5	4	32	12.50%
Lee	5	4	9	6	6	30	34.09%
Williamsburg	6	7	6	7	4	30	15.71%
Fairfield	7	5	6	5	6	29	20.71%
Newberry	10	4	4	0	9	27	18.88%
Union	6	4	8	4	5	27	23.68%
Edgefield	5	3	2	6	9	25	32.89%
Dillon	2	6	2	4	3	17	13.71%
Marion	2	4	2	6	3	17	15.32%
Saluda	5	4	1	4	2	16	27.12%
Barnwell	4	3	3	3	2	15	20.00%
Hampton	1	2	6	2	4	15	15.31%
Marlboro	2	0	2	5	5	14	13.33%
Calhoun	2	2	3	2	1	10	12.66%
Bamberg	3	1	3	1	1	9	14.06%
Allendale	1	2	1	2	2	8	17.02%
McCormick	2	1	0	3	2	8	25.00%
Total	756	739	643	732	690	3,560	21.46%

Associated Performance Measures

Fiscal Year	Performance measure name	Target End Year	Target Period	Target Value
2023	C-5) Number of fatalities in crashes involving a driver or motorcycle operator with a BAC of .08 and above (FARS)	2023	Annual	305

Countermeasure Strategies in Program Area

Countermeasure Strategy	Description Located on Page No.
Highway Safety Office Program Management	77
Court Monitoring	152
High Visibility DUI Enforcement	153
Law Enforcement Training	158
Prosecution	162
Adjudication	165

Countermeasures Strategy: Court Monitoring

Program Area: Impaired Driving (Drug and Alcohol)

Project Safety Impacts

Court monitoring facilitates the identification of areas of improvement within the court system and laws as they pertain to the issue of DUI. Improving the judicial system as a result of the collection and analysis of data through court monitoring represents a significant positive traffic safety impact.

Linkage Between Program Area

Though South Carolina has experienced significant reductions in alcohol-impaired driving traffic fatalities in recent years, the most recent FARS data provided by the National Highway Traffic Safety Administration (NHTSA) indicates that 315 people died on South Carolina roadways in 2020 as a result of an alcohol-impaired driving collision. The state is also challenged with a DUI law in need of strengthening, as it currently does not function in the state at the deterrence level required to prevent impaired driving or reduce impaired driving recidivism. Additionally, law enforcement officers, who are not trained attorneys, are required to prosecute their own DUI cases. This practice removes law enforcement officers from the roadway responsibility of actively conducting traffic enforcement and has caused a number of DUI cases to be dismissed or pled to lesser charges. Court monitoring programs in priority counties for fatal and serious injury alcohol- and drug-related collisions will work to ensure accountability of the judicial process, and essentially increase the DUI conviction rate. A higher DUI conviction rate will serve as a deterrent to prevent impaired driving and reduce impaired driving recidivism.

Rationale

Court monitoring has been proven as an effective strategy for reducing recidivism and increasing conviction rates for alcohol- and drug-impaired driving cases as outlined in NHTSA's *Countermeasures that Work*, Tenth Edition, 2020, page 1-43.

Planned Activity in Countermeasure Strategy

Unique Identifier	Planned Activity Name	Description Located on Page No.
M5X	Court Monitoring	153

Planned Activity: Court Monitoring

Planned activity number: M5X

Primary Countermeasure Strategy ID: Court Monitoring

Planned Activity Description:

Mothers Against Drunk Driving (MADD) SC’s Court Monitoring Program provides data on the number of cases dismissed or pled down to lesser offenses, the number that result in convictions, the sanctions imposed, and how these results compare among different judges and different courts. MADD SC will continue its court monitoring program to record data on DUI court cases to gather relevant statistics, so that areas of improvement within the court system and laws can be identified. During FFY 2023, the OHSJP will utilize grant funding for MADD SC’s Court Monitoring program. This program serves the priority counties of Greenville, Lexington, Horry, Spartanburg, Charleston, Richland, and Berkeley.

Intended Subrecipient(s): Mothers Against Drunk Driving (MADD)

Funding Sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2022	BIL 405d ID Mid	Court Monitoring	\$189,245	\$47,311.25	\$0

Countermeasures Strategy: High Visibility DUI Enforcement

Program Area: Impaired Driving (Drug and Alcohol)

Project Safety Impacts

The state will seek to reduce the impaired driving rate through a continued educational program alerting the state's citizens to the dangers of impaired driving, and these educational messages will be tied to aggressive impaired driving enforcement. Heightened public awareness and aggressive enforcement will serve as a deterrent to the behavior of impaired driving, and thus reduce the occurrence of this behavior. Given the high average impaired driving fatality rate in the state, efforts to reduce the occurrence of impaired driving in the state have the potential to produce a significant and positive impact.

Linkage Between Program Area

Based on the analysis of the problem identification data, South Carolina faces significant issues related to impaired driving. Allocating funds to high-visibility enforcement of the state's DUI laws will facilitate the state's achievement of the outlined Impaired Driving performance targets. Achievement of these performance targets will serve to reduce collisions, serious injuries, and fatalities in the state.

Rationale

High visibility enforcement has been cited as an effective countermeasure to curb alcohol-impaired driving as outlined in NHTSA's *Countermeasures that Work*, Tenth Edition, 2020, Section 2, Chapters 2.1 and 2.2., pp. 1-25 to 1-30.

Planned Activities in Countermeasure Strategy

Unique Identifier	Planned Activity Name	Description Located on Page No.
M5HVE	DUI Enforcement Teams	154

Planned Activity: DUI Enforcement Teams

Planned activity number: M5HVE

Primary Countermeasure Strategy ID: High Visibility DUI Enforcement

Planned Activity Description:

The OHSJP will conduct a high-visibility enforcement and education campaign in an effort to reduce DUI traffic collisions, injuries, and fatalities in FFY 2023. The DUI enforcement campaign will focus predominantly on the SC Highway Patrol (SCHP) for the enforcement component of the campaign, while still making every effort to recruit and partner with local law enforcement agencies statewide. The SCHP is the premier traffic enforcement agency in the state and covers the entire geographic and population areas of South Carolina. The SCHP, during FFY 2023, will conduct special DUI enforcement emphases once a month on weekends from December 2022 to September 2023. The enforcement efforts will be supported by monthly media components. The SCHP will recruit and utilize the assistance of local law enforcement agencies during the weekend and crackdown efforts.

Educational efforts will again utilize media (television, radio, and alternative advertising) to support campaign efforts. Educational efforts will focus on the twenty priority counties (Greenville, Lexington, Horry, Spartanburg, Charleston, Richland, Anderson, York, Berkeley, Florence, Aiken, Orangeburg, Beaufort, Laurens, Dorchester, Oconee, Sumter, Lancaster, Colleton, and Pickens), which represent 75.84% of the state’s impaired driving fatal and serious injury collisions (as seen in **Table S-5**) for the five-year period 2016 to 2020.

A high-visibility statewide enforcement and education campaign *Buckle up, SC. It's the law and it's enforced.*, is conducted each year around the Memorial Day holiday modeled after the national *Click it or Ticket* mobilization to emphasize the importance of and to increase the use of occupant restraints. The campaign includes paid and earned media, increased enforcement activity by state and local law enforcement agencies, and diversity outreach elements in order to increase safety belt and child restraint use among the state's minority populations. In FFY 2023, campaign efforts will continue to focus on nighttime safety belt enforcement in an attempt to reduce unrestrained traffic fatalities and injuries during nighttime hours. The emphasis upon nighttime safety belt enforcement has enhanced and will continue to enhance impaired driving enforcement as well, particularly as it relates to alcohol-impaired driving. Statistics have demonstrated in the state that safety belt usage rates go down after dark, and it is apparent that many high-risk drivers who do not use safety belts also drink and drive. Thus, this enforcement strategy should continue to pay dividends in the fight against DUI. The SCHP has committed to ongoing nighttime safety belt enforcement activities, beyond the occupant protection enforcement mobilization time frame. A variety of local law enforcement agencies are incorporating this strategy into ongoing enforcement efforts.

A total of eleven (11) DUI enforcement units will be developed and implemented in those areas identified during the Problem Identification process as areas in which the analysis of traffic collision and citation data indicate a major impaired driving problem. The projects selected for funding are located in counties identified as having a significant problem with Alcohol and/or Drug-related traffic collisions, serious injuries, and fatalities (see **Table S-5**. Priority counties are highlighted in red).

Table S-5. All Fatal and Serious Injury Alcohol and/or Drug Collisions, State Data 2016-2020							
County	2016	2017	2018	2019	2020	2016-2020	% DUI 2016-2020
Greenville	88	71	63	55	53	330	22.66%
Lexington	52	49	49	36	35	221	28.44%
Horry	40	52	31	53	41	217	17.56%
Spartanburg	50	28	41	47	49	215	21.18%
Charleston	31	46	38	45	34	194	13.63%
Richland	47	31	38	36	40	192	21.33%
Anderson	36	54	33	31	32	186	23.22%
York	29	26	31	40	34	160	23.05%
Berkeley	27	29	23	24	23	126	23.08%
Florence	19	20	22	25	17	103	21.02%
Aiken	27	20	23	17	13	100	23.09%
Orangeburg	18	15	17	21	26	97	19.21%
Beaufort	17	24	17	12	20	90	20.00%
Laurens	17	20	18	18	15	88	26.35%
Dorchester	16	19	8	19	21	83	23.65%
Oconee	8	17	12	20	20	77	26.10%
Sumter	16	13	10	16	21	76	22.22%
Lancaster	20	16	9	14	14	73	23.55%
Colleton	11	12	11	12	26	72	27.38%

Table S-5. All Fatal and Serious Injury Alcohol and/or Drug Collisions, State Data 2016-2020							
County	2016	2017	2018	2019	2020	2016-2020	% DUI 2016-2020
Pickens	14	13	10	20	15	72	20.81%
Cherokee	15	16	8	12	15	66	25.88%
Kershaw	17	16	13	12	8	66	26.51%
Darlington	17	12	10	18	6	63	27.27%
Greenwood	9	11	11	12	11	54	23.38%
Chesterfield	12	10	8	11	9	50	26.60%
Jasper	12	5	6	15	7	45	19.74%
Clarendon	9	9	4	14	7	43	26.06%
Chester	10	10	10	5	5	40	21.62%
Abbeville	4	13	3	7	5	32	36.78%
Georgetown	5	10	8	5	4	32	12.50%
Lee	5	4	9	6	6	30	34.09%
Williamsburg	6	7	6	7	4	30	15.71%
Fairfield	7	5	6	5	6	29	20.71%
Newberry	10	4	4	0	9	27	18.88%
Union	6	4	8	4	5	27	23.68%
Edgefield	5	3	2	6	9	25	32.89%
Dillon	2	6	2	4	3	17	13.71%
Marion	2	4	2	6	3	17	15.32%
Saluda	5	4	1	4	2	16	27.12%
Barnwell	4	3	3	3	2	15	20.00%
Hampton	1	2	6	2	4	15	15.31%
Marlboro	2	0	2	5	5	14	13.33%
Calhoun	2	2	3	2	1	10	12.66%
Bamberg	3	1	3	1	1	9	14.06%
Allendale	1	2	1	2	2	8	17.02%
McCormick	2	1	0	3	2	8	25.00%
Total	756	739	643	732	690	3,560	21.46%

The state will contract with nine (9) host agencies to provide a minimum of 12,480 – 19,968 straight-time and overtime activity hours of impaired driving countermeasures activity during FFY 2023 in the counties of Berkeley (2 projects), Lancaster (2 projects), Dorchester (1 project), Lexington (1 project), Pickens (2 projects), Aiken (1 project), and York (2 projects). Six of these 11 projects will be implemented in county sheriffs’ offices. The projects will focus on impaired driving enforcement and the enforcement of traffic behaviors that are associated with DUI violators. Activities will include educating the public about the dangers of drinking and driving; media contacts regarding enforcement activity and results; and meeting with local judges to provide information about the projects. The straight-time and overtime hours of DUI enforcement activity will occur during the hours of 3 PM and 6 AM, which NHTSA’s FARS data demonstrates to be those during which the most DUI-related fatal collisions occur in the state (approximately 1,239 or 88.06% of the 1,407 alcohol-impaired-driving-related fatal collisions during the years of 2016-2020). All projects will focus their activity and enforcement efforts on the roadways that have the highest number of DUI-related collisions within their respective jurisdictions.

During the FFY 2023 grant cycle, DUI enforcement project activity will include the following for straight-time hourly-based projects: participation in at least four (4) public safety checkpoints; participation in a minimum of 12 saturation patrols; and issuing at least 12 press releases to the local media or social media posts detailing the activities of the grant projects. DUI enforcement project activity for overtime hourly-based projects will include monthly impaired driving high visibility enforcement operations (saturation patrols and checkpoints). Both types of projects are required to participate in all aspects of the *Sober or Slammer!* sustained DUI enforcement campaign during the Christmas/New Year’s and Labor Day enforcement crackdowns. Additionally, both straight-time and overtime hourly-based DUI enforcement projects are expected to achieve an appropriate, corresponding increase in the number of DUI arrests as a result of the enhanced DUI enforcement activity during the course of the grant year. All grant-funded DUI enforcement activity must be conducted by officers who are certified in Standardized Field Sobriety Testing (SFST).

Additionally, of the 33 approved enforcement projects, twenty-two (22) are Police Traffic Services (PTS) projects, which will fund a minimum of 23,400 – 35,360 straight-time and overtime activity hours of general traffic and speed enforcement activity in counties and municipalities located in priority counties. These projects will also encompass DUI enforcement efforts as each project requires the grant activity hour-performing officers (Section 402-funded) to engage in aggressive DUI enforcement activity. See pages 117-118 for the list of intended subrecipients for PTS enforcement projects.

Intended Subrecipients

Agency	County	Project Title
Berkeley County	Berkeley	2023 Building DUI Capacity
City of Clemson Police	Pickens	City of Clemson Enhanced DUI Enforcement (Overtime)
City of Easley Police Department	Pickens	Impaired Driving Countermeasures
City of Goose Creek Police Department	Berkeley	Impaired Driving Countermeasures Officers
Lancaster County Sheriff’s Office	Lancaster	Impaired Driving Enforcement – Straight Time
Lancaster County Sheriff’s Office	Lancaster	Alcohol Impaired Enforcement – Overtime Based
Lexington County Sheriff’s Department	Lexington	Impaired Driving Countermeasures Project
North Augusta Department of Public Safety	Aiken	DUI Enforcement Officer
Town of Summerville Police Department	Dorchester	Summerville Specialized DUI Enforcement
York County Sheriff’s Office	York	Alcohol-Impaired Driving Enforcement Program
York County Sheriff’s Office	York	Alcohol-Impaired Driving Enforcement Program - Overtime

Funding Sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2022	BIL 405d ID Mid	Impaired Driving HVE	\$961,877	\$240,469.25	\$0

Countermeasures Strategy: Law Enforcement Training

Program Area: Impaired Driving (Drug and Alcohol)

Project Safety Impacts

Impaired driving is a substantial problem in the state of South Carolina, and in order to protect other roadway users, it is important to remove those who choose to drive while impaired from the roadways. Law enforcement training, intended to help officers better identify impaired drivers, is a vital component of reducing impaired driving-related collisions, serious injuries, and fatalities in the state. As such, law enforcement training for the detection of impaired drivers would have a significant and positive traffic safety impact in South Carolina.

Linkage Between Program Area

Law enforcement training for the detection of impaired drivers would enhance law enforcement officers' ability to quickly and accurately identify impaired drivers. If these highly trained officers conduct high visibility enforcement, it would serve as a high-level deterrent to the behavior of impaired driving in the state, and it would also more efficiently remove those individuals who choose to drive while impaired from the roadways before they have an opportunity to harm themselves and/or others. As such, allocating funds for the countermeasure strategy of law enforcement training will facilitate the state's achievement of the outlined Impaired Driving Countermeasures performance targets, which will ultimately serve to reduce collisions, serious injuries, and fatalities in the state.

Rationale

High-visibility enforcement mobilizations, public safety checkpoints, and using law enforcement officers who are highly trained in the detection of impaired driving, have been cited as being effective in reducing alcohol-related fatal collisions when accompanied by public information campaigns and publicity of such events.

Planned Activity in Countermeasure Strategy

Unique Identifier	Planned Activity Name	Description Located on Page No.
M5TR	Impaired Driving Countermeasures Training for Law Enforcement	160

Planned Activity: Impaired Driving Countermeasures Training for Law Enforcement

Planned activity number: M5TR

Primary Countermeasure Strategy ID: Law Enforcement Training

Planned Activity Description:

In the state of South Carolina, the SC Criminal Justice Academy (SCCJA) is the only authorized law enforcement training facility. The SCCJA provides basic training for all law enforcement, detention, and telecommunications officers. The SCCJA will continue the Impaired Driving Countermeasures Training for Law Enforcement project. Since 2010, the SCCJA has provided at least 32 hours of impaired driving and breath testing-related training to thousands of Basic Law Enforcement Academy students. This training includes the 24-hour NHTSA/IACP DUI Detection and Standardized Field Sobriety Testing (SFST) Practitioner Course and the 8-hour DataMaster DMT Operator Course. Basic Law Enforcement students are required to certify in both of these disciplines in order to continue on in training and ultimately graduate from the Academy as a Class 1 Officer. The NHTSA/IACP DUI Detection and SFST Instructor Development Course are also taught solely at the SCCJA. The core course is intended to span 32 hours; however, the SCCJA has added vital training elements to provide a 39-hour course. This course has helped create over 579 currently active adjunct DUI Detection/SFST Instructors throughout the state. The DUI Detection/SFST Practitioner Course is also offered in the field as a stand-alone course, and while the adjunct instructors are certified to instruct the course, the Impaired Driving Countermeasures Training Coordinator (IDCTC) and other SCCJA instructors are often asked to provide instruction and oversight.

Officers who are certified as DUI Detection/SFST Practitioners are required to renew their certification every two years. This is done via an online recertification course as well as an SFST Proficiency conducted in front of a DUI Detection/SFST Instructor. Failure to complete the recertification course within the allotted time or with the required grade results in decertification and requires that the officer attend the full DUI Detection/SFST Practitioner Course. DUI Detection/SFST Instructors are also required to recertify through course instruction and/or the proctoring of multiple SFST Proficiencies.

The South Carolina Drug Evaluation and Classification Program (DECP) has grown significantly since the SCCJA began coordination of the program in 2009. Up to that point, South Carolina had 50 Drug Recognition Experts (DREs). As of September 30, 2021, the SC DECP under the SCCJA has trained and certified approximately 300 DREs since the inception of the program. Currently, there are 112 active DREs. While new DREs are added to the roster each year, the active DRE number changes due to DREs retiring, moving out of law enforcement or out of state, and not recertifying.

Two DRE Schools and Two DRE Instructor schools are held each year. South Carolina currently has 26 DRE Instructors who are integral to properly teaching the DRE Schools and successfully conducting the Field Certification and Final Knowledge Examination phases. Since the first SCCJA-led DRE school graduated, South Carolina DREs have conducted 8,286 evaluations, of which 4,193 are enforcement-related. The IDCTC works continuously to promote the use of DREs throughout the state and is making efforts to enhance training opportunities for the DREs. The IDCTC also provides a multitude of Advanced Roadside Impaired Driving Enforcement (ARIDE) course training opportunities to those trained in and experienced with impaired driving enforcement and investigations. A major goal of the IDCTC is to have all South Carolina Highway Patrol troopers (ranked Corporal and below) trained in ARIDE. The increase in ARIDE training should increase the utilization of the state’s DREs in the field.

The purpose of Law Enforcement Training Projects for Impaired Driving is to provide the necessary tools for the detection, apprehension, and successful prosecution of impaired drivers. With South Carolina's status as one of the top states in the nation for the number of impaired-driving-related fatalities, such training is critical if the numbers of impaired-driving-related collisions, serious injuries, and fatalities are to be reduced.

Intended subrecipient(s): South Carolina Criminal Justice Academy

Funding Sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2022	BIL 405d ID Mid	Impaired Driving Training	\$57,289.81	\$14,322.45	\$0
2022	SUPPLEMENTAL BIL 405d ID Mid	Impaired Driving Training	\$158,867.19	\$39,716.80	\$0

Countermeasures Strategy: Prosecution

Program Area: Impaired Driving (Drug and Alcohol)

Project Safety Impacts

The state of South Carolina is challenged by the fact that most prosecutions at the first-offense level are done by the arresting law enforcement officer. While some of these officers reportedly are effective advocates, they often face skilled defense attorneys and are faced with legal arguments that they are unprepared to answer. DUI litigation can also be complex, resulting in dismissals and “not guilty” findings in cases in which skilled prosecutors are unavailable. Some members of law enforcement are also uncomfortable prosecuting cases. This practice could result in a hesitancy to make arrests on the part of law enforcement, and it is a challenging problem which is likely a hindrance to reducing impaired driving. As such, implementing a prosecution countermeasure strategy that staffs courts with licensed and trained attorneys to prosecute DUI cases will have a positive traffic safety impact for two reasons: it will increase conviction rates and allow officers to remain on the roadways conducting enforcement, rather than in the courtroom trying cases. This strategy would increase the state's Criminal Justice system to function at the level of deterrence outlined in the Countermeasures that Work document.

Linkage Between Program Area

The state of South Carolina has historically ranked as one of the top states in the nation for the number of impaired-driving-related fatalities, and the most recent FARS data provided by the National Highway Traffic Safety Administration (NHTSA) indicates that 315 people died on South Carolina roadways in 2020 as a result of an alcohol-impaired driving collision. Given the high alcohol-impaired driving fatality rate, it is clear that efforts to reduce the behavior of impaired driving are needed. Stronger DUI laws and greater conviction rates can serve as a deterrent to the behavior, and greater conviction rates can be achieved by placing special DUI prosecutors in each of the state's judicial circuits through the funding of prosecutorial projects. These projects will decrease the amount of time a law enforcement officer will spend off of the road preparing DUI cases for court and will hopefully assist in reversing a current trend of DUI case dismissals. Allocating funds to prosecutorial projects will facilitate the state's achievement of the outlined Impaired Driving Countermeasures performance targets, which will serve to reduce collisions, serious injuries, and fatalities in the state.

Rationale for Selection

DUI cases can be complex and difficult to prosecute, yet they are often assigned to the least experienced prosecutors or, as is the case in the state of South Carolina, to the arresting officer. Given the results of MADD SC's 2019 Law Enforcement Survey Report, which indicated that nearly 98% of the officers surveyed believed that there are “too many loopholes working in favor

of the defense,” and over 80% of the officers surveyed believed that DUI cases are “too complex and time consuming” (MADD South Carolina 2019 Law Enforcement Survey Report), it is clear that prosecutors experienced in prosecuting DUI cases are needed. Prosecutorial projects such as those posed under this countermeasure strategy will place experienced DUI prosecutors in the judicial circuits and municipalities in which they are needed most, and it will also allow for continued funding for a Traffic Safety Resource Prosecutor for the state.

Planned Activity in Countermeasure Strategy

Unique Identifier	Planned Activity Name	Description Located on Page No.
M5CS	Prosecution	162

Planned Activity: Prosecution

Planned activity number: M5CS

Primary Countermeasure Strategy ID: Prosecution

Planned Activity Description:

In South Carolina, for the majority of the DUI cases, the arresting officer is responsible for the prosecution of his/her own DUI case(s). While some of these officers reportedly are effective advocates, they often face skilled defense attorneys and are faced with legal arguments that they are unprepared to answer. DUI litigation can also be complex, resulting in dismissals and “not guilty” findings in cases in which skilled prosecutors are unavailable. This practice of law enforcement serving as the prosecution in DUI cases is a challenging problem which is likely a hindrance to reducing impaired driving. To help alleviate some of these issues, efforts are being made by the South Carolina Commission on Prosecution Coordination (SCCPC) to assist prosecutors, with less experience, and arresting officers through the use of the Traffic Safety Resource Prosecutor.

Funding has been and will continue to be made available for a Traffic Safety Resource Prosecutor (TSRP) who operates through the South Carolina Commission on Prosecution Coordination (SCCPC). The TSRP is a vital resource for DUI prosecution and education. The TSRP provides seminars, trainings, newsletters, and technical assistance to solicitors, law enforcement, and the judiciary, as well as local prosecutors. The TSRP is a strong link in the effort to prosecute impaired drivers at all levels. The TSRP program in the state reduces the use of diversion programs through its educational efforts.

In FFY 2023, the OHSJP will fund activity hours for a DUI Prosecutor in the Sixth Circuit Solicitor's Office, which serves Chester, Fairfield, and Lancaster counties; a DUI Prosecutor in the Fifth Circuit Solicitor's Office, which serves Richland and Kershaw counties; a DUI Prosecutor in the Eleventh Circuit Solicitor's Office, which serves Lexington, Edgefield, McCormick, and Saluda counties; and a DUI Prosecutor in the Fifteenth Circuit Solicitor's Office, which serves Georgetown and Horry Counties. The DUI Prosecutors will perform activity hours focused on the prosecution of DUI cases. Special DUI Prosecutors will also be funded in the Berkeley County Sheriff's Office and the City of Goose Creek Police Department. These prosecutorial projects will decrease the amount of time law enforcement officers spend off of the road preparing DUI cases for court and will hopefully assist in reversing a current trend of DUI case dismissals.

One of the recommendations from the 2019 Impaired Driving Assessment was for South Carolina to pilot a program to provide paralegal assistants to law enforcement who prosecute cases without assistance in summary courts. Thus, in FFY 2023, the OHSJP will fund activity hours for a project with the South Carolina Highway Patrol Troop 6; Troop 6 serves Beaufort, Berkeley, Charleston, Colleton, Dorchester, and Jasper counties. These activity hours will be used for a paralegal to track and process the Rule5/Brady requests from defense attorneys, as well as to maintain a schedule of when Office of Motor Vehicle Hearings appearances are required for SCHP officers. The goals of this project are to reduce the amount of administrative-related dismissals of DUI-related cases originating from Highway Patrol Troop 6 DUI-related arrests and to allow for officers and supervisory Highway Patrol personnel to spend more time on enforcement efforts as opposed to preparing for or being in court.

The planned prosecution activities for FFY 2023 will provide assistance to a variety of professionals from law enforcement to the judiciary. These projects will provide the necessary tools for the detection, apprehension, and successful prosecution of impaired drivers. The training programs will provide knowledge and training on the DUI law and proper roadside procedures for prosecutors, judges, and law enforcement officers that will assist in making quality DUI cases that will result in an increased number of DUI convictions statewide. The increased number of stakeholders educated in appropriate impaired driving countermeasures can result in a larger number of impaired drivers taken off the roadways, higher conviction rates for impaired drivers, and a decrease in the number of impaired driving collisions, injuries, and fatalities.

The intended subrecipients for Planned Activity Number M5CS represent but one part of the foundation on which the state has built a response to the impaired driving problem for the FFY 2023 Highway Safety Plan.

Intended Subrecipients

Agency	County	Project Title
South Carolina Commission on Prosecution Coordination	Statewide	Traffic Safety Resource Prosecutor
SCDPS - South Carolina Highway Patrol	Beaufort, Berkeley, Charleston, Colleton, Dorchester, Jasper	SCDPS Paralegal Project
Berkeley County	Berkeley	2023 Special DUI Prosecutor
City of Goose Creek Police Department	Berkeley	Special DUI Prosecutor
Sixth Circuit Solicitor’s Office	Lancaster, Chester, Fairfield	DUI Prosecutor
Fifth Circuit Solicitor’s Office	Richland, Kershaw	5 th Judicial Circuit DUI Prosecutor
Fifteenth Circuit Solicitor’s Office	Georgetown, Horry	15 th Judicial Circuit – DUI Prosecutor
Eleventh Circuit Solicitor’s Office	Lexington, Edgefield, Saluda, McCormick	11 th Circuit Solicitor’s Office- DUI Prosecution

Funding Sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2022	BIL 405d ID Mid	Court Support	\$859,127	\$214,781.75	\$0

Countermeasures Strategy: Adjudication

Program Area: Impaired Driving (Drug and Alcohol)

Project Safety Impacts

Arrests made for traffic-related offenses and specifically impaired-driving related offenses inevitably come before a judge in South Carolina’s criminal judicial system. Judges are able to

impact offenders as part of their decisions at bond hearings, trials, and sentencing; however, these judges are only able to make appropriate decisions in these areas if they are fully informed of the laws and options available. A decision by a trial judge has a direct impact on an arrestee and could lead to a reduction in recidivism by possible repeat offenders.

South Carolina's impaired driving laws are complex and an arrest for driving under the influence is simply the beginning of the legal process; statutory requirements and notices must be met for a DUI case to simply see a courtroom. A normal DUI case may result in a multi-day trial, most often in front of a magistrate or municipal court judge. Although judges do receive some training specifically for these offenses, the complexity of South Carolina's statutory language and any appellate decisions affecting these laws create a need for continuous and direct training on these topics if judges are to make appropriate legal decisions and efficiently move cases on their dockets. As such, implementing an adjudication countermeasure strategy that provides judicial education will have a positive traffic safety impact in that it will allow for a statewide resource for the judiciary on legal and evidentiary issues present in adjudicating impaired driving and other motor vehicle-related cases. This strategy would increase the state's Criminal Justice system to function at the level of deterrence outlined in the *Countermeasures that Work* document (Section 1, Chapter 3.1, pp. 1-37 to 1-40).

Linkage Between Program Area

The state of South Carolina has historically ranked as one of the top states in the nation for the number of impaired-driving-related fatalities, and the most recent FARS data provided by the National Highway Traffic Safety Administration (NHTSA) indicates that 315 people died on South Carolina roadways in 2020 as a result of an alcohol-impaired driving collision. Given the high alcohol-impaired driving fatality rate, it is clear that efforts to reduce the behavior of impaired driving are needed. Arrests made for traffic-related offenses and specifically impaired-driving related offenses inevitably come before a judge in South Carolina's criminal judicial system. Judges who are properly trained on the myriad of issues in impaired driving cases are more likely to make appropriate legal decisions and confidently place these cases before the court in a timely manner. They are also less likely to grant unnecessary continuances or other delays, simply to avoid the complexity of such a trial. Improved disposition times of these and all other traffic cases leads to a more efficient criminal justice system in South Carolina. Allocating funds to judicial education will facilitate the state's achievement of the outlined Impaired Driving Countermeasures performance targets, which will serve to reduce collisions, serious injuries, and fatalities in the state.

Rationale

DUI cases can be highly complex and difficult to prosecute and adjudicate. Given South Carolina's complicated impaired driving laws, it is clear that judicial training and education for DUI cases

are needed. Adjudication projects such as the judicial education project posed under this countermeasure strategy will allow for continued funding for a State Judicial Outreach Liaison.

Planned Activity in Countermeasure Strategy

Unique Identifier	Planned Activity Name	Description Located on Page No.
SJOL	State Judicial Outreach Liaison	167

Planned Activity: State Judicial Outreach Liaison

Planned activity number: SJOL

Primary Countermeasure Strategy ID: Adjudication

Planned Activity Description:

Arrests made for traffic-related offenses and specifically impaired-driving related offenses inevitably come before a judge in South Carolina’s criminal judicial system. Judges are able to impact offenders as part of their decisions at bond hearings, trials, and sentencing; however, these judges are only able to make appropriate decisions in these areas if they are fully informed of the laws and options available. A decision by a trial judge has a direct impact on an arrestee and could lead to a reduction in recidivism by possible repeat offenders.

South Carolina’s impaired driving laws are complex and an arrest for driving under the influence is simply the beginning of the legal process; statutory requirements and notices must be met for a DUI case to simply see a courtroom. A normal DUI case may result in a multi-day trial, most often in front of a magistrate or municipal court judge. Although judges do receive some training specifically for these offenses, the complexity of South Carolina’s statutory language and any appellate decisions affecting these laws create a need for continuous and direct training on these topics if judges are to make appropriate legal decisions and efficiently move cases on their dockets.

In FFY 2023, the OHSJP will fund activity hours for a State Judicial Outreach Liaison (SJOL). The state first began the SJOL program in July 2020, though at the time, this project was funded through a partnership with the American Bar Association and NHTSA. South Carolina’s SJOL is a current judge who is experienced in handling and prosecuting DUI cases. While remaining independent and impartial, the SJOL serves as a statewide resource for the judiciary and other members of the highway safety community dealing with court cases involving impaired driving by sharing information and providing education to judges and other court personnel. During the ABA/NHTSA program, the SJOL worked closely with the state’s Traffic Safety Resource Prosecutor (TSRP), provided support to state-level and summary court-level judges and

stakeholders involved in impaired driving cases; served as a liaison between the SHSO and state judiciary; and researched, prepared, and presented topics involving impaired-driving traffic safety at state judicial education conferences and similar traffic safety seminars.

The planned adjudication activity for FFY 2023 will provide assistance to a variety of professionals from law enforcement to the judiciary. This project will provide the necessary tools for the successful adjudication of impaired drivers. The SJOL will: provide training and education to judges and other court officials regarding impaired driving; contact and establish a working relationship with judges and judicial educators to promote judicial education related to the sentencing and supervision of DWI offenders, evidentiary issues, legal updates, alcohol/drug testing, and monitoring technology; identify barriers that hamper effective training, education or outreach to the courts and recommend alternative means to address these issues and concerns; share information, as appropriate with Law Enforcement Liaisons (LELs), the OHSJP, NHTSA Regional Offices, the state’s TSRP, and other stakeholders about opportunities to improve the criminal justice system; etc. The increased number of the judiciary, as well as other traffic safety stakeholders, educated in appropriate impaired driving countermeasures can result in a larger number of impaired drivers taken off the roadways and a decrease in the number of impaired driving collisions, injuries, and fatalities.

The intended subrecipient for Planned Activity Number SJOL represents but one part of the foundation on which the state has built a response to the impaired driving problem for the FFY 2023 Highway Safety Plan.

Intended Subrecipients: South Carolina Judicial Branch Court Administration

Funding Sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2022	BIL 405d ID Mid	Court Support	\$29,600	\$7,400	\$0

PROGRAM AREA: COMMUNITY TRAFFIC SAFETY

DESCRIPTION OF HIGHWAY SAFETY PROBLEMS

Statistics for South Carolina indicate that during 2020, 121,235 traffic collisions were reported; this is a 14.08% decrease from 2019, when 141,096 collisions were reported. Collisions in CY 2020 resulted in 1,064 fatalities and 47,985 injuries. Compared to 2019, the number of injuries declined by 17.85%; however, the number of traffic fatalities in CY 2020 (1,064) was 5.77% higher than in 2019, when 1,006 persons were fatally injured.

Mileage Death Rate:

The state's mileage death rate (MDR), or traffic fatalities per 100 million miles of travel, in 2020 was 1.98, an increase from the 2019 MDR of 1.74. According to the most recent data available, the national mileage death rate in 2020 was 1.34. Based on 2020 figures, South Carolina's MDR of 1.98 was approximately 48% higher than the national mileage death rate of 1.34.

2020 Collision Statistics: Breaking collision statistics down by time in CY 2020 indicated the following:

- 1 Traffic Collision was reported every 4.3 minutes.
- 1 Traffic Death was reported every 8.3 hours.
- 1 Non-fatal Traffic Injury was reported every 11 minutes.
- 1 Property-Damage-Only Collision was reported every 6 minutes.

In 2020, South Carolina had 3,946,831 licensed drivers who operated 4,777,157 registered motor vehicles on a roadway system of over 79,190 miles of streets and highways.

DUI Involvement in Collisions:

According to NHTSA's Fatality Analysis Reporting System (FARS) data, alcohol-impaired fatalities for 2020 totaled 315. The number of alcohol-impaired fatalities was up from 2019, when the total number was 276. State data for 2020 indicate 5,709 collisions and 350 fatal collisions involving a driver under the influence of alcohol and/or drugs. NHTSA's FARS data also stated that there were a total of 1,430 drivers involved in fatal collisions in South Carolina during 2020. Of the 1,430 drivers, 577 (or 40.35%) had a known blood alcohol concentration (BAC) reported to NHTSA. The 315 alcohol-impaired driving fatalities accounted for 29.61% of the total fatalities in 2020.

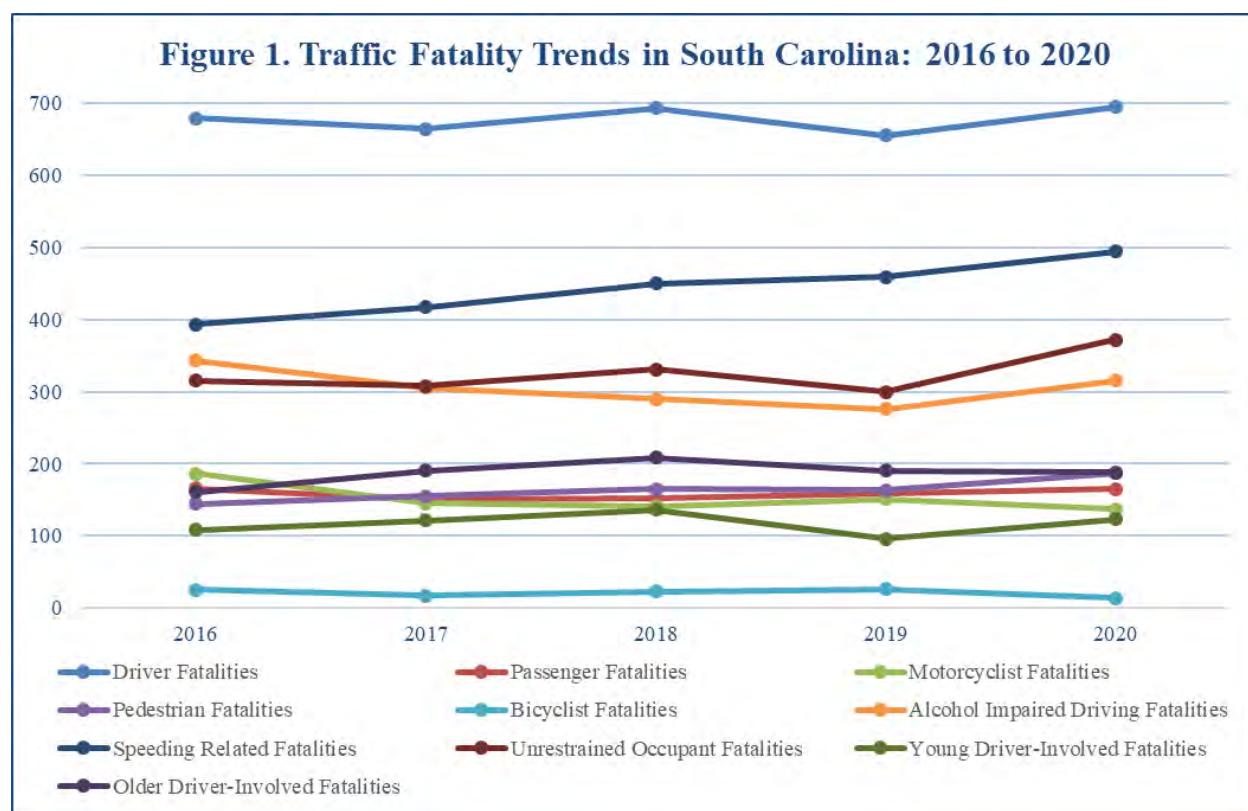
Speed Involvement in Collisions:

According to state data for 2020, of the 47,985 total traffic-related injuries reported in 2020, 15,190 or 31.66%, occurred in speeding-related collisions. Injuries in speeding-related traffic collisions decreased from 18,319 in 2019 to 15,190 in 2020, a decrease of 17.08%. Although total injuries

declined from 2019 to 2020, the percentage of traffic-related injuries that involved speeding increased slightly from 31.36% in 2019 to 31.66% in 2020.

Serious injuries in speeding-related traffic collisions decreased by 14.70% from 2019 (1,095) to 2020 (934), while speeding-related fatalities increased by 7.63%, from 459 fatalities in 2019 to 494 fatalities in 2020.

In order to examine traffic collision trends over time, the Office of Highway Safety and Justice Programs’ staff reviewed collision data for the period 2016-2020. Collision statistics for the period are presented in Figure 1.



During the five-year period 2016-2020, the locations of the largest numbers of injury collisions and fatal collisions were Greenville, Charleston, Horry, Spartanburg, and Richland Counties. Also during the same time period, the age groups with the highest number of drivers involved in collisions (presented in order) included drivers ages 25-29, 20-24, and 30-34. Males continued to be involved in a higher percentage and number of collisions than female drivers. Based on traffic data over the 2016-2020 period, **Figure S-4**, **Table S-5**, and **Table S-19** show counties in the state of South Carolina which lead the state in statistical categories regarding fatal and serious injury collisions (number of fatal and serious injury, number DUI-related, and percentage DUI-related, number speed-related, and percentage speed-related).

Figure S-4. All SC Fatal and Serious Injury Collisions by County, State Data 2016-2020

County	2016	2017	2018	2019	2020	Total
Greenville	300	292	272	335	257	1,456
Charleston	272	280	263	306	302	1,423
Horry	269	278	241	242	206	1,236
Spartanburg	201	175	220	213	206	1,015
Richland	214	168	143	201	174	900
Anderson	192	174	148	152	135	801
Lexington	142	165	176	171	123	777
York	143	128	125	157	141	694
Berkeley	102	109	102	124	109	546
Orangeburg	96	76	103	112	118	505
Florence	91	79	97	132	91	490
Beaufort	102	105	78	82	83	450
Aiken	88	108	86	74	77	433
Dorchester	75	68	65	71	72	351
Pickens	61	69	78	81	57	346
Sumter	68	59	50	85	80	342
Laurens	66	65	70	69	64	334
Lancaster	85	65	43	58	59	310
Oconee	51	55	58	70	61	295
Colleton	66	50	47	45	55	263
Georgetown	43	67	61	44	41	256
Cherokee	48	59	47	53	48	255
Kershaw	56	49	48	47	49	249
Darlington	64	38	38	56	35	231
Greenwood	47	46	43	49	46	231
Jasper	60	31	36	55	46	228
Williamsburg	38	41	33	43	36	191
Chesterfield	38	44	28	44	34	188
Chester	39	40	42	37	27	185
Clarendon	33	36	22	46	28	165
Newberry	35	32	26	28	22	143
Fairfield	29	28	32	20	31	140
Dillon	21	27	24	28	24	124
Union	21	16	21	26	30	114
Marion	13	20	19	35	24	111
Marlboro	21	15	13	29	27	105
Hampton	17	16	12	23	30	98
Lee	13	13	25	18	19	88
Abbeville	17	24	14	19	13	87
Calhoun	13	17	15	14	20	79
Edgefield	20	14	13	14	15	76
Barnwell	15	16	19	13	12	75
Bamberg	16	11	18	9	10	64
Saluda	13	18	9	11	8	59
Allendale	9	7	12	9	10	47
McCormick	8	5	8	6	5	32
Total	3,431	3,298	3,143	3,556	3,160	16,588

**Table S-5. All Fatal and Serious Injury Alcohol and/or Drug Collisions,
State Data 2016-2020**

County	2016	2017	2018	2019	2020	2016-2020	% DUI 2016-2020
Greenville	88	71	63	55	53	330	22.66%
Lexington	52	49	49	36	35	221	28.44%
Horry	40	52	31	53	41	217	17.56%
Spartanburg	50	28	41	47	49	215	21.18%
Charleston	31	46	38	45	34	194	13.63%
Richland	47	31	38	36	40	192	21.33%
Anderson	36	54	33	31	32	186	23.22%
York	29	26	31	40	34	160	23.05%
Berkeley	27	29	23	24	23	126	23.08%
Florence	19	20	22	25	17	103	21.02%
Aiken	27	20	23	17	13	100	23.09%
Orangeburg	18	15	17	21	26	97	19.21%
Beaufort	17	24	17	12	20	90	20.00%
Laurens	17	20	18	18	15	88	26.35%
Dorchester	16	19	8	19	21	83	23.65%
Oconee	8	17	12	20	20	77	26.10%
Sumter	16	13	10	16	21	76	22.22%
Lancaster	20	16	9	14	14	73	23.55%
Colleton	11	12	11	12	26	72	27.38%
Pickens	14	13	10	20	15	72	20.81%
Cherokee	15	16	8	12	15	66	25.88%
Kershaw	17	16	13	12	8	66	26.51%
Darlington	17	12	10	18	6	63	27.27%
Greenwood	9	11	11	12	11	54	23.38%
Chesterfield	12	10	8	11	9	50	26.60%
Jasper	12	5	6	15	7	45	19.74%
Clarendon	9	9	4	14	7	43	26.06%
Chester	10	10	10	5	5	40	21.62%
Abbeville	4	13	3	7	5	32	36.78%
Georgetown	5	10	8	5	4	32	12.50%
Lee	5	4	9	6	6	30	34.09%
Williamsburg	6	7	6	7	4	30	15.71%
Fairfield	7	5	6	5	6	29	20.71%
Newberry	10	4	4	0	9	27	18.88%
Union	6	4	8	4	5	27	23.68%
Edgefield	5	3	2	6	9	25	32.89%
Dillon	2	6	2	4	3	17	13.71%
Marion	2	4	2	6	3	17	15.32%
Saluda	5	4	1	4	2	16	27.12%
Barnwell	4	3	3	3	2	15	20.00%
Hampton	1	2	6	2	4	15	15.31%
Marlboro	2	0	2	5	5	14	13.33%
Calhoun	2	2	3	2	1	10	12.66%
Bamberg	3	1	3	1	1	9	14.06%
Allendale	1	2	1	2	2	8	17.02%
McCormick	2	1	0	3	2	8	25.00%
Total	756	739	643	732	690	3,560	21.46%

**Table S-19 Speed/Too Fast for Conditions Fatal and Serious Injury Collisions,
State Data 2016-2020**

County	2016	2017	2018	2019	2020	2016-2020	% Speed 2016-2020
Greenville	78	83	79	101	82	423	29.05%
Spartanburg	67	67	89	83	84	390	38.42%
Charleston	71	76	70	69	99	385	27.06%
Horry	71	91	69	73	61	365	29.53%
Richland	86	61	56	56	58	317	35.22%
Lexington	46	55	74	72	38	285	36.68%
Anderson	67	49	51	57	47	271	33.83%
Orangeburg	37	38	47	64	58	244	48.32%
York	53	44	48	50	44	239	34.44%
Berkeley	44	40	34	45	40	203	37.18%
Aiken	42	46	34	29	33	184	42.49%
Laurens	44	34	37	37	23	175	52.40%
Florence	36	25	38	35	35	169	34.49%
Beaufort	34	38	31	25	22	150	33.33%
Pickens	26	25	30	30	23	134	38.73%
Sumter	26	24	19	30	29	128	37.43%
Darlington	34	17	18	22	17	108	46.75%
Oconee	13	24	26	22	20	105	35.59%
Lancaster	24	18	19	22	21	104	33.55%
Kershaw	20	23	18	20	20	101	40.56%
Dorchester	24	23	16	17	21	101	28.77%
Georgetown	17	27	22	15	16	97	37.89%
Jasper	29	17	15	15	16	92	40.35%
Williamsburg	15	16	19	23	16	89	46.60%
Clarendon	19	21	15	19	12	86	52.12%
Colleton	20	19	15	9	20	83	31.56%
Cherokee	20	17	13	15	17	82	32.16%
Chester	17	17	16	15	14	79	42.70%
Newberry	19	21	13	12	13	78	54.55%
Greenwood	20	15	10	21	11	77	33.33%
Chesterfield	13	23	10	14	14	74	39.36%
Fairfield	19	10	17	5	16	67	47.86%
Dillon	12	16	12	13	11	64	51.61%
Marlboro	10	9	9	13	11	52	49.52%
Union	13	9	7	7	14	50	43.86%
Marion	6	8	7	17	9	47	42.34%
Calhoun	6	8	10	12	10	46	58.23%
Hampton	6	5	5	15	12	43	43.88%
Lee	7	9	10	5	9	40	45.45%
Abbeville	10	12	4	10	3	39	44.83%
Edgefield	10	7	5	6	9	37	48.68%
Barnwell	4	7	8	6	7	32	42.67%
Allendale	3	4	7	6	5	25	53.19%
Saluda	7	9	2	5	2	25	42.37%
Bamberg	5	2	7	0	4	18	28.13%
McCormick	4	1	3	4	1	13	40.63%
Total	1,254	1,210	1,164	1,241	1,147	6,016	36.27%

Associated Performance Measures

Fiscal Year	Performance measure name	Target End Year	Target Period	Target Value
2023	C-1) Number of traffic fatalities (FARS)	2023	5 Year	1,119
2023	C-2) Number of serious injuries in traffic crashes (State crash data files)	2023	5 Year	2,868
2023	C-3) Fatalities/VMT (FARS, FHWA)	2023	5 Year	1.940
2023	C-4) Number of unrestrained passenger vehicle occupant fatalities, all seat positions (FARS)	2023	Annual	324
2023	C-5) Number of fatalities in crashes involving a driver or motorcycle operator with a BAC of .08 and above (FARS)	2023	Annual	305
2023	C-6) Number of speeding-related fatalities (FARS)	2023	Annual	442
2023	C-7) Number of motorcyclist fatalities (FARS)	2023	Annual	151
2023	C-8) Number of unhelmeted motorcyclist fatalities (FARS)	2023	Annual	107
2023	C-9) Number of drivers age 20 or younger involved in fatal crashes (FARS)	2023	Annual	116
2023	C-10) Number of pedestrian fatalities (FARS)	2023	Annual	162
2023	C-11) Number of bicyclists fatalities (FARS)	2023	Annual	20
2023	B-1) Observed seat belt use for passenger vehicles, front seat outboard occupants (survey)	2023	Annual	90.4
2023	C-12) South Carolina Moped Fatalities, with Five Year Trend Analysis	2023	Annual	29
2023	C-3R) South Carolina Traffic Fatalities/VMT (Rural), 5 Year Moving Average with Trend Analysis	2023	Annual	2.73
2023	C-3U) South Carolina Traffic Fatalities/VMT (Urban), 5 Year Moving Average with Trend Analysis	2023	Annual	1.00

Countermeasure Strategies in Program Area

Countermeasure Strategy	Description Located on Page No.
Highway Safety Office Program Management	77
OP Communication and Outreach	113
Public Information and Outreach	175

Countermeasure Strategy: Public Information and Outreach

Program Area: Impaired Driving (Drug and Alcohol), Police Traffic Services, Occupant Protection (Adult and Child Passenger Safety), Non-motorized (Bicyclist/Pedestrian), Motorcycle Safety

Project Safety Impacts

Communication and Outreach will be used throughout FFY 2023 to promote campaign messages, enforcement activities, and to increase awareness by the general public of the dangers involved in driving and/or riding while unrestrained, impaired driving, and/or speeding. By increasing knowledge and awareness of the dangers associated with these risky driving behaviors, it is possible to reduce the number of individuals choosing to engage in such behaviors. Reductions in the prevalence of unrestrained occupants, impaired driving, and/or speeding and the resulting related collisions, serious injuries, and fatalities will have a significant and positive impact on traffic safety in the state of South Carolina.

Linkage Between Program Area

South Carolina is committed to its focus on the dissemination of traffic safety information to the general public and the law enforcement community. Marketing campaigns and sharing information at public events are key strategies to help meet performance measures and goals related to the issues of impaired driving, speeding, unrestrained driving, non-motorized safety, motorcycle awareness, motorcycle safety gear, railroad safety, school bus safety, and distracted driving within the state.

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

The marketing firm will continue to assist with each of the paid media campaigns, including but not limited to *Sober or Slammer!*, *Buckle Up*, *South Carolina* (BUSC), *Distracted Driving*, *Operation Southern Slow Down*, *Vulnerable Roadway Users*, *Motorcycle Awareness*, and *Motorcycle Safety Gear*.

Communication and outreach contribute to heightened public awareness, which when combined with enforcement, have been beneficial in addressing the speed-related and impaired driving issues faced by the state, as determined through its problem identification process. SCDPS will continue its participation in the speed-focused NHTSA Region 4, *Operation Southern Slow Down* campaign in July.

Rationale

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

Planned Activities in Countermeasure Strategy

Unique Identifier	Planned Activity Name	Description Located on Page No.
M5PEM	Impaired Driving Communication Campaign	176
M1HVE	Occupant Protection Communication Campaign	114
M11MA	Motorcyclist Awareness Campaign	203
PIOT S	Non-motorized Communication Campaign	213

Planned Activity: Impaired Driving Communication Campaign

Planned activity number: M5PEM

Primary Countermeasure Strategy ID: Communication and Outreach

Planned Activity Description:

In FFY 2023, the Public Information, Outreach and Training (PIOT) section of the Office of Highway Safety and Justice Programs (OHSJP) will coordinate with the agency contractor to develop and implement media components of the OHSJP’s *Sober or Slammer!* campaign and a variety of other major campaigns and emphases. The contractor will assist with efforts such as

media buying, creative production, and evaluation of campaigns. Additionally, diversity outreach components will be incorporated within each campaign. The OHSJP will continue efforts to reach out to under-served audiences and hard-to-reach populations in the upcoming year, including efforts to partner with the Catawba Indian Nation.

The South Carolina Department of Public Safety's OHSJP will utilize Section 405d Impaired Driving Countermeasures funds in FFY 2023 for paid media efforts for DUI countermeasures. The state continues to use the Strategic Evaluation States (SES) model to implement a sustained DUI enforcement effort (*Sober or Slammer! /Drive Sober or Get Pulled Over.*), which includes monthly specialized DUI enforcement activities (checkpoints and saturation patrols) by participating state and local law enforcement agencies, as well as two DUI law enforcement crackdowns occurring during the Christmas/New Year's holidays and during the days leading up to and including the Labor Day holiday. *Sober or Slammer!* is a high-visibility enforcement crackdown on impaired driving combining paid/earned media with increased DUI enforcement activity in an effort to attack the problem of impaired driving in the state.

During FFY 2023, paid and earned media activities will be utilized to promote campaign messages, enforcement activities, and to increase awareness by the general public of the dangers involved in impaired driving. These activities will encompass radio, television, and paid social and digital media advertising, as well as outdoor advertising. The agency contractor will be used by the OHSJP to secure radio and television placement during the two major mobilization crackdowns and radio airtime for strategic points in time during which there is a high risk for impaired driving violations. The contractor – with the possible use of a sub-contractor—will also be responsible for the paid social media plan during the same designated time periods. Local law enforcement agencies will be highly encouraged to participate in special enforcement. Specific media buy plans for each component of the process will be developed by the agency contractor concentrating on major media markets which will reach the campaign's focus counties and other counties throughout the state. The media buy plans will be approved by the OHSJP prior to implementation of the effort. NHTSA promotes the importance of combining high-visibility enforcement with high-visibility public awareness as the best way to approach key problem areas and produce behavioral change. Therefore, the OHSJP will continue to offer a media mix for enforcement-based and non-enforcement-based campaigns to meet stated goals. The OHSJP will employ key strategies to promote its mission and core message of public safety.

Intended Subrecipient(s): The South Carolina Department of Public Safety

Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2021	FAST Act 405d ID Mid	ID Paid/Earned Media	\$600,000	\$150,000	\$0
2022	BIL 405d ID Mid	ID Paid/Earned Media	\$610,000	\$152,500	\$0
2021	FAST Act 405b High	ID Paid Media	\$90,000	\$22,500	\$0

PROGRAM AREA: TEEN TRAFFIC SAFETY
DESCRIPTION OF HIGHWAY SAFETY PROBLEMS

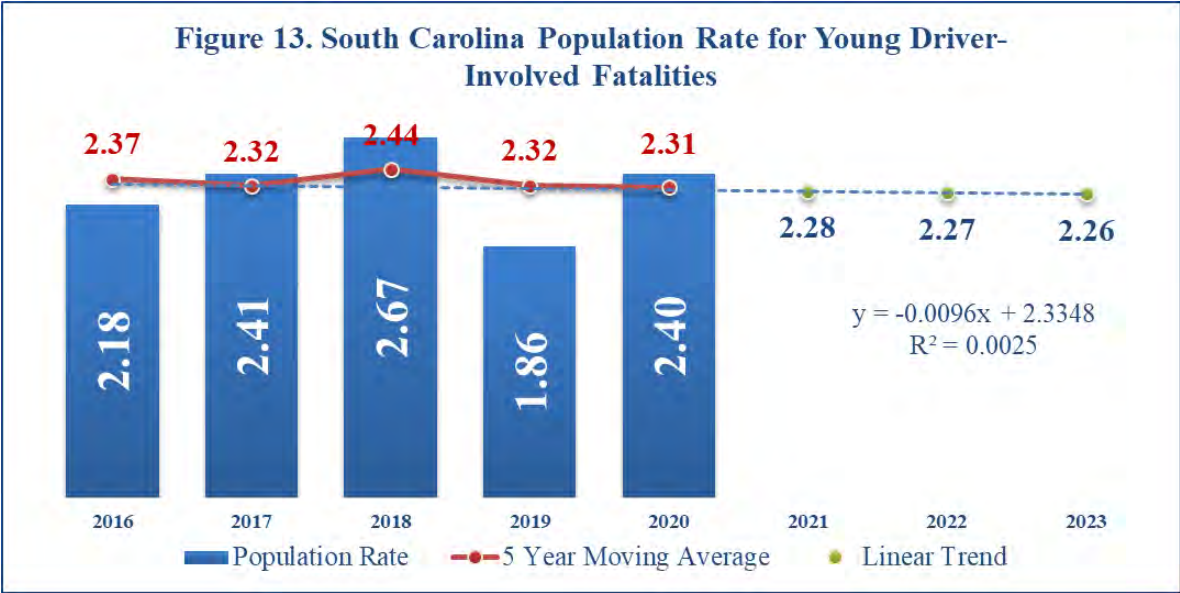
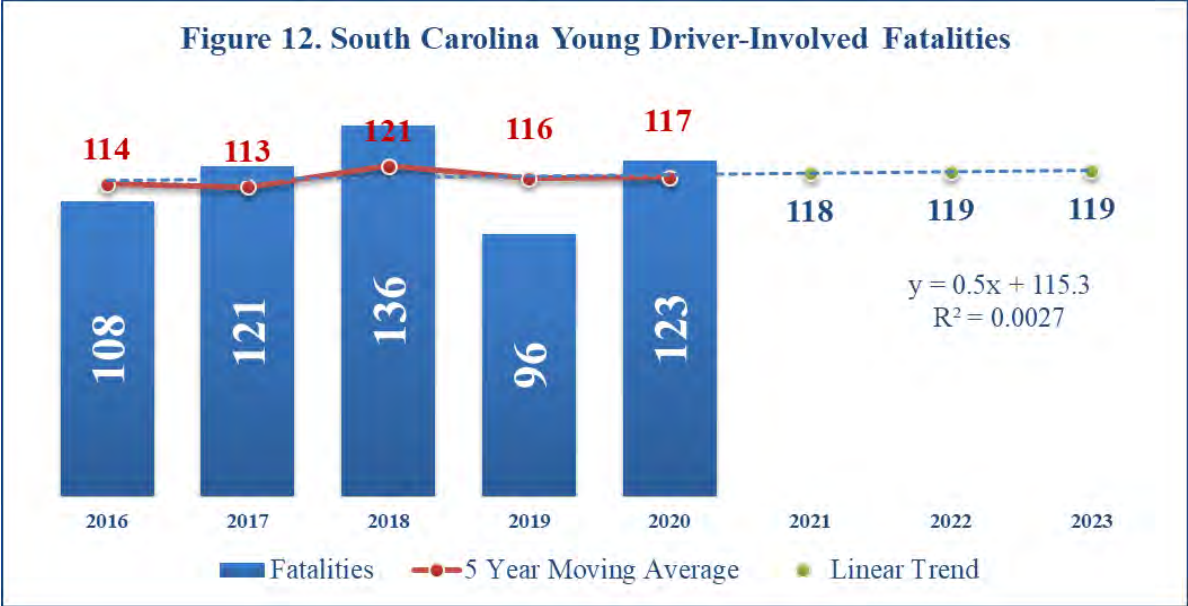
Traffic Fatalities

The state of South Carolina is committed to reducing young (under 21) driver-involved collisions, injuries and fatalities. The most recent Fatality Analysis Reporting System (FARS) data provided by the National Highway Traffic Safety Administration (NHTSA) indicates that 123 young (under 21)-drivers died on South Carolina roadways in 2020.

During the 2016-2020 period, young (under 21) driver-involved fatalities experienced an upward trend from 2016 through 2018, then experienced a considerable decline from 2018 to 2019, before experiencing a significant increase from 2019 to 2020. The number of fatalities involving young (under 21) drivers in 2020 represented a 6.72% increase compared to the 2016-2019 average (115), and a 13.89% increase compared to the 2016 total (108). In South Carolina, the young (under 21) driver-involved population-based fatality rate followed a pattern similar to the number of fatalities, with the 2020 rate (2.40 deaths per 100,000 population) representing a 5.26% increase when compared to the prior four-year average (2.28) and a 10.09% increase from the 2016 rate (2.18) (see **Tables 11 and 3** as well as **Figures 12 and 13** for young driver-involved trends).

Table 11. South Carolina Young(Under 21) Driver-Involved Fatalities							
	2016	2017	2018	2019	2020	% Change: 2016 vs. 2020	% Change: 2020 vs. prior 4-yr Avg.
Total Fatalities	108	121	136	96	123	13.89%	6.72%
VMT Rate**	0.20	0.22	0.24	0.17	0.23	15.00%	10.84%
Pop Rate***	2.18	2.41	2.67	1.86	2.40	10.09%	5.26%
Pct. Of Total	10.59%	12.23%	13.13%	9.54%	11.56%	0.97%	0.19%

NHTSA NCSA FARS: 2016-2019 Final File and 2020 Annual Report File (ARF)
 2020 VMT & VMT Rate provided by South Carolina Department of Transportation
 Population provided by U.S. Bureau of Census
 **Rate per 100 million vehicle miles
 ***Rate per 100,000 population



As shown in **Table 3**, there were 584 young (20 and under) driver-involved fatalities in the five-year period examined in this Plan. The increase in nationwide young driver involved fatalities was slight (0.39%) when comparing 2016 to 2020 (4,631 in 2016 to 4,649 in 2020); however, the 4,649 fatalities that occurred in 2020 represented an increase of 6.98% when compared to the average of the previous four-year period (4,346). Nationally, young driver-involved fatalities experienced a downward trend from 2016 through 2019; however, the increase of 14.51% from 2019-2020 is troubling.

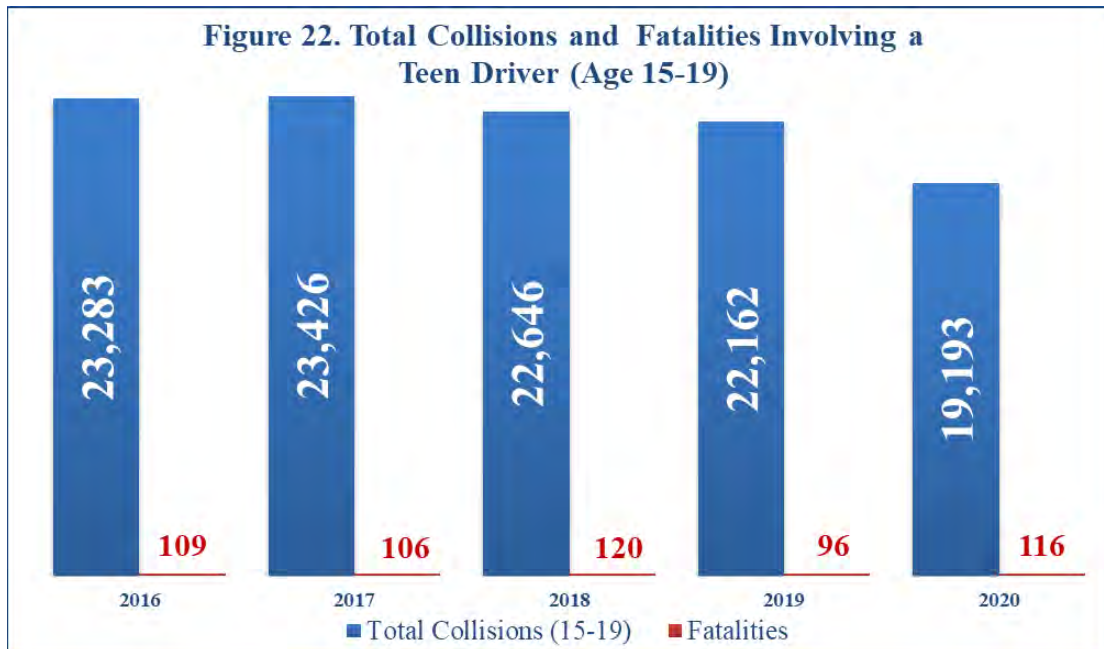
Table 3. Fatalities by Type							
	2016	2017	2018	2019	2020	% Change: 2016 vs. 2020	% Change: 2020 vs. prior 4-yr Avg.
Total Fatalities							
South Carolina	1,020	989	1,036	1,006	1,064	4.31%	5.06%
U.S.	37,803	37,471	36,830	36,352	37,776	-0.07%	1.78%
Driver Fatalities							
South Carolina	679	664	693	655	695	2.36%	3.31%
U.S.	23,713	23,756	23,040	22,744	24,130	1.76%	3.50%
Passenger Fatalities							
South Carolina	166	150	152	158	165	-0.60%	5.43%
U.S.	6,820	6,521	6,276	6,127	6,096	-10.62%	-5.28%
Motorcyclist Fatalities							
South Carolina	186	145	141	151	137	-26.34%	-12.04%
U.S.	5,337	5,226	5,037	4,867	5,277	-1.12%	3.13%
Pedestrian Fatalities							
South Carolina	144	155	165	163	187	29.86%	19.30%
U.S.	6,080	6,075	6,374	6,272	6,333	4.16%	2.14%
Bicyclist Fatalities							
South Carolina	25	17	23	26	14	-44.00%	-38.46%
U.S.	853	806	871	859	920	7.85%	8.59%
Impaired Driving Fatalities							
South Carolina	343	305	290	276	315	-8.16%	3.79%
U.S.	10,967	10,880	10,710	10,196	11,654	6.26%	9.04%
Speeding Fatalities							
South Carolina	393	417	450	459	494	25.70%	14.95%
U.S.	10,291	9,947	9,579	9,592	11,258	9.40%	14.27%
Unrestrained Occupant Fatalities							
South Carolina	315	308	331	300	372	18.10%	18.66%
U.S.	10,464	10,116	9,844	9,520	10,606	1.36%	6.21%
Young Driver(20 & under) -Involved Fatalities							
South Carolina	108	121	136	96	123	13.89%	6.72%
U.S.	4,631	4,472	4,219	4,060	4,649	0.39%	6.98%
Older Driver(65+) -Involved Fatalities							
South Carolina	161	190	208	190	188	16.77%	0.40%
U.S.	7,169	7,299	7,370	7,677	6,926	-3.39%	-6.14%

NHTSA NCSA FARS: 2016-2019 Final File and 2020 Annual Report File (ARF)

Traffic Collisions

As shown in **Table S-12** and **Figure 22**, state data from 2016 to 2020 indicates that drivers between the ages of 15 and 19 were involved in 110,710 traffic collisions, or 16.1% of the total number of collisions during that time period. The number of collisions involving a teen driver decreased by 17.6% in 2020 compared to the year 2016; however, the number of fatalities increased by 6.42% in 2020 when compared to the year 2016. While traffic collisions as whole are trending downward in the state, the number of fatalities involving a teen driver increased significantly (20.83%) from 2019 to 2020. While it is a good sign that total collisions and those involving a teen driver are decreasing, the number of fatalities involving a teen driver are not following the same trend.

Table S-12 South Carolina Collisions (Involving Teen Drivers Age 15-19), 2016-2020 - SC				
Year	Total Collisions	Involving a Teen Driver (age 15-19)	Percent	# of Fatalities involving a Teen Driver
2016	141,599	23,283	16.4%	109
2017	141,874	23,426	16.5%	106
2018	142,406	22,646	15.9%	120
2019	141,096	22,162	15.7%	96
2020	121,235	19,193	15.8%	116
Total	688,210	110,710	16.1%	547



Young/Teen Drivers Involved in Impaired-Driving-Related Collisions

Drivers in the under 15 and 15-19 year old age groups represented 3.86% among all drivers (28,861) that contributed to an impaired-driving-related collision from 2016-2020, totaling 1,115 drivers. Of the 1,115 teen drivers, 77, or 4.77%, contributed to a fatal impaired-driving-related collision (**Tables S-1 and S-2**). While persons 19 and under represented less than 5% of those who contributed to an impaired-driving-related-collision or a fatal impaired-driving-related-collision, these statistics are still alarming as this age group cannot legally consume alcohol. Not only are these teens illegally consuming alcohol, but they are also getting behind the wheel and driving while impaired.

Table S-1. Impaired Driving Crashes by 'Contributed To' Driver Age Group, State Data 2016-2020						
Age Group	2016	2017	2018	2019	2020	Total
Under 15	1	1	0	3	1	6
15-19	235	246	208	190	230	1,109
20-24	990	930	801	798	862	4,381
25-29	1,036	956	911	895	892	4,690
30-34	805	819	741	768	846	3,979
35-39	664	643	649	654	659	3,269
40-44	549	539	504	522	543	2,657
45-49	509	482	490	457	446	2,384
50-54	485	441	390	380	389	2,085
55-59	422	375	364	371	371	1,903
60-64	228	216	236	232	237	1,149
65-69	137	118	136	139	117	647
70+	77	81	83	93	100	434
Unknown	38	36	34	41	19	168
Total	6,176	5,883	5,547	5,543	5,712	28,861

Table S-2. Impaired Driving Fatal Crashes by 'Contributed To' Driver Age Group, State Data 2016-2020						
Age Group	2016	2017	2018	2019	2020	Total
Under 15	0	1	0	1	1	3
15-19	17	11	13	13	20	74
20-24	43	52	40	38	36	209
25-29	60	48	46	50	67	271
30-34	37	53	46	35	38	209
35-39	32	39	34	34	44	183
40-44	24	29	26	31	35	145
45-49	31	33	23	26	28	141
50-54	26	25	23	20	21	115
55-59	16	15	23	22	22	98
60-64	16	13	13	12	15	69
65-69	10	13	7	8	12	50
70+	5	9	8	10	11	43
Unknown	0	0	2	1	0	3
Total	317	341	304	301	350	1,613

Young/Teen Drivers (age 15-19) Restraint Usage: Collisions and Fatalities

Shown in **Figure S-11** are the number of fatalities that occurred when a teen driver was involved in the collision by restraint usage. There were a total of 547 such fatalities from 2016 to 2020. Of those in which restraint usage was known (520), 244, or 46.92% were unrestrained.

Restraint usage among fatally-injured persons in traffic collisions in which a teen was driving is shown in **Table S-11**, **Table S-13** and **Figure S-11**. There were 104,698 traffic collisions that

involved a teen driver in which restraint devices were used by all occupants from 2016 to 2020. These collisions resulted in the deaths of 276 persons. Conversely, there were 3,093 collisions that involved a teen driver in which restraint devices were not used for at least one occupant, resulting in the deaths of 244 persons.

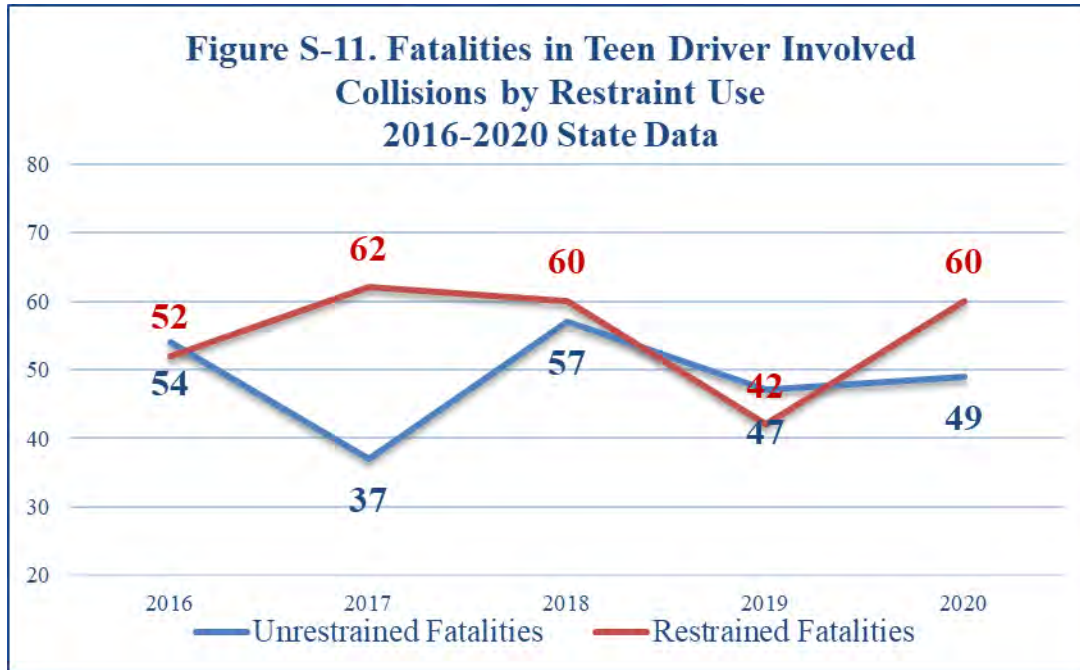


Table S-13. Collisions Involving a Teen Driver (Age 15-19) and Restraint Usage, State Data 2016-2020

Year	All Occupants Restrained Collision	Restraint Collision Fatalities	At Least One Occupant Unrestrained Collision	Unrestrained Collision Fatalities	Unknown Restraint Collision	Unknown Restraint Collision Fatalities
2016	21,983	52	705	54	595	3
2017	22,257	62	622	37	547	7
2018	21,534	60	570	57	542	3
2019	20,953	42	577	47	632	7
2020	17,971	60	619	49	603	7
Total	104,698	276	3,093	244	2,919	27

Table S-11 Restraint Usage of Vehicle Occupant Fatalities, State Data 2016-2020

Year	Known Restraint Use	Unrestrained	Percent Unrestrained
2016	619	328	52.99%
2017	623	322	51.69%
2018	665	342	51.43%
2019	608	308	50.66%
2020	687	382	55.60%
Total	3,202	1,682	52.53%

Associated Performance Measures

Fiscal Year	Performance measure name	Target End Year	Target Period	Target Value
2023	C-1) Number of traffic fatalities (FARS)	2023	5 Year	1,119
2023	C-4) Number of unrestrained passenger vehicle occupant fatalities, all seat positions (FARS)	2023	Annual	324
2023	C-5) Number of fatalities in crashes involving a driver or motorcycle operator with a BAC of .08 and above (FARS)	2023	Annual	305
2023	C-9) Number of drivers age 20 or younger involved in fatal crashes (FARS)	2023	Annual	116
2023	B-1) Observed seat belt use for passenger vehicles, front seat outboard occupants (survey)	2023	Annual	90.4

Countermeasure Strategies in Program Area

Countermeasure Strategy	Description Located on Page No.
Highway Safety Office Program Management	77
Youth/Teen and School-Based Programs	185

Countermeasure Strategy: Youth/Teen and School-Based Programs

Program Area: Teen safety

Project Safety Impacts

The overall projected traffic safety impacts of the chosen countermeasure strategy will be to reduce the number of drivers aged 20 and younger involved in fatal crashes and the number of unrestrained passenger vehicle occupant fatalities (all seat positions). This countermeasure strategy will provide an educational, peer-to-peer program to young drivers (15-19 years old) that promotes safe teen driving and places emphasis on decreasing speed/driving too fast, impaired driving, and distracted driving and increasing seat belt usage.

Linkage Between Program Area

State data indicates that during the years 2016-2020, drivers between the ages of 15 and 19 were involved in 110,710 traffic collisions, or 16.1% of the total number of collisions during that time period. There were also 547 fatalities involving a teen (15-19) driver during that same time period; of those in which restraint usage was known (520), 244, or 46.92% were unrestrained. Drivers in the under 15 and 15-19 year old age groups represented 3.86% of drivers (28,861) that contributed to an impaired-driving-related collision from 2016-2020, totaling 1,115 drivers. Of the 1,115 teen drivers, 77, or 4.77%, contributed to a fatal impaired-driving-related collision. It is evident, then, that a statewide program focused on teen drivers is needed to aid in the reduction of the aforementioned statistics.

Rationale

South Carolina teens spend on average, a minimum of six hours a day in school (National Center for Education Statistics). School—including teachers, advisors, and their peers—has a great influence on teens. The countermeasure strategy of School-Based Programs allows for education and other communication strategies to be tailored to the specific teen audience, rather than a general education and communication strategy (CTW, Chapter 2: Section 7.1, p. 2-40). Furthermore, the countermeasure strategy of Youth Programs includes youth drinking-and-driving prevention programs that seek to “motivate youth not to drink, not to drink and drive, and not to ride with drivers who have been drinking” (CTW, Chapter 1: Section 6.5, p. 1-76). These programs would focus on “social norms” or “normative feedback” to provide students with accurate information about impaired driving. As young people often respond better to messages from their peers, a successful Youth/Teen Program should adopt a peer-to-peer approach.

Planned activity in countermeasure strategy

Unique Identifier	Planned Activity Name	Description Located on Page No.
YTS	South Carolina SADD Program	186

Planned Activity: South Carolina SADD Program

Planned activity number: YTS

Primary Countermeasure Strategy ID: Youth Programs, School-Based Programs

Planned Activity Description:

Students Against Destructive Decisions, Inc. (SADD) has served as the nation’s premiere youth health and safety organization for almost forty years. Over the past four decades, SADD has

worked to empower teens, engage parents, mobilize communities and change lives. SADD utilizes evidence-based countermeasures that are embedded into a national network of peer-to-peer, school and community-based chapters. The organization works to reduce teen driver traffic collisions and injuries, while decreasing impaired driving and distracted driving and increasing seat belt usage; SADD also focuses on teens making positive choices while inside and/or operating a vehicle. SADD believes that supporting, creating, and engaging student-led groups across the state can change the culture on teen driving in the state of South Carolina.

In FFY 2023, the OHSJP will approve a grant project to implement a statewide SADD program for South Carolina. The project will hire one SADD peer-to-peer program coordinator to open new chapters in schools across the state. This South Carolina SADD Coordinator will be responsible for creating educational messaging that promotes safe teen driving, as well as establishing new chapters and supporting existing chapters. Students will be empowered by the SC SADD Coordinator to help identify problems within their school and community and will be in charge of delivering intervention(s), participating in activities, and running their local SADD chapter. The grant project funds will also be used to support peer-to-peer programming and technical support.

During FFY 2023, the state coordinator will: recruit SADD advisors by visiting local schools, education summits, health and safety gatherings, and more; increasing the number of SADD chapters in the state; host regional trainings across the state for new and existing advisors; and build partnerships with relevant state and community resources and agencies such as community coalitions, law enforcement, emergency medical services, and public health departments.

The purpose of the South Carolina SADD Program is to provide teens with resources, education, and an outlet to discuss unsafe driving behaviors, to empower them to make better decisions when they are in and behind the wheel of a vehicle.

Intended subrecipient(s): Students Against Destructive Decisions, Inc.

Funding Sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2022	BIL NHTSA 402	Teen Safety Program	\$175,890	\$43,972.50	\$175,890

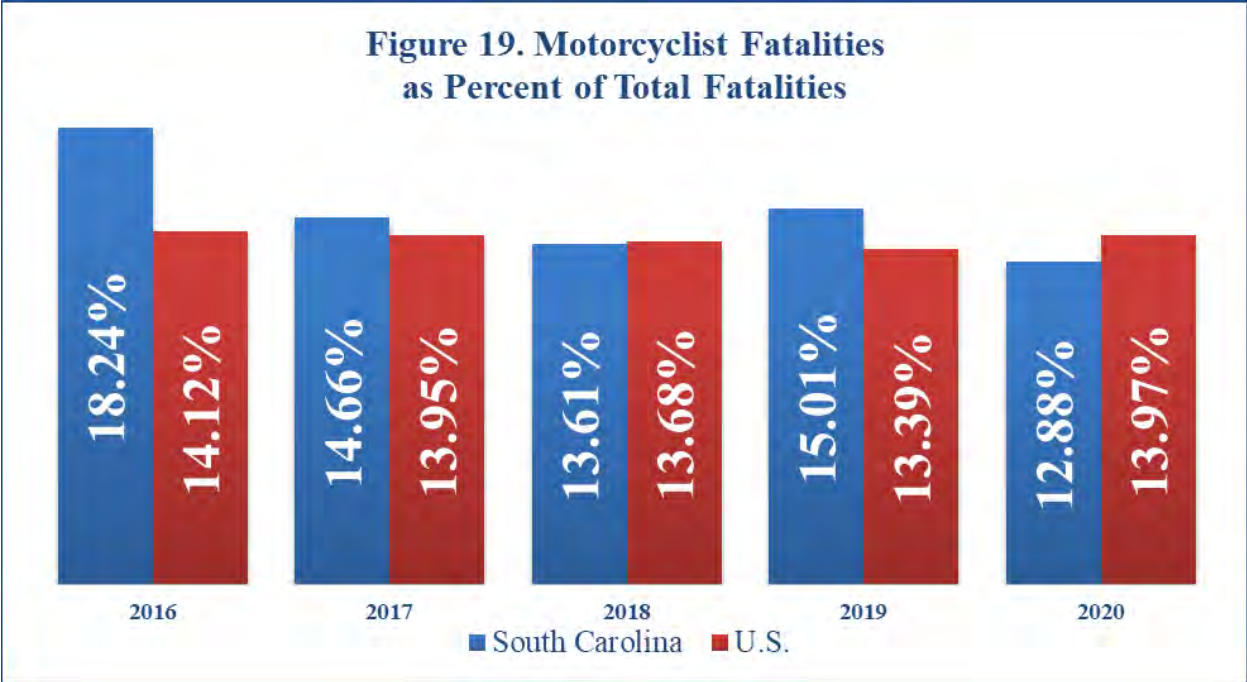
PROGRAM AREA: MOTORCYCLE SAFETY
DESCRIPTION OF HIGHWAY SAFETY PROBLEMS

Traffic Fatalities

According to NHTSA's FARS data (please note that FARS data includes moped riders in its motorcyclist fatality statistical information, while SC state data does not), in the period 2016-2020:

1. With the exception of 2018 and 2020, motorcyclist fatalities as a percent of total fatalities were above that of the nation during the five-year period from 2016-2020. In 2018 and 2020, the percentages of motorcyclist fatalities were slightly lower than that of the nation. In 2020, motorcyclists fatalities accounted for 12.88% of South Carolina's traffic fatalities, compared to 13.97% nationwide. See **Figure 19**.
2. In South Carolina, the counties with the highest number of motorcyclist fatalities and collisions in 2020 were Horry, Greenville, Charleston, Spartanburg, Richland, and Anderson. See **Table S-6**.
3. The majority of motorcyclist fatal collisions in South Carolina (53.90%) occurred on Fridays, Saturdays, and Sundays. This was also true for the nation for the five-year period, with the majority (55.46%) of fatal motorcyclist collisions also occurring on Fridays, Saturdays, and Sundays. South Carolina had the highest frequency of motorcyclist fatal collisions on Saturdays (164 collisions, 22.44% of total), Sundays (117 collisions, 16.01%), and Fridays (113 collisions, 15.46%). The highest proportion of motorcyclist fatal collisions occurred on Saturdays in both the state and the nation (22.44% and 21.44%, respectively) See **Table 21**.
4. South Carolina law requires helmet use for riders under the age of 21. From 2016 through 2020, 70.92% of South Carolina's motorcyclist fatalities occurred among those who were not using a helmet. This percentage is substantially higher than the percentage of unhelmeted motorcyclist fatalities for the US as a whole (37.76%) during the same period. See **Table 23**.
5. During the 2016-2020 period in South Carolina, 41.30% of all fatally injured motorcycle operators who were tested for BAC (540 motorcycle operators were tested out of 702 operators), had a BAC of at least 0.01. This percentage is higher than that of the US as a whole (17,518 motorcycle operators were tested out of 25,744 operators; 37.32%, or 6,537 operators had a BAC of at least 0.01). Overall, alcohol was involved in 31.77% and 25% of the total number of motorcyclist fatalities in SC and the nation, respectively. See **Table 24**.

Table S-6 Motorcyclist Fatalities and Collisions by County, State Data 2020		
County	Killed	Collisions
Horry	9	218
Greenville	12	184
Charleston	10	173
Spartanburg	8	130
Richland	3	123
Anderson	6	104
Lexington	8	95
Berkeley	5	79
York	6	72
Pickens	3	61
Aiken	4	57
Oconee	2	47
Dorchester	3	45
Beaufort	2	43
Laurens	4	34
Sumter	6	33
Florence	1	31
Orangeburg	2	28
Lancaster	0	27
Cherokee	1	25
Colleton	1	22
Darlington	0	22
Kershaw	4	22
Fairfield	3	16
Greenwood	1	15
Chester	0	14
Georgetown	4	13
Marlboro	3	13
Jasper	1	12
Clarendon	0	11
Chesterfield	0	10
Lee	0	10
Dillon	0	9
Newberry	0	8
Abbeville	1	7
Union	0	6
Williamsburg	0	6
Hampton	2	5
Calhoun	0	4
Saluda	0	4
Edgefield	0	3
McCormick	0	3
Marion	1	3
Barnwell	0	2
Allendale	0	1
Bamberg	0	1
All	116	1,851



As **Table 21** shows, the months with the most motorcyclist fatal crashes in South Carolina from 2016 to 2020 were August (83 crashes, 11.35% of total), October (81 crashes, 11.08% of total), and July (79 crashes, 10.81% of total).

In South Carolina, the three-hour windows in which the most motorcyclist fatal crashes occurred were 6 p.m. to 9 p.m. (188 crashes, 25.72% of total), 3 p.m. to 6 p.m. (135 crashes, 18.47% of total), and 9 p.m. to midnight (131 crashes, 17.92% of total). Across the state, the majority of motorcyclist fatal crashes occurred between the hours of 3 p.m. and midnight (62.11%).

**Table 21. Motorcyclist Fatal Crashes
by Month, Day of Week, and Time of Day: Totals 2016-2020**

	South Carolina N= 731		U.S. N= 25,506	
	N	%	N	%
MONTH				
January	30	4.10%	831	3.26%
February	41	5.61%	1,073	4.21%
March	45	6.16%	1,553	6.09%
April	67	9.17%	2,070	8.12%
May	78	10.67%	2,743	10.75%
June	71	9.71%	3,100	12.15%
July	79	10.81%	3,246	12.73%
August	83	11.35%	3,180	12.47%
September	75	10.26%	3,012	11.81%
October	81	11.08%	2,290	8.98%
November	51	6.98%	1,453	5.70%
December	30	4.10%	955	3.74%
DAY OF WEEK				
Sunday	117	16.01%	4,834	18.95%
Monday	72	9.85%	2,718	10.66%

Table 21. Motorcyclist Fatal Crashes by Month, Day of Week, and Time of Day: Totals 2016-2020				
	South Carolina		U.S.	
	N=	731	N=	25,506
Tuesday	83	11.35%	2,681	10.51%
Wednesday	92	12.59%	2,929	11.48%
Thursday	90	12.31%	3,032	11.89%
Friday	113	15.46%	3,843	15.07%
Saturday	164	22.44%	5,469	21.44%
TIME OF DAY				
0:00am-2:59am	60	8.21%	2,116	8.30%
3:00am-5:59am	29	3.97%	942	3.69%
6:00am-8:59am	45	6.16%	1,411	5.53%
9:00am-11:59am	55	7.52%	2,133	8.36%
12:00pm-2:59pm	88	12.04%	4,044	15.86%
3:00pm-5:59pm	135	18.47%	5,475	21.47%
6:00pm-8:59pm	188	25.72%	5,396	21.16%
9:00pm-11:59pm	131	17.92%	3,819	14.97%
Unknown Hours	0	0.00%	170	0.67%

NHTSA NCSA FARS: 2016-2019 Final File and 2020 Annual Report File (ARF)

As shown in **Table 22**, a much larger percentage of South Carolina’s 2016-2020 motorcyclist fatalities occurred among males compared to females (90.53% to 9.47%). This was also true for the nation (91.35% male).

Table 22. Motorcyclist Fatalities by Age Group and Gender: Totals 2016-2020								
Age Group	Fatalities by Age			Fatalities by Age and Sex				
	South Carolina		U.S.	South Carolina				U.S.
	N=	760	N=	25,744	Females		Males	
	N	%	N	N	%	N	%	%
<16	5	0.66%	115	1	20.00%	4	80.00%	86.09%
16-20	30	3.95%	1,264	5	16.67%	25	83.33%	91.30%
21-24	57	7.50%	2,450	3	5.26%	54	94.74%	93.80%
25-34	189	24.87%	5,947	18	9.52%	171	90.48%	92.84%
35-44	136	17.89%	4,244	14	10.29%	122	89.71%	90.98%
45-54	182	23.95%	4,784	25	13.74%	157	86.26%	88.13%
55-64	105	13.82%	4,490	5	4.76%	100	95.24%	90.91%
65-74	48	6.32%	1,967	1	2.08%	47	97.92%	93.04%
75+	8	1.05%	468	0	0.00%	8	100.0%	96.15%
Unknown	0	0.00%	15	0	0.00%	0	0.00%	46.67%
Total	760	100.0%	25,744	72	9.47%	688	90.53%	91.35%

NHTSA NCSA FARS: 2016-2019 Final File and 2020 Annual Report File (ARF)

As shown in **Table 23**, from 2016-2020, helmets were used in 28.55% of South Carolina’s motorcyclist fatalities; this number is substantially lower than what was observed for the US as a whole (60.50%). In South Carolina, helmet use among those fatally injured was below 40% for each age group, with the exception of the under 16, 16-20, and 65-74 age groups. It should be noted that state law only requires helmet use by riders under the age of 21.

Age Group	Motorcyclist Fatalities N	Helmet Used		Helmet Not Used	
		N	%	N	%
<16	5	2	40.00%	3	60.00%
16-20	30	20	66.67%	10	33.33%
21-24	57	22	38.60%	35	61.40%
25-34	189	51	26.98%	136	71.96%
35-44	136	36	26.47%	99	72.79%
45-54	182	37	20.33%	145	79.67%
55-64	105	22	20.95%	82	78.10%
65-74	48	24	50.00%	24	50.00%
75+	8	3	37.50%	5	62.50%
SC	760	217	28.55%	539	70.92%
U.S.	25,744	15,576	60.50%	9,722	37.76%

NHTSA NCSA FARS: 2016-2019 Final File and 2020 Annual Report File (ARF)

Table 24 shows that the percentage of alcohol involvement in South Carolina motorcycle operator fatalities for those between the ages of 35 to 44 was 38.40% during the years 2016-2020, the highest percentage of any age group during the five-year period. Overall, 41.30% of motorcycle operator fatalities in South Carolina who were tested for BAC had a positive BAC, higher than that seen for the nation (37.32%). Overall, in South Carolina, speed was cited as a factor in 37.61% of motorcycle operator fatalities compared to 33.44% for the nation; however, speed was a factor in 52.87% of the motorcycle operator fatalities among those between the ages of 25-34 years.

Age Group	Motorcycle Operator Fatalities N	Alcohol Involvement*			Speeding Involved**	
		# Tested	>= 0.01	%	N	%
<16	3	2	0	0.00%	1	33.33%
16-20	25	20	2	8.00%	7	28.00%
21-24	54	40	9	16.67%	21	38.89%
25-34	174	141	64	36.78%	92	52.87%
35-44	125	101	48	38.40%	56	44.80%
45-54	163	127	61	37.42%	44	26.99%
55-64	103	76	31	30.10%	29	28.16%
65-74	47	30	8	17.02%	13	27.66%
75+	8	3	0	0.00%	1	12.50%
SC	702	540	223	31.77%	264	37.61%
U.S.	25,744	17,518	6,537	25.39%	8,609	33.44%

NHTSA NCSA FARS: 2016-2019 Final File and 2020 Annual Report File (ARF)

Table 9 shows that in South Carolina, during the five-year period from 2016-2020, the number of motorcyclist fatalities was at its lowest in 2020 (137), and at its highest in 2016 (186). The count in 2020 (137 fatalities) represents a 12.04% decrease from the average of the prior four years (156 fatalities) and a 26.34% decrease from the 2016 total (186).

Table 9. South Carolina Motorcycle Rider Fatalities							
	2016	2017	2018	2019	2020	% Change: 2016 vs. 2020	% Change: 2020 vs. prior 4-yr Avg.
Total Fatalities	186	145	141	151	137	-26.34%	-12.04%
VMT Rate**	0.34	0.26	0.25	0.26	0.25	-26.47%	-9.91%
Pop Rate***	3.75	2.89	2.77	2.93	2.68	-28.53%	-13.13%
Pct. Of Total	18.24%	14.66%	13.61%	15.01%	12.88%	-5.36%	-2.50%
Unhelmeted Fat.	134	99	98	116	92	-31.34%	-17.67%
Pct. Unhelmeted Fat.	72.04%	68.28%	69.50%	76.82%	67.15%	-4.89%	-4.51%

NHTSA NCSA FARS: 2016-2019 Final File and 2020 Annual Report File (ARF)
 2020 VMT & VMT Rate provided by South Carolina Department of Transportation
 Population provided by U.S. Bureau of Census
 **Rate per 100 million vehicle miles
 ***Rate per 100,000 population

South Carolina’s population-based motorcyclist death rate followed a similar pattern as the number of fatalities. The 2020 rate (2.68 deaths per 100,000 population) represented a 13.13% decrease when compared to the 2016-2019 average (3.09), and a 28.53% decrease when compared to 2016 (3.75). The average population-based motorcyclist death rate in South Carolina for all five years (3.01 deaths per 100,000 residents) was higher than the average national rate (1.57) during the same timeframe.

Unhelmeted motorcyclists accounted for 72.04% of South Carolina’s motorcyclist fatalities in 2016. During the five year period, 2016-2020, the number of unhelmeted motorcyclist fatalities was at its lowest in 2020 (92) and at its highest in 2016 with 134 fatalities. The count in 2020 (92) represents a 17.67% decrease from the 2016-2019 average (112 fatalities) and a 31.34% decrease from the number in 2016 (134). As a percentage of all motorcyclist fatalities in the state, unhelmeted motorcyclists accounted for approximately 70.76% during the 2016-2020 period, with the 2020 percentage (67.15%) representing a 4.51% decrease compared to the prior four-year average (71.66%) and a 4.89% decrease from the 2016 figure.

As seen in **Table 26**, the number of motorcyclist fatalities and the population-based fatality rate decreased in 2020 when compared to the 2016 figure by 1.12% and 3.64%, respectively. The number of motorcycle fatalities and the population-based fatality rate both increased when compared to the prior four-year average by 3.13% and 1.27%, respectively. Additionally, the nation’s motorcyclist percent of total fatalities decreased slightly (0.15%) when compared to the 2016 figure. The number of unhelmeted fatalities in the U.S. in 2020 increased slightly (0.48%) compared to the figure in 2016. The nation’s 2020 proportion of unhelmeted motorcyclist fatalities also increased, by 0.63%, compared to the average of the prior four years.

Table 26. Nationwide Motorcycle Rider Fatalities							
	2016	2017	2018	2019	2020	% Change: 2016 vs. 2020	% Change: 2020 vs. prior 4-yr Avg.
Total Fatalities	5,337	5,226	5,037	4,867	5,277	-1.12%	3.13%
VMT Rate**	0.17	0.16	0.16	0.15	0.18	5.88%	12.50%
Pop Rate***	1.65	1.61	1.54	1.48	1.59	-3.64%	1.27%
Pct. Of Total	14.12%	13.95%	13.68%	13.39%	13.97%	-0.15%	0.18%
Unhelmeted Fat.	2,064	1,916	1,840	1,828	2,074	0.48%	8.47%
Pct. Unhelmeted Fat.	38.67%	36.66%	36.53%	37.56%	39.30%	0.63%	1.95%

NHTSA NCSA FARS: 2016-2019 Final File and 2020 Annual Report File (ARF)

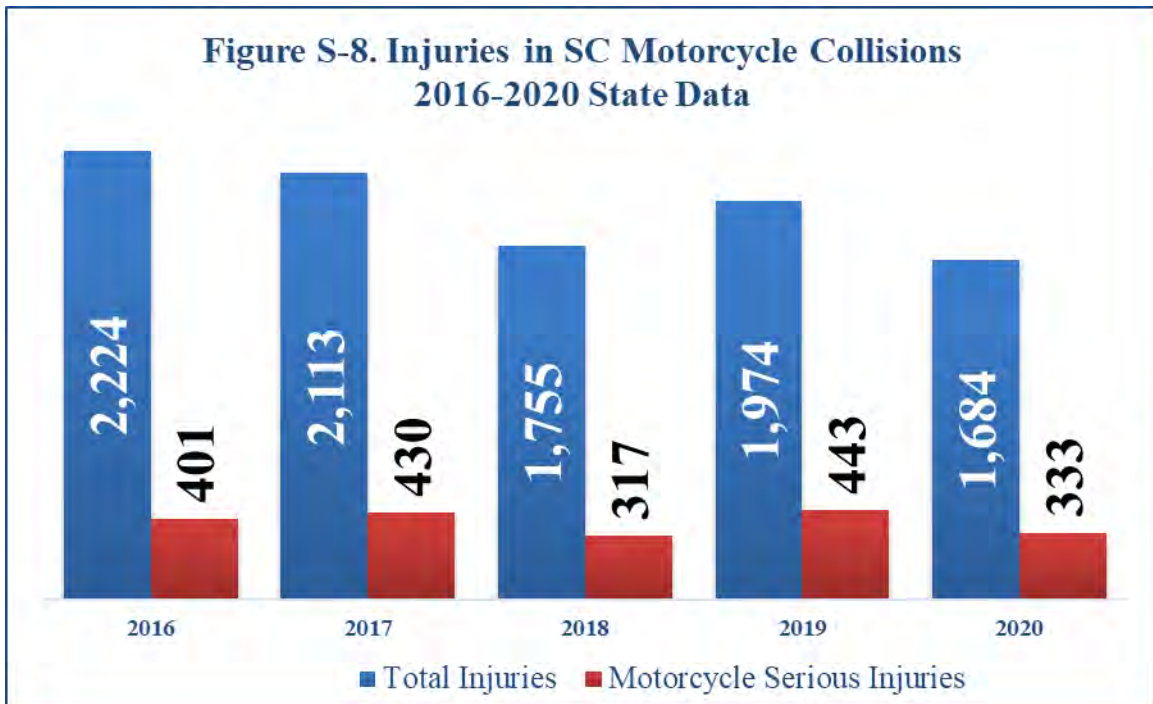
**Rate per 100 million vehicle miles

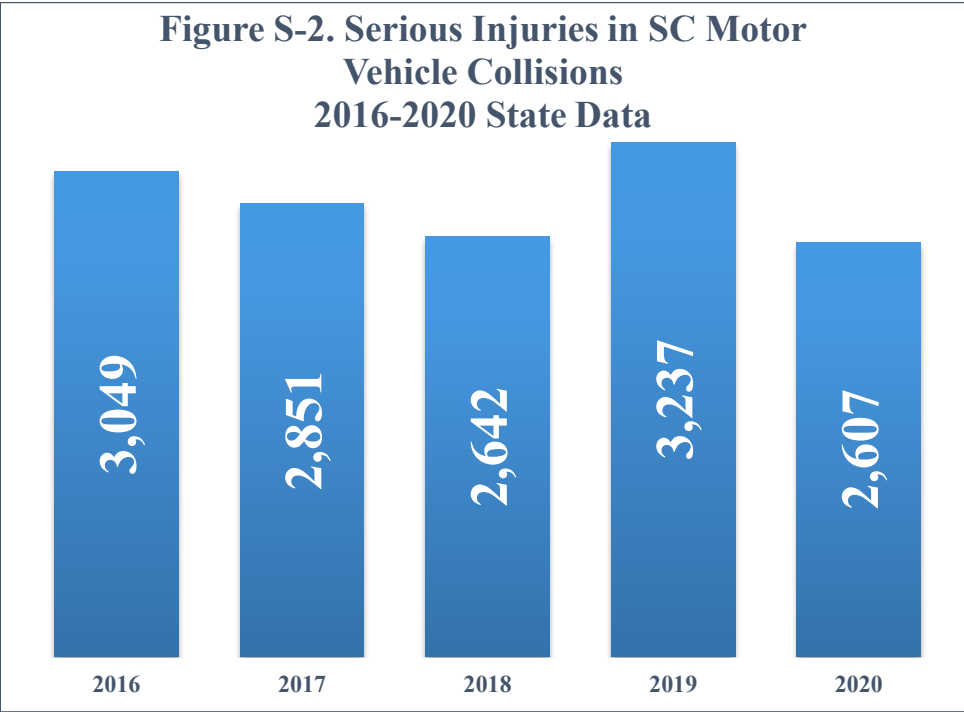
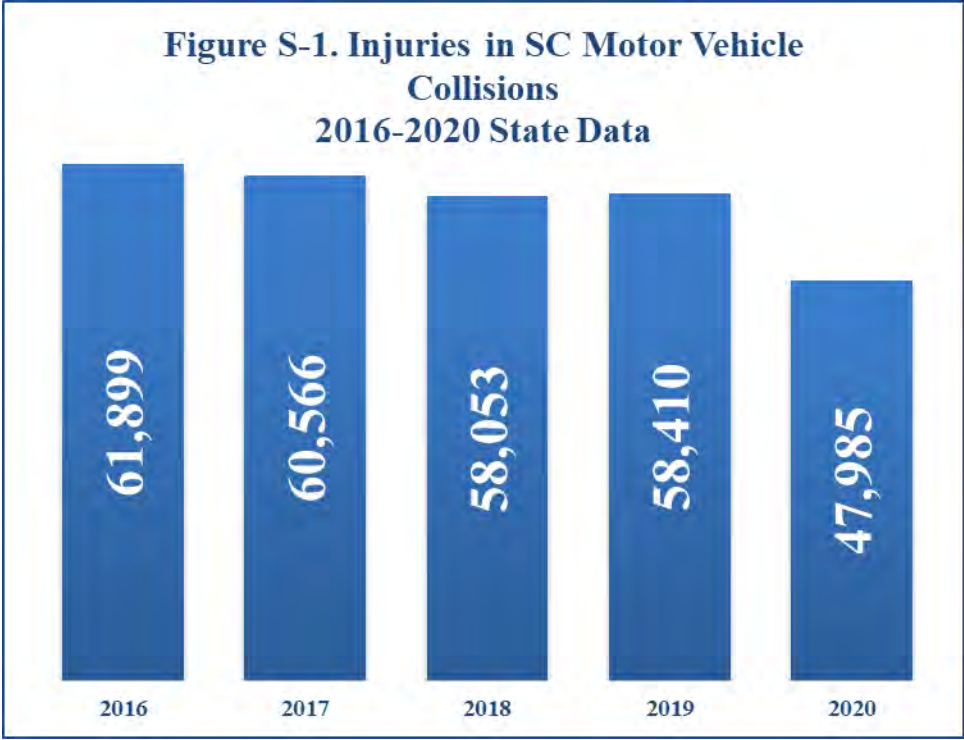
***Rate per 100,000 population

Traffic Collision Injuries

Unlike NHTSA’s FARS data for motorcyclist fatalities, South Carolina does not include moped riders in its calculation of motorcyclist injuries. As seen in **Figure S-8**, there were 1,684 persons injured in motorcycle collisions in South Carolina during 2020, compared to 2,224 in 2016, a 24.28% decrease. Additionally, the total for 2020 (1,684) is significantly lower (16.49%) than the average number of motorcyclist collision injuries during the four years prior (2016-2019; [2,017]). From 2016-2020, motorcycle collision injuries (9,750) represented approximately 3.40% of all traffic crash injuries (286,913) in South Carolina (see **Figure S-1** and **Figure S-8**).

In 2020, a total of 333 serious motorcycle injuries occurred, a 16.96% decrease from the 401 in 2016 (see **Figure S-8**). The 2020 figure represented a 24.83% decrease compared to the 2019 figure (443). The 1,924 serious motorcycle injuries that occurred during the five year period 2016-2020 accounted for 13.37% of all serious traffic injuries in the state (14,386) (see **Figure S-2** and **Figure S-8**).





Traffic Collisions

Unlike NHTSA's FARS data, South Carolina does not include mopeds in its calculation of motorcycle fatal collisions or in its state calculations of all collisions. As seen in **Figure S-9**, motorcycle collisions decreased by 20.52% in South Carolina from 2,329 in 2016 to 1,851 in 2020. The 2020 figure represents a 9.31% decrease over the 2019 figure (2,041) and a decrease of 13.77% compared to average of the previous four-year period 2015-2018 (2,147). From 2016 to 2020, motorcycle collisions (10,437) represented only a small percentage (1.52%) of all traffic collisions (688,210) in South Carolina. Also, during the same time period, serious injury motorcycle collisions (1,844) represented 17.67% of the total number of motorcycle collisions (10,437). The number of serious injury motorcycle collisions decreased in 2020 (317) when compared to the 2016 figure (385) by 17.66%. The 2020 figure represents a decrease compared to the 2019 figure (427) of 25.76%.

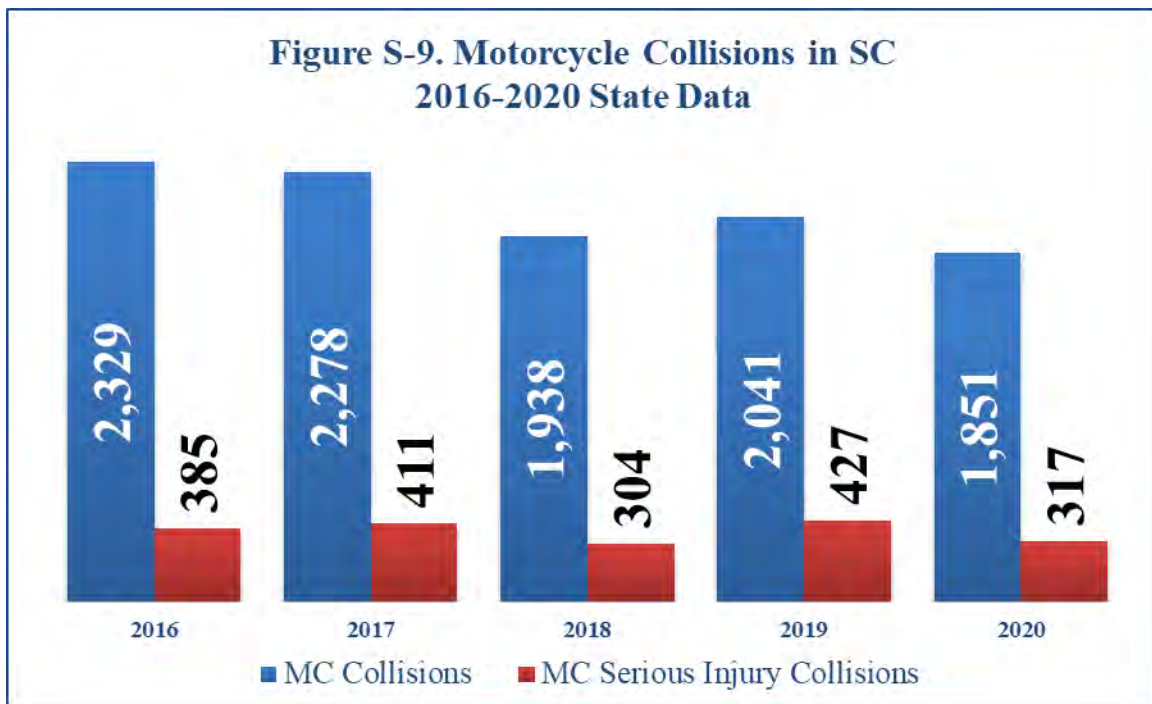


Table S-7 contains information on the top contributing factors for motorcycle collisions in South Carolina from 2016 to 2020. These factors are driving too fast for conditions, failed to yield right-of-way, driver under the influence, improper lane usage/change, following too closely, animal in the road, distracted/inattention, other improper action (driver), aggressive operation of vehicle, and disregarded signs/signals/etc.

Table S-7 South Carolina Collisions Involving a Motorcycle, State Data 2016-2020						
Primary Contributing Factor	Fatal Collision	Injury Collision	Property Damage Only Collision	Total Collisions	All Persons Killed	All Persons Injured
Driving Too Fast for Conditions	122	2,388	626	3,136	128	2,684
Failed To Yield Right of Way	150	1,822	431	2,403	159	2,246
Driver Under Influence	119	535	60	714	129	653
Improper Lane Usage/Change	15	394	152	561	16	459
Followed Too Closely	3	260	143	406	3	297
Animal In Road	12	347	47	406	13	390
Distracted/Inattention	3	235	114	352	3	273
Other Improper Driver Action	4	215	125	344	4	250
Aggressive Operation of Vehicle	39	232	49	320	41	281
Disregarded Signs/Signals/Etc.	15	197	48	260	15	262

Table S-Other contains information on the types of collisions involving a motorcycle in South Carolina from 2016 to 2020. In 2020, of the 1,851 motorcycle collisions, 1,050 were motorcycle versus a motor vehicle. The second highest type of motorcycle collisions in 2020 were single motorcycle collisions, with 757 collisions occurring that year. Motorcycle versus motorcycle collisions (32) and motorcycle vs non-motorist (12) ranked third and fourth, respectively. **Table MC-5** details the types of collisions involving a motorcycle by county from 2016-2020.

Table S-Other MTC. Collisions Involving a Motorcycle by Type, 2016-2020 - SC					
Type	2016	2017	2018	2019	2020
Motorcycle vs Motor Vehicle	1,393	1,379	1,134	1,219	1,050
Motorcycle vs Motorcycle	52	45	26	33	32
Motorcycle vs Non-motorist	21	22	18	19	12
Single Motorcycle	863	832	760	770	757
	2,329	2,278	1,938	2,041	1,851

MC-5: Collisions Involving a Motorcycle by County, 2020 State Data			
County	Motorcycle vs Motor Vehicle	Motorcycle vs Motorcycle	Total Motorcycle Involved Collisions
Abbeville	3	0	7
Aiken	28	0	57
Allendale	0	0	1
Anderson	54	2	104
Bamberg	1	0	1
Barnwell	1	0	2
Beaufort	21	1	43
Berkeley	40	0	79
Calhoun	2	0	4
Charleston	112	2	173
Cherokee	14	0	25
Chester	2	0	14
Chesterfield	7	0	10
Clarendon	6	0	11
Colleton	10	0	22
Darlington	8	0	22
Dillon	3	0	9
Dorchester	28	0	45
Edgefield	2	0	3
Fairfield	7	1	16
Florence	12	2	31
Georgetown	9	1	13
Greenville	114	1	184
Greenwood	9	0	15
Hampton	0	0	5
Horry	133	4	218
Jasper	5	0	12
Kershaw	12	1	22
Lancaster	14	2	27
Laurens	17	0	34
Lee	7	0	10
Lexington	55	1	95
McCormick	2	0	3
Marion	1	1	3
Marlboro	4	0	13
Newberry	0	0	8
Oconee	23	0	47
Orangeburg	13	0	28
Pickens	28	4	61
Richland	93	3	123
Saluda	2	1	4
Spartanburg	75	3	130
Sumter	20	1	33
Union	4	1	6
Williamsburg	2	0	6
York	47	1	72
Total	1,050	33	1,851

DESCRIPTION OF HIGHWAY SAFETY PROBLEMS – MOPED OPERATORS

Traffic Collision Fatalities

According to SC state data (the state’s fatality data does not include mopeds as a subset of motorcycles) (see **Table S-24**), in 2020, there were 22 moped operator fatalities as a result of motor vehicle collisions in South Carolina. These 22 fatalities accounted for 2.06% of the total fatalities for the state that year. In 2020, moped-operator traffic fatalities decreased by 43.59% compared to 2016 and were 33.33% lower when compared to the average number of moped operator traffic fatalities for the four-year period 2016-2019 (33).

	2016	2017	2018	2019	2020	Total
Total Fatalities	1,020	989	1,036	1,006	1,066	5,117
Moped Fatalities	39	29	30	32	22	152
Percent of Total	3.82%	2.93%	2.90%	3.18%	2.06%	2.97%

Traffic Collision Injuries

According to state data, 2,787 injuries or possible injuries in collisions were sustained by moped operators/riders as a result of collisions during the period 2016-2020 (does not include fatally injured moped operators/riders), representing 0.97% of all traffic-related injuries during the time period (286,913). Traffic injuries among moped operators have decreased since 2016, with 684 such injuries occurring in 2016 and 446 such injuries occurring in 2020, a decrease of 34.80%.

Table S-25 shows total moped riders involved in traffic collisions by injury severity. Serious injuries among moped riders decreased from 2016 to 2020, with 124 such injuries in 2016 compared to 114 in 2020, a decrease of 8.06%. The 2020 figure also represents a decrease of 2.56% compared to the average number of moped-rider serious injuries for the four-year period 2016-2019 (117).

Year	No Apparent Injury	Possible Injury	Minor Injury	Serious Injury	Fatal Injury	Total Moped Operators/Riders
2016	137	276	284	124	39	860
2017	133	245	280	121	29	808
2018	109	200	210	105	30	654
2019	97	159	221	116	32	625
2020	103	137	195	114	22	571
Total	579	1,017	1,190	580	152	3,518

As shown in **Table S-26**, the top six counties for moped-operator fatal and serious injury collisions accounted for an average of approximately 37.27% of the total number of moped-operator fatal and serious injury collisions during the five-year period. These counties are Horry, Greenville, Charleston, Spartanburg, Anderson, and Richland.

County	2016	2017	2018	2019	2020	Total	Cumulative Percent of Total
Horry	25	28	25	8	10	96	13.48%
Greenville	21	18	20	20	9	88	25.84%
Charleston	16	16	5	12	21	70	35.67%
Spartanburg	15	10	13	11	11	60	44.10%
Anderson	10	6	9	6	9	40	49.72%
Richland	3	11	5	9	8	36	54.78%

Traffic Collisions

According to state data, traffic collisions involving moped operators declined consistently from 2016-2020 (**Table S-27**). The 3,233 total collisions represent only 0.47% of the state's 688,210 total traffic collisions during the 2016-2020 time period. In 2020, the state experienced 519 moped-involved collisions, representing a 34.39% decrease compared to the number of collisions in 2016 (791). In 2020, the number of moped-operator traffic collisions decreased by 10.67% compared to 2019, and the 2020 figure was 23.56% lower than the average number for the four-year period 2016-2019 (679).

Year	Fatal Collision	Injury Collision	Property Damage Only Collision	Total Collisions
2016	40	649	102	791
2017	29	610	98	737
2018	30	488	87	605
2019	30	474	77	581
2020	22	419	78	519
Total	151	2,640	442	3,233

Table S-28 shows that in South Carolina during the period 2016-2020, the greatest concentration of moped-involved collisions occurred between 3:01 p.m. and 6:00 p.m. (774 or 23.94%). During that same time period, the greatest number of fatal moped-involved collisions occurred between the hours of 6:01 p.m. to 9:00 p.m. (35, or 23.18%).

Time of Day	Total Collisions	Fatal Collision
12:01am - 3:00am	165	9
3:01am - 6:00am	100	11
6:01am - 9:00am	217	14
9:01am - Noon	295	12
12:01pm - 3:00pm	523	18
3:01pm - 6:00pm	774	20
6:01pm - 9:00pm	689	35
9:01pm - Midnight	470	32
Total	3,233	151

Associated Performance Measures

Fiscal Year	Performance measure name	Target End Year	Target Period	Target Value
2023	C-7) Number of motorcyclist fatalities (FARS)	2023	Annual	151
2023	C-8) Number of unhelmeted motorcyclist fatalities (FARS)	2023	Annual	107
2023	C-12) South Carolina Moped Fatalities, with Five Year Trend Analysis	2023	Annual	29

Countermeasure Strategies in Program Area

Countermeasure Strategy	Description Located on Page No.
Motorcyclist Awareness Campaign	202
VRU Communication Campaign	212

Countermeasure Strategy: Motorcyclist Awareness Campaign

Program Area: Motorcycle Safety

Project Safety Impacts

The importance of helmet use, the dangers of impaired motorcycling, and the importance of having a valid motorcycle endorsement on one's driver's license are all important objectives for improving motorcycle safety in the state of South Carolina. Another objective is to increase other motorists' awareness of motorcyclists by increasing the visibility of motorcyclists and by educating other drivers on the importance of sharing the road with motorcycles. If these objectives are accomplished, the positive traffic safety impact of improved motorcycle safety could be achieved. Thankfully, these objectives can be met, in part, through communications and outreach efforts intended to promote helmet use, reduce impaired motorcycling, increase licensing, and spread Share the Road messaging to the motoring public.

Linkage Between Program Area

As evidenced by the problem identification data, motorcyclist fatalities represented 12.88% of the state's total fatalities in 2020. Of the 1,851 motorcycle collisions that occurred during the year 2020, 1,050 involved another vehicle. It is clear that there is an impetus for increasing other motorists' awareness of motorcyclists, given the severity of such collisions. Communication and outreach can be used to improve other motorists' awareness of motorcyclists and to promote the use of helmets and other protective gear among motorcyclists. As such, allocation of funds to motorcyclist awareness campaigns is needed in order to help the state achieve its motorcycle safety performance targets.

Rationale

Efforts relative to motorcycle safety in SC have utilized countermeasures deemed by the *Countermeasures that Work: A Highway Safety Countermeasure Guide For State Highway Safety Offices, Tenth Edition, 2020* document as having limited evidence in terms of improving motorcycle safety, such as strengthening motorcycle licensing requirements (Chapter 5, Section 3.1, pp. 5-19); motorcycle rider training (Chapter 5, Section 3.2, pp. 5-20); helmet use promotion (Chapter 5, Section 1.2, p. 5-13); Communications and Outreach: Conspicuity and Protective Clothing (Chapter 5, Section 4.1, pp. 5-21); and Communications and Outreach: Motorist Awareness of Motorcyclists (Chapter 5, Section 4.1, p. 5-22). Though the document indicates limited evidence in terms of effectiveness, SC lacks a universal helmet law and has a strong legislative lobby against such a law; therefore, these awareness efforts are essential to the state if it is to address the problem of motorcycle safety.

Planned Activity in Countermeasure Strategy

Unique Identifier	Planned Activity Name	Description Located on Page No.
M11MA	Motorcyclist Awareness Campaign	203

Planned Activity: Motorcyclist Awareness Campaign

Planned activity number: M11MA

Primary Countermeasure Strategy ID: Motorcyclist Awareness Campaign

Planned Activity Description:

*Regarding the counties or political subdivisions in which the highest number of motorcycle collisions involving another motor vehicle, the information was gathered from 2020, which is the state's most recent final crash data.

Motorcycle Safety Public Information and Education Campaign

A successful motorcycle safety public information and education campaign, which began in FFY 2007, has been maintained and will continue during FFY 2023 in Horry County during the month of May 2023 as part of two major motorcycle rallies (Myrtle Beach Bike Rally and Atlantic Beach Bikefest). Messaging will focus on awareness of motorcyclists on the part of motor vehicle drivers.

Statewide Motorcycle Safety Awareness Program

The state of South Carolina in FFY 2023 will again launch a statewide motorcycle safety awareness program modeled after campaign efforts developed for FFY 2022. The primary feature of the campaign will involve “Share the Road” messaging to increase motorist awareness of the presence of motorcyclists on the roadways and sharing the road appropriately with these vehicles. The campaign will utilize radio public service announcements, outdoor advertising, social media, SCDOT message signs, and displays placed at motorcycle rallies and events. The outreach efforts will be conducted during the Myrtle Beach Bike Week and Atlantic Beach Bike Fest motorcycle rallies in May 2023. The campaign, though statewide, will focus on counties that sustained the highest number of motorcyclist fatalities during CY 2020 and those counties in which the greatest number of motorcycle collisions involving another motor vehicle occurred.

The FFY 2023 Motorcycle Safety Campaign will focus on increasing the awareness of motorists in passenger vehicles regarding the presence of motorcyclists on the roadways. The campaign concept will be used to alert motorists of the presence of motorcyclists and urge everyone to “share

the road”. The message will target both motorists and motorcyclists. Individual billboards focusing exclusively on motorcyclists will be used, predominantly in priority counties during the statewide campaign event. Though statewide, the campaign will focus on counties having the majority of motorcyclist fatalities and motorcyclist traffic injuries during the year with the latest final data. It will target the months of the year and locations that are most likely to see a significant number of motorcyclists on the roads and those counties in which the greatest number of motorcycle collisions involving another motor vehicle occurred: Horry, Greenville, Charleston, Richland, Spartanburg, Lexington, Anderson, and York.

Motorcycle Safety Task Force

The Motorcycle Safety Task Force will continue to meet quarterly and form partnerships with various state, federal, and local agencies, as well as community groups to develop and implement strategies to reduce the number of motorcycle collisions, fatalities, and injuries.

Use of Variable Message Signs through SCDOT

In partnership with the SCDOT, the OHSJP will again secure the use of variable message signs around the state in designated time periods during the motorcycle safety campaign effort. These message signs will be utilized in May 2023. The message to be shown on the message boards is, “Stay Alert. Look for Motorcycles.” This has proven extremely valuable to the campaign effort, as hundreds of thousands of motorists will be exposed to campaign messaging while they are in the act of driving and/or riding.

Intended Subrecipient(s): The South Carolina Department of Public Safety

Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2022	BIL 405f Motorcycle Safety Programs	405f Motorcyclist Awareness	\$75,049.93	\$18,762.48	\$0
2022	SUPPLEMENTAL BIL 405f Motorcycle Safety Programs	405f Motorcyclist Awareness	\$4,950.07	\$1,237.52	\$0
2022	BIL NHTSA 402	402 Safety Campaign	\$40,000	\$10,000	\$0

PROGRAM AREA: NON-MOTORIZED (BICYCLIST/PEDESTRIAN)

DESCRIPTION OF HIGHWAY SAFETY PROBLEMS-BICYCLISTS

Traffic Collision Fatalities

According to NHTSA’s FARS data, there were 14 bicyclist fatalities in South Carolina in 2020. These 14 fatalities accounted for only 1.32% of the total fatalities for the state for 2020 (**Table 13**).

In South Carolina, there were 105 bicyclist fatalities in the five-year period from 2016 to 2020. The 2020 number of bicyclist fatalities (14) represents a 44% decrease from the level in 2016 and a 38.46% decrease when compared to the average of the previous four-year period. In comparison, bicyclist fatalities increased nationwide in 2020 (7.85%), and 8.59% from the previous four-year period (**Table 32**).

Table 32. Nationwide Bicyclist Fatalities							
	2016	2017	2018	2019	2020	% Change: 2016 vs. 2020	% Change: 2020 vs. prior 4-yr Avg.
Total Fatalities	853	806	871	859	920	7.85%	8.59%
VMT Rate**	0.03	0.03	0.03	0.03	0.03	0.00%	0.00%
Pop Rate***	0.26	0.25	0.27	0.26	0.28	7.69%	7.69%
Pct. Of Total	2.26%	2.15%	2.36%	2.36%	2.44%	0.18%	0.16%

NHTSA NCSA FARS 2016-2019 Final File and 2020 Annual Report File (ARF)

**Rate per 100 million vehicle miles

***Rate per 100,000 population

Throughout the five-year period (2016-2020), South Carolina’s average population-based bicyclist fatality rate (0.41 deaths per 100,000 population) was higher than the average population-based bicyclist fatality rate (0.26) for the nation. South Carolina’s rate in 2020 (0.27) was 46% lower than the 2016 rate and 39.66% lower than the prior four-year average (**Table 13**). Nationwide, the population-based bicyclist fatality rate increased by 7.69% in 2020 (0.28) compared to the 2016-2019 average (0.26), and increased 7.69% compared to the rate in 2016.

Table 13. South Carolina Bicyclist Fatalities							
	2016	2017	2018	2019	2020	% Change: 2016 vs. 2020	% Change: 2020 vs. prior 4-yr Avg.
Total Fatalities	25	17	23	26	14	-44.00%	-38.46%
VMT Rate**	0.05	0.03	0.04	0.04	0.03	-40.00%	-25.00%
Pop Rate***	0.50	0.34	0.45	0.50	0.27	-46.00%	-39.66%
Pct. Of Total	2.45%	1.72%	2.22%	2.58%	1.32%	-1.13%	-0.92%

NHTSA NCSA FARS: 2016-2019 Final File and 2020 Annual Report File (ARF)

2020 VMT & VMT Rate provided by South Carolina Department of Transportation

Population provided by U.S. Bureau of Census

**Rate per 100 million vehicle miles

***Rate per 100,000 population

Traffic Collision Injuries

Based on state data, non-serious bicyclist injuries decreased from 2016 to 2018, before increasing in 2019, and decreasing significantly in 2020; the 336 non-serious injuries in 2020 represent the lowest figure during the five-year period. The number of non-serious injuries for 2020 represents a decrease of 20.57% when compared to the 2016 figure (423), as well as a decrease when compared to the average of 2016-2019 (398). **Table S-20** shows that total number of bicyclist

traffic injuries in the state for the five-year period was 2,293, or 0.80% of the total traffic injuries in the state for the same time period (286,913). Total bicyclist injuries decreased in 2020 (408) when compared to both 2016 (503), 2019 (467) and the prior four-year average (471) by 18.89%, 12.63% and 13.38%, respectively.

Table S-20 Bicyclists by Injury Type, State Data 2016-2020				
Year	Non-Serious Injuries	Serious Injuries	Fatal Injuries	Total Bicyclists Injured
2016	423	56	24	503
2017	416	46	17	479
2018	361	53	22	436
2019	391	49	27	467
2020	336	57	15	408
Total	1,927	261	105	2,293

As seen in **Table S-21** in 2016, bicyclists experienced 56 serious injuries. The number of serious injuries decreased to 46 in 2017, and increased to 53 in 2018, before falling to 49 in 2019. The 57 serious injuries that occurred in 2020 were 16.33% higher than in 2019, 1.79% higher than in 2016, and 11.76% higher than the average number of bicyclist serious traffic-related injuries for 2016-2019 (51).

Table S-21 Bicyclists by Serious Injury, State Data 2016-2020					
	2016	2017	2018	2019	2020
South Carolina	56	46	53	49	57

Traffic Collisions

According to state data, SC experienced 2,418 total traffic collisions involving bicyclists during the time period 2016-2020. As shown in **Table S-22**, during the five-year period, the number of bicyclist collisions varied. In 2020, the state's number of bicyclist collisions decreased 11.89% compared to the previous year (488 collisions) and was 17.47% lower than it was in 2016. In 2020, the state's number of bicyclist collisions were 13.48% lower than the average number of bicyclist collisions (497) for the four-year period 2016-2019.

Table S-22 Total Bicycle Collisions by Year, State Data 2016-2020				
Year	Fatal Collision	Injury Collision	Property Damage Only Collision	Total Collisions
2016	24	472	25	521
2017	18	463	31	512

Table S-22 Total Bicycle Collisions by Year, State Data 2016-2020				
Year	Fatal Collision	Injury Collision	Property Damage Only Collision	Total Collisions
2018	22	416	29	467
2019	27	442	19	488
2020	15	393	22	430
Total	106	2,186	126	2,418

Table S-23 presents the number of fatal and serious injury bicycle-related collisions from 2016-2020 by county. Charleston, Horry, Greenville, and Beaufort counties had the highest occurrences of bicyclist fatal and serious injury collisions during this time period with 78, 34, 29, and 25, respectively.

Table S-23. Bicycle Fatal and Serious Injury Collisions by County, State Data 2016-2020						
County	2016	2017	2018	2019	2020	2016-2020
Abbeville	0	1	0	0	0	1
Aiken	2	0	4	6	0	12
Allendale	0	0	0	0	0	0
Anderson	1	2	0	1	1	5
Bamberg	0	0	0	0	0	0
Barnwell	1	0	0	0	0	1
Beaufort	8	3	6	6	2	25
Berkeley	3	3	1	1	3	11
Calhoun	0	0	0	0	0	0
Charleston	16	6	18	15	23	78
Cherokee	1	0	0	0	2	3
Chester	0	1	0	0	0	1
Chesterfield	1	0	0	1	1	3
Clarendon	0	0	1	1	1	3
Colleton	0	2	3	0	0	5
Darlington	1	0	2	1	2	6
Dillon	0	0	1	0	0	1
Dorchester	3	1	0	2	6	12
Edgefield	0	0	0	0	1	1
Fairfield	0	0	0	0	0	0
Florence	1	3	4	2	0	10
Georgetown	1	4	1	1	1	8
Greenville	4	4	7	7	7	29
Greenwood	0	0	1	0	0	1
Hampton	0	2	0	1	0	3
Horry	7	6	10	5	6	34
Jasper	0	1	1	2	1	5
Kershaw	0	0	1	0	0	1
Lancaster	3	2	1	1	0	7
Laurens	1	1	0	1	1	4
Lee	0	0	0	0	0	0
Lexington	5	1	2	2	5	15

Table S-23. Bicycle Fatal and Serious Injury Collisions by County, State Data 2016-2020						
County	2016	2017	2018	2019	2020	2016-2020
McCormick	0	0	0	0	0	0
Marion	1	3	0	1	0	5
Marlboro	0	0	0	0	1	1
Newberry	1	1	0	0	0	2
Oconee	1	2	2	2	1	8
Orangeburg	2	2	0	2	0	6
Pickens	0	0	0	1	0	1
Richland	3	5	2	5	2	17
Saluda	0	0	0	0	0	0
Spartanburg	7	4	3	4	1	19
Sumter	3	1	2	1	2	9
Union	1	0	0	0	0	1
Williamsburg	0	1	0	1	0	2
York	1	0	2	2	4	9
Total	79	62	75	75	74	365

DESCRIPTION OF HIGHWAY SAFETY PROBLEMS-PEDESTRIANS

Traffic Collision Fatalities

The state of South Carolina is now experiencing a pedestrian safety problem of great magnitude. **Table 12** shows the number and rate of pedestrian fatalities in South Carolina, both of which increased considerably throughout the 2016-2020 period. Overall, the 2020 total (187 fatalities) is 19.30% higher than the prior four-year average (157 fatalities) and 29.86% higher than the 2016 total (144 fatalities).

Table 12. South Carolina Pedestrian Fatalities							
	2016	2017	2018	2019	2020	% Change: 2016 vs. 2020	% Change: 2020 vs. prior 4-yr Avg.
Total Fatalities	144	155	165	163	187	29.86%	19.30%
VMT Rate**	0.26	0.28	0.29	0.28	0.35	34.62%	26.13%
Pop Rate***	2.90	3.09	3.25	3.17	3.65	25.86%	17.65%
Pct. Of Total	14.12%	15.67%	15.93%	16.20%	17.58%	3.46%	2.10%

NHTSA NCSA FARS: 2016-2019 Final File and 2020 Annual Report File (ARF)
 2020 VMT & VMT Rate provided by South Carolina Department of Transportation
 Population provided by U.S. Bureau of Census

**Rate per 100 million vehicle miles

***Rate per 100,000 population

Throughout the five-year period (2016-2020), pedestrian fatalities accounted for, on average, 15.90% of all traffic-related fatalities in South Carolina. The 2020 percentage of South Carolina pedestrian fatalities to total traffic fatalities (17.58%) represents a 2.10% increase in this index when compared to the 2016-2019 average (15.48%) and a 3.46% increase compared to the 2016 proportion (14.12%).

The state's population-based pedestrian fatality rate increased in 2020 (3.65 deaths per 100,000 population) by 17.65% when compared to the prior four-year average (3.10). Over all five years, South Carolina's average population death rate for pedestrians (3.21) was higher than the rate seen for the US as a whole (1.90).

Table 33 indicates that nationwide, pedestrians accounted for an average of approximately 6,227 deaths annually during the 2016-2020 period. Total pedestrian fatalities increased in 2020 (6,333 fatalities) by 2.14% when compared to the 2016-2020 average (6,200). Additionally, the 2020 nationwide population-based fatality rate for pedestrian fatalities (1.91) increased by 0.39% as compared to the previous four-year average (1.90). In the US, pedestrians accounted for an average of 16.72% of all 2016-2020 traffic-related fatalities. The 2020 proportion of pedestrian fatalities to total traffic fatalities (16.76%) represented a 0.05% increase when compared to the prior four-year average.

	2016	2017	2018	2019	2020	% Change: 2016 vs. 2020	% Change: 2020 vs. prior 4-yr Avg.
Total Fatalities	6,080	6,075	6,374	6,272	6,333	4.16%	2.14%
VMT Rate**	0.19	0.19	0.20	0.19	0.22	15.79%	14.29%
Pop Rate***	1.88	1.87	1.95	1.91	1.91	1.60%	0.39%
Pct. Of Total	16.08%	16.21%	17.31%	17.25%	16.76%	0.68%	0.05%

NHTSA NCSA FARS 2016-2019 Final File and 2020 Annual Report File (ARF)

**Rate per 100 million vehicle miles

***Rate per 100,000 population

Traffic Collision Injuries

According to state data (**Table S-29**), the state of South Carolina experienced 4,627 traffic-related injuries (not including fatalities) in the years 2016-2020 involving pedestrians. Of these injuries, 1,022, or 22.09%, were serious injuries. The number of pedestrian injuries has fluctuated in recent years, with the state in 2020 experiencing a 13.50% decrease in pedestrian traffic injuries compared to 2016. The 2020 figure of 814 total non-fatal pedestrian traffic injuries represents a decrease (15.91%) from 2019's number of 968. Serious pedestrian traffic injuries have increased since 2016, with the 2018 and 2020 figures representing the only declines of the five-year period. Although the number of serious injuries declined by 8.60% from 2019 to 2020, the 2020 figure is still significantly higher than 2016 figure (183), which was the lowest figure of the five-year period. In fact, the 2020 figure for serious pedestrian traffic injuries (202) is 10.38% higher than the 2016 figure of 183; however, it is slightly lower (1.46%) than the average number of pedestrian serious injuries for the four-year period 2016-2019 (205).

Year	No Apparent Injury	Possible Injury	Minor Injury	Serious Injury	Total Non-fatal Pedestrians
2016	45	434	324	183	986
2017	43	441	333	212	1,029
2018	55	397	317	204	973
2019	38	358	389	221	1,006
2020	37	297	315	202	851
Total	218	1,927	1,678	1,022	4,845

The top six counties for fatal and serious injury pedestrian collisions during the five-year period are depicted in **Table S-30**. These counties were Charleston, Greenville, Horry, Richland, Spartanburg, and Anderson.

County	2016	2017	2018	2019	2020	Total	Cumulative Percent of Total
Charleston	35	44	56	58	49	242	13.36%
Greenville	40	41	36	42	35	194	24.06%

County	2016	2017	2018	2019	2020	Total	Cumulative Percent of Total
Horry	35	35	43	26	29	168	33.33%
Richland	34	25	25	35	34	153	41.78%
Spartanburg	11	24	16	25	18	94	46.96%
Anderson	16	14	9	20	22	81	51.43%

Traffic Collisions

According to state data, South Carolina experienced 5,359 total traffic collisions involving pedestrians during the time period 2016-2020 (**Table S-31**). Total collisions involving pedestrians have fluctuated over the recent years, with 1,064 in 2016, 1,117 in 2017, 1,084 in 2018, 1,119 in 2019, and 975 in 2020. The number of collisions involving pedestrians decreased by 12.88% in 2020 compared to 2019 and decreased by 8.36% when compared to 2016. The 2020 figure of 975 was also 11.04% lower than the average number of traffic collisions involving pedestrians for the four-year period 2016-2019 (1,096).

Year	Fatal Collision	Injury Collision	Property Damage Only Collision	Total Collisions
2016	145	892	27	1,064
2017	158	935	24	1,117
2018	167	879	38	1,084
2019	165	925	29	1,119
2020	187	762	26	975
Total	822	4,393	144	5,359

Associated Performance Measures

Fiscal Year	Performance Measure Name	Target End Year	Target Period	Target Value
2023	C-10) Number of pedestrian fatalities (FARS)	2023	Annual	162
2023	C-11) Number of bicyclists fatalities (FARS)	2023	Annual	20

Countermeasure Strategy: VRU Communication Campaign

Program Area: Non-motorized (Bicyclist/Pedestrian)

Project Safety Impacts

The Vulnerable Roadway User (VRU) Communication Campaign serves to decrease pedestrian and bicyclist fatalities and injuries that result from crashes involving a motor vehicle, and to educate motorists, pedestrians, and bicyclists of state traffic laws applicable to pedestrian and bicycle safety. The SCDPS Contractor will develop an innovative VRU media campaign and will focus on counties that experienced high rates of fatalities and serious injuries among vulnerable roadway user groups. A positive traffic safety impact can be achieved through increasing VRU and driver compliance with relevant traffic laws. A significant focus will be placed on pedestrian and bicyclist safety to combat the rise in fatalities among these groups.

Linkage Between Program Area

Each year the state of South Carolina experiences traffic collisions, injuries, and fatalities resulting from individuals negotiating roadways on foot (pedestrians), or by bicycles. Communication campaigns designed to improve both VRU and driver compliance with relevant traffic laws will help the state meet the performance measures and goals related to the issues faced by vulnerable roadway user groups.

Rationale

The state of South Carolina has implemented certain efforts included in *Countermeasures That Work: A Highway Safety Countermeasure Guide for State Highway Safety Offices, Tenth Edition, 2020 (CTW)*, predominantly of an educational nature, in order to address bicyclist and pedestrian traffic safety issues. Some of these efforts include elementary-age child pedestrian training, deemed likely effective (Chapter 8, Section 2.1, pp. 8-19 to 8-22); child school bus training, deemed undetermined in terms of effectiveness (Chapter 8, Section 2.3, p. 8-27 to 8-28); impaired pedestrians: communications and outreach, deemed undetermined in terms of effectiveness (Chapter 8, Section 3.1, p. 8-27 to 8-28); conspicuity enhancement, deemed likely effective (Chapter 8, Section 4.3, p. 8-33 to 8-35); *Share the Road* awareness programs, limited evidence of effectiveness (Chapter 9, Section 4.2, p. 9-30 to 9-31); and bicycle safety education for bicycle commuters, limited evidence of effectiveness (Chapter 9, Section 2.2, p. 9-22 to 9-23).

Planned Activity in Countermeasure Strategy

Unique Identifier	Planned Activity Name	Description Located on Page No.
PIOT S	Non-motorized Communication Campaign	213

Planned Activity: Non-motorized Communication Campaign

Planned activity number: PIOT S

Primary Countermeasure Strategy ID: VRU Communication Campaign

Planned Activity Description:

The OHSJP will plan a media campaign in FFY 2023 to launch in FFY 2024 to focus on safety issues related to vulnerable roadway users, with an increased focus on pedestrians and bicyclists. The campaign will target focus counties that experienced high rates of fatalities and serious injuries among vulnerable roadway user groups during the five-year period from 2016 to 2020. The campaign will support public outreach and enforcement efforts by the SC Highway Patrol to address the increase in fatalities occurring in South Carolina among these vulnerable groups. While the campaign will have advertising that focuses on each of the vulnerable roadway groups, the campaign will feature a unified and cohesive series of messages. That way, roadway users will recognize the theme of making themselves familiar with State traffic laws. Prior to 2019, the VRU campaign was traditionally a billboard-only campaign, but the SCDPS Contractor has expanded the campaign to include advertising for paid social media, digital advertising, and outdoor media.

Intended Subrecipient(s): South Carolina Department of Public Safety

Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2021	FAST Act 405h Nonmotorized Safety	Public Education	\$349,045.19	\$87,261.30	\$0
2022	BIL 405h Nonmotorized Safety	Public Education	\$127,416.91	\$31,854.23	\$0
2022	SUPPLEMENTAL BIL 405h Nonmotorized Safety	Public Education	\$23,537.90	\$5,884.48	\$0

PROGRAM AREA: TRAFFIC RECORDS
DESCRIPTION OF HIGHWAY SAFETY PROBLEMS

A comprehensive overview of the state’s highway safety problems have been detailed in previous sections of SC’s FFY 2023 HSP. The following section will serve to provide an overview of the state’s existing traffic records system and areas in which the state would like to improve.

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

Overview of the South Carolina Traffic Records System

The South Carolina Traffic Records System is composed of six components maintained by five core state agencies: SC Department of Motor Vehicles (SCDMV), SC Department of Transportation (SCDOT), SC Judicial Branch (SCJB), SC Department of Health and Environmental Control (SCDHEC), and SC Department of Public Safety’s Office of Highway Safety and Justice Programs (SCDPS OHSJP).

The Collision Component (SCDPS, SCDMV)

The OHSJP maintains the South Carolina Collision and Ticket Tracking System (SCCATTS). SCCATTS serves as the state-provided solution for collecting collision, public contact/warning, and citation data for SCCATTS users and also employs a Geographic Information System (GIS) component. The South Carolina Highway Patrol recently started using SmartCOP for their Records Management System (RMS). With this system the SCHP is able to generate and submit collisions, citations, and public contacts/warnings reporting. The SmartCOP system collects 54% of crash reports, and the SCCATTS system currently collects 43% of all collision data statewide. The remaining 3% of collision reports are submitted manually and entered into SCCATTS by data entry clerks with the OHSJP. SCCATTS also has the ability to collect public contact/warning data and Uniform Traffic Ticket (UTT) citation data issued by law enforcement.

The OHSJP also houses the South Carolina Traffic Collision Master File. This file contains data obtained from the South Carolina Traffic Collision Report Form (TR-310) submitted by law enforcement collision investigators. This form can be submitted electronically through the SCCATTS system to SCDPS and SCDMV. The form can also be submitted manually through a paper process by local law enforcement agencies that do not have the capability to submit

electronically through SCCATTS. The OHSJP also houses the Traffic Records Staff, Fatality Analysis Reporting System (FARS), SafetyNet, and the Statistical Analysis & Research Section (SARS). All of these sections work as a cohesive unit in association with South Carolina's crash data collection.

In addition to those systems mentioned above, the OHSJP participates in the National Highway Traffic Safety Administration's (NHTSA) Crash Report Sampling System (CRSS). This system reviews a sample geographical area of law enforcement reported crash investigations involving all types of motor vehicles, pedestrians, and cyclists. CRSS is used to develop an overall crash depiction that can be used to identify highway safety problem areas, performance measure trends, and as a basis for cost analysis with highway safety initiatives.

The SCDMV currently houses driver and vehicle collision records obtained from the TR-310 and Financial Responsibility (FR-10) form. The FR-10 is a component of the TR-310 issued by law enforcement during crash investigations to verify liability insurance on the units involved. These records are used for insurance verification and driver/vehicle components of collision records described on the following pages.

The Driver Component (SCDMV)

SCDMV maintains driver records for the state in a customer-centric system called the Phoenix System. This system uses a common architecture to combine driver license records and driver history. These records contain crash and citation data that are used daily by stakeholder agencies for day-to-day operations. The SCDMV is responsible for maintaining current South Carolina driver history from the data collected from the TR-310 collision form and UTT citation data received from law enforcement and the courts.

The Vehicle Component (SCDMV)

SCDMV's Phoenix System also maintains vehicle records for the state. This system is used to maintain vehicle title, registration, and insurance records. This system is also used daily by stakeholders for vehicle information. The SCDMV is responsible for maintaining current South Carolina vehicle history from vehicle titles, registration information, and data collected from the TR-310 collision and FR-10 forms.

The Citation/Adjudication Component (SCDMV, SCJB)

The Citation/Adjudication component has experienced major changes in the collection of citation data over the past several years. The South Carolina General Assembly enacted legislation that requires all citation data to be submitted electronically to SCDMV. In response to this legislation, the Traffic Records Coordinating Committee (TRCC) coordinated the creation of a statewide citation database housed within SCDMV. This database, the South Carolina Uniform Traffic

Ticket Information Exchange System (SCUTTIES), was designed to collect all citation data electronically from the issuing law enforcement agency and track the citation through the court system to ultimately obtain the disposition data for all traffic-related offenses. The system became fully operational on January 1, 2018. SCUTTIES enables SCDMV to report CDL license holder's traffic violation dispositions back to the driver's home state within 10 days of conviction.

The Adjudication Component is managed by the South Carolina Judicial Branch (SCJB) through its Case Management System (CMS) and various local courts' Records Management Systems (RMS). The Court Administration was charged, as per legislation, with developing adjudication disposition data collection application(s) for all citations issued within the state. The data collection process utilized the state's Case Management System developed by SCJB. It also uses a Web-services application that was developed for local courts not utilizing CMS. The CMS disposition system was completed and enacted in June 2016. The Disposition Portal to collect disposition data for courts with no RMS was deployed in January 2018.

The Injury Surveillance System Component (SCDHEC)

The Injury Surveillance System (ISS) is managed by SCDHEC. This agency collects and maintains data through several statewide data systems. They include Emergency Medical Services (EMS) records; a patient care reporting system called Prehospital Management Information System (PreMIS), which is an electronic reporting component of the National Emergency Medical Services Information System (NEMESIS); the statewide trauma registry; and the vital records system.

These major statewide data systems rely on data collected by:

1. State, county, local government agencies, and private and volunteer service providers in health care-related fields that manage/report data contained in these systems
2. State, county, and local government employees in law enforcement and engineering agencies

The Roadway Component (SCDOT)

The South Carolina Department of Transportation (SCDOT) maintains roadway information in the Integrated Transportation Management System (ITMS), the Roadway Information Management System (RIMS), and a Geographic Information System (GIS). These systems focus on state-maintained roadways and local roadway segments that are included as selected segments for the Highway Performance Monitoring System (HPMS).

States are required to have access to a complete collection of Model Inventory of Roadway Elements (MIRE) fundamental data elements (FDE) on all public roads by September 30, 2026. In preparation for 100% compliance, 23 CFR Part 924.11 directed states to include in their 2017

Traffic Records Strategic Plan (TRSP) information related to MIRE FDE, expressly to “incorporate specific quantifiable and measurable anticipated improvements for the collection of MIRE fundamental data elements.” Of the 33 unique MIRE FDE identified, SCDOT currently has access to 96.9%, missing only one element. A number of projects in this year’s TRSP address improvements to the collection of MIRE FDE. Specifically, the Collision Report Form Revision and the RIMS Enhancements will have the greatest impact.

Traffic collision data are the focal point of the various record systems that must be accessed to identify highway safety problems. The management approach to highway safety program development embraces the concept of implementing countermeasures directed at specific problems identified through scientific and analytical procedures. The results of any analytical process are only as valid and credible as the data used in analysis. Therefore, an effective safety program is dependent on an effective collision records system. As such, a major priority for FFY 2023 is the upgrading of the SCCATTS (South Carolina Collision and Ticket Tracking System) e-Reporting application.

The OHSJP’s current application for electronic Traffic Records report submission and data processing is the ReportBeam© product. This product, purchased through federal grant funds, is hosted by the OHSJP for county and local law enforcement traffic records processes. It was purchased in 2009 and is aged. The product is used by local law enforcement to produce and electronically submit citations, collisions and public contact/warning reports and/or data through SCDPS to SCDMV, SCJB, and the SCDOT.

The ReportBeam application went through a security update during 2019 and is in the process of being deployed to all users throughout the state. The ReportBeam server was moved out of the SCDPS network and is now housed with a third party vendor. This move helped maintain the state’s security standards for the SCDPS network. The SCUTTIES and SCCATTS programs are dependent upon the traffic records data created by this application to continue to meet both Federal Motor Carrier Safety Administration (FMCSA) and NHTSA requirements. These requirements have a direct impact on funding for Traffic and Roadway Safety programs within our state. A project in the 2022-2024 TRSP, listed under the SCCATTS program, will be focused on beginning the research for a possible replacement or upgrade of the e-reporting software application.

Countermeasure Strategies in Program Area

Countermeasure Strategy	Description located on Page No.
Highway Safety Office Program Management	77
Improves accessibility of a core highway safety database	218
Improves accuracy of a core highway safety database	221
Improves completeness of a core highway safety database	222
Improves integration between one or more core highway safety databases	223
Improves timeliness of a core highway safety database	225
Improves uniformity of a core highway safety database	226

Countermeasure Strategy: Improves accessibility of a core highway safety database

Program Area: Traffic Records

Project Safety Impacts

Accessibility reflects the ability of authorized users to successfully obtain desired data. For every database and file in a traffic records system, there is a set of authorized users who are entitled to request and receive data. A Traffic Records System (TRS) with accurate, uniform, timely and complete data integrated between the state's various core databases is essentially useless if it cannot be accessed by those who legitimately need to access the data. Improving accessibility of the TRS data will have positive traffic safety impacts because it will enable the development of meaningful solutions to the traffic safety problems identified through analysis of the data.

Linkage Between Program Areas

Accessible data is necessary for identifying the locations and causes of collisions, for planning and implementing countermeasures, for operational management and control, and for evaluating highway safety programs and improvements. Improving the accessibility for legitimate users of the data contained within the state's Traffic Records System (TRS) will enable the development of meaningful solutions to the traffic safety problems identified through analysis of the data. Improving the accessibility of the data contained within the TRS will enable the state to spend its limited resources wisely, getting the most benefit for the investment of money and staff time. It

will enable the state to better ensure that new efforts are aimed squarely at needed improvements to the data elements and that those resources are allocated in a systematic manner.

Rationale

The accessibility of the database or sub-file is determined by obtaining the users’ perceptions of how well the system responds to their requests. It is measured in terms of customer satisfaction related to the retrieval of data.

Planned activities in countermeasure strategy

Unique Identifier	Planned Activity Name	Description Located on Page No.
TR	OHSJP Traffic Records Management	83
TR M3DA	OHSJP Traffic Records Improvement	219

Planned Activity: OHSJP Traffic Records Improvement

Planned Activity Number: TR M3DA

Primary Countermeasure Strategy ID: Improves accessibility of a core highway safety database

Planned Activity Description:

Projects falling under this planned activity represent the projects identified in the state’s 2022-2024 TRSP. These projects fall into the program areas listed below:

- **SC TRCC Programs** or projects that benefit multiple Traffic Records Systems.
- **SCDHEC’s Injury Surveillance Systems (ISS)** injury coding and tracking for traffic related incidents.
- **SCDMV’s Phoenix System** for driver and vehicle records services.
- **SCDMV’s SCUTTIES** for citation records processing.
- **SCDOT’s Roadway Component** for maintaining, compiling and analyzing traffic records data for highway safety purposes.
- **SCDPS’s SCCATTS** application for collection and e-Reporting of crash, citation and public contact/warnings.
- **SCDPS’s SMARTCOP** application for DPS Law Enforcement Divisions for e-Reporting and Data integration
- **SCJB’s Case Management System (CMS)** citation and adjudication processing.

The projects included in the table below represent the 10 projects to be implemented under the planned activity, TR M3DA. Full descriptions of each project have been included in the state’s 2022-2024 TRSP. An overview of each project is included at the end of this Program Area Section.

Ranking	Agency	Project	Requested Amount
1	SCDPS	Collision Form Revision	\$10,000
2	SCDMV	Phoenix e-Citation Enhancements	\$90,000
3	SCDMV	Phoenix e-Citation Data Quality Improvements	\$20,000
4	SCDMV	SCUTTIES e-Citation Data Quality Improvements	\$45,000
5	SCDMV	Automated Failure To Pay	\$20,000
6	SCDOT	Pedestrian/Bicycle Facilities	\$173,000
7	SCDPS	Field Deployment	\$15,000
8	SCDMV	Citation Reports	\$15,000
9	SCJD	CMS-SCUTTIES Enhancements	\$150,000
10	SCDOT	Local Agency Data Collection	\$50,000

Intended Subrecipient(s): SC Department of Public Safety

Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2021	FAST Act 405c Data Program	Traffic Records Data Program	\$365,538.44	\$91,384.61	\$0
2022	BIL 405c Data Program	Traffic Records Data Program	\$706,494.21	\$176,623.55	\$0
2022	SUPPLEMENTAL BIL 405c Data Program	Traffic Records Data Program	\$46,196.35	\$11,549.09	\$0
Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit

2021	FAST Act 405c Data Program	Traffic Records Data Program	\$365,538.44	\$91,384.61	\$0
2022	BIL 405c Data Program	Traffic Records Data Program	\$706,494.21	\$176,623.55	\$0
2022	SUPPLEMENTAL BIL 405c Data Program	Traffic Records Data Program	\$46,196.35	\$11,549.09	\$0

Countermeasure Strategy: Improves accuracy of a core highway safety database

Program Area: Traffic Records

Project Safety Impacts

Accuracy reflects the degree to which the data is error-free, satisfies internal consistency checks, and does not exist in duplicate within a single database. Error means that the recorded value for some data element of interest is incorrect. Error does not mean the information is missing from the record. Erroneous information in a database cannot always be detected. In some cases, it is possible to determine that the values entered for a variable or data element are not legitimate codes. In other cases, errors can be detected by matching data with external sources of information. It may also be possible to determine that duplicate records have been entered for the same event. Improving the accuracy of the data contained within the state's TRS will have a positive traffic safety impact because accurate data is necessary for identifying the locations and causes of collisions, for planning and implementing countermeasures, for operational management and control, and for evaluating highway safety programs and improvements.

Linkage Between Program Areas

Accurate data is necessary for identifying the locations and causes of collisions, for planning and implementing countermeasures, for operational management and control, and for evaluating highway safety programs and improvements. Improving the accuracy of the data contained within the state's Traffic Records System will ensure that the problems identified during the problem identification process actually exist. It will also enable the setting of realistic performance targets. Improving the accuracy of the data contained within the TRS will enable the state to spend its limited resources wisely, getting the most benefit for the investment of money and staff time. It will enable the state to better ensure that new efforts are aimed squarely at needed improvements to the data elements and that resources are allocated in a systematic manner.

Rationale

This performance measure is measured by the usage and examination of the data within each component's dataset. Allocation of funds to improving the accuracy of data is necessary for achieving a well-developed TRS within the state.

Planned Activities in Countermeasure Strategy

Unique Identifier	Planned Activity Name	Description Located on Page No.
TR	OHSJP Traffic Records Management	83

TR M3DA	OHSJP Traffic Records Improvement	219
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Countermeasure Strategy: Improves completeness of a core highway safety database

Program Area: Traffic Records

Project Safety Impacts

Completeness of the data is another important attribute of a well-developed Traffic Records System (TRS). The information contained within a well-developed TRS should be complete in terms of all the people, events, things, or places represented by the records in the various components, and it should be complete in terms of all the variables required to be collected on those people, events, things, or places. Improving the completeness of the data contained within the core databases of the state's TRS will have a positive traffic safety impact because complete data is necessary for identifying the locations and causes of collisions, for planning and implementing countermeasures, for operational management and control, and for evaluating highway safety programs and improvements.

Linkage Between Program Area

Complete data is necessary for identifying the locations and causes of collisions, for planning and implementing countermeasures, for operational management and control, and for evaluating highway safety programs and improvements. Improving the completeness of the data contained within the state's TRS will ensure that the full scope of the problems identified during the problem identification is known. It will also enable the setting of realistic performance targets. Improving the completeness of the data contained within the TRS will enable the state to spend its limited resources wisely, getting the most benefit for the investment of money and staff time. It will enable the state to better ensure that new efforts are aimed squarely at needed improvements to the data elements and that those resources are allocated in a systematic manner.

Rationale

This performance measure is measured by the usage and examination of the data within each component's dataset. Allocation of funds to improving the completeness of data is necessary for achieving a well-developed TRS within the state.

Planned activities in countermeasure strategy

Unique Identifier	Planned Activity Name	Description Located on Page No.
TR	OHSJP Traffic Records Management	83
TR M3DA	OHSJP Traffic Records Improvement	219

Countermeasure Strategy: Improves integration between one or more core highway safety databases

Program Area: Traffic Records

Project Safety Impacts

The goal of developing and managing traffic safety programs is to achieve a systematic process with the intention of reducing the number and severity of traffic collisions. This data-driven process ensures that all opportunities to improve highway safety are identified and considered for implementation. A well-developed Traffic Records System (TRS) facilitates this data-driven process because it serves as the information base for the state's management of the highway and traffic safety activities. A well-developed TRS allows for the compilation of the data from each of the systems comprising the TRS into a unified, accessible resource without bringing all the data into a single database. Improving integration between each of the core highway safety databases is the goal of the TRS, and achieving this goal would have considerable traffic safety impacts because it would allow for greater opportunities to track and address traffic safety events among each of the data files.

Linkage Between Program Area

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

Traffic collision data are the focal point of the various record systems that must be accessed to identify highway safety problems. The management approach to highway safety program development embraces the concept of implementing countermeasures directed at specific problems identified through scientific and analytical procedures. The results of any analytical process are only as valid and credible as the data used in analysis. Therefore, an effective safety program is dependent on an effective collision records system, and the collision records system must be integrated between the agencies with custodial responsibility over each of the major components of the TRS: South Carolina Department of Public Safety (SCDPS), the South Carolina Department of Health and Environmental Control (SCDHEC), the South Carolina Department of Transportation (SCDOT), the SC Department of Motor Vehicles (SCDMV), and the South Carolina Judicial Branch (SCJB).

Allocating funds to the projects outlined in the state Traffic Records Strategic Plan (TRSP) will bring the state closer to its goal of achieving integrated access to the TRS' numerous data components. This would allow access for each of the entities who need to access the data in order to act in ways that produce positive traffic safety impacts, which would ultimately lead to the state's achievement of its outlined performance targets.

Rationale

A state's traffic records information should be maintained in a form that is of high quality and readily accessible to users throughout the state. According to NHTSA's Highway Safety Program Guidelines, data integration should be addressed through creating and maintaining a system inventory; supporting centralized access to linked data; meeting federal reporting requirements, such as the Fatality Analysis Reporting System (FARS), the Motor Carrier Management Information System (MCMIS /SafetyNet), the Highway Performance Monitoring System (HPMS), and others; supporting electronic data sharing; and adhering to state and federal privacy and security standards. Allocating funds to the projects outlined in the state Traffic Records Strategic Plan (TRSP) will bring the state closer to its goal of achieving integrated access to the TRS' numerous data components, which will ultimately lead to the state's achievement of its outlined performance targets.

Planned Activities in Countermeasure Strategy

Unique Identifier	Planned Activity Name	Description Located on Page No.
TR	OHSJP Traffic Records Management	83
TR M3DA	OHSJP Traffic Records Improvement	219

Countermeasure Strategy: Improves timeliness of a core highway safety database

Program Area: Traffic Records

Project Safety Impacts

The information contained within the TRS should be available within a reasonable timeframe to be meaningful for effective analysis of a state’s highway safety programs, and for efficient conduct of each custodial agency’s business and mission. Improving the timeliness of the data contained within the core databases will produce a positive traffic safety impact within the state because it will ensure that all of the necessary problem identification data is as up-to-date as is reasonably possible.

Linkage Between Program Area

Timely data is necessary for identifying up-to-date locations and relevant causes of collisions, for planning and implementing countermeasures, for operational management and control, and for evaluating highway safety programs and improvements. Improving the timeliness of the data contained within the state's TRS will ensure that the relevance of the problems identified during the problem identification is known. It will also enable the setting of realistic performance targets. Improving the timeliness of the data contained within the TRS will enable the state to spend its limited resources wisely, getting the most benefit for the investment of money and staff time. It will enable the state to better ensure that new efforts are aimed squarely at needed improvements to the data elements and that those resources are allocated in a systematic manner.

Rationale

This performance measure is measured by the usage and examination of the data within each component's dataset. Allocation of funds to improving the timeliness of data is necessary for achieving a well-developed TRS within the state.

Planned Activities in Countermeasure Strategy

Unique Identifier	Planned Activity Name	Description Located on Page No.
TR	OHSJP Traffic Records Management	83
TR M3DA	OHSJP Traffic Records Improvement	219

Countermeasure Strategy: Improves uniformity of a core highway safety database

Program Area: Traffic Records

Project Safety Impacts

Uniformity reflects the consistency among the files or records in a database. Uniformity may be measured against some independent standard, preferably a national standard. Within a state, all jurisdictions should collect and report the same data using the same definitions and procedures. Without uniformity, the goal of data integration cannot be achieved, and both are vital attributes of a well-developed TRS. Improving uniformity of the data will assist in achieving integration among the core databases, and achieving this goal would have considerable traffic safety impacts because it would allow for greater opportunities to track and address traffic safety events among each of the data files.

Linkage Between Program Area

Within a state, all jurisdictions should collect and report the same data using the same definitions and procedures in order for an accurate depiction of the state's traffic safety concerns. Uniformity of the data collection and reporting procedures is needed because it will enable the setting of realistic performance targets. Improving the uniformity of the data contained within the TRS will enable the state to spend its limited resources wisely, getting the most benefit for the investment of money and staff time. It will enable the state to better ensure that new efforts are aimed squarely at needed improvements to the data elements and that those resources are allocated in a systematic manner.

Rationale

This performance measure is measured by the usage and examination of the data within each component's dataset. Allocation of funds to improving the uniformity of data is necessary for achieving a well-developed TRS within the state.

Planned Activities in Countermeasure Strategy

Unique Identifier	Planned Activity Name	Description Located on Page No.
TR	OHSJP Traffic Records Management	83
TR M3DA	OHSJP Traffic Records Improvement	219

Project Title	TRS Program Priority Rank 1	Lead Agency	405 c Request
Collision Report Revision	SCCATTS	SCDPS	\$10,000
<p>Description of Problem: The current TR-310 report form has a number of fields used for statistical analysis. However, the form has not been through a major revision since 2001. The form is approximately 45.98% Model Minimum Uniform Crash Criteria (MMUCC) compliant and has potential to be enhanced with fields for data elements collected by other stakeholders using the form.</p> <p>Solution: This project is to update the collision report form to increase MMUCC compliance and collect new data elements not made available on the current TR-310 Collision report. This project addresses TRS Goal #1: Improve collection and management of core Traffic Records Data Systems.</p> <p style="text-align: right;">Section 405c Funds are requested for this project - <input checked="" type="checkbox"/>Yes <input type="checkbox"/>No</p>			
<p>Core Traffic Records System Components Affected (Check all that apply): <input checked="" type="checkbox"/>Collision, <input type="checkbox"/>Citation / Adjudication, <input checked="" type="checkbox"/>Roadway, <input checked="" type="checkbox"/>Injury Surveillance, <input checked="" type="checkbox"/>Driver, <input checked="" type="checkbox"/>Vehicle</p>			
<p>Lead Agency: SCDPS Project Lead: Brian Borough Goal Completion Date: January 2024</p>		<p>Partner Agencies: SCDMV Project Lead: Rosalind Jenkins</p>	
<p>Total Budget: TBD</p>		<p>Funding Sources: 405c (Traffic Records): \$10,000 State funds: \$0 Other Federal Funds: \$0</p>	
<p>Performance Measure(s): <input checked="" type="checkbox"/>Timeliness <input checked="" type="checkbox"/>Accuracy <input checked="" type="checkbox"/>Completeness <input checked="" type="checkbox"/>Uniformity <input checked="" type="checkbox"/>Accessibility <input checked="" type="checkbox"/>Data Integration</p> <p>Project Goal: Through linkage of roadway elements and collision data, increase MMUCC compliance to 80% of data elements and 80% of data attributes by 2024. Improve the overall collection of crash related injury coding for collision reporting.</p>			
<p>Project Status: In 2015 a committee was established to evaluate the current TR-310 collision form and make recommendations for a new form. This project has been on hold due to other projects needing immediate attention. Scheduled to be reinstated for 2022-2024 development.</p>			

Project Title	TRS Program Priority Rank 2	Lead Agency	405 c Request
Phoenix e-Citation Enhancements	Phoenix	SCDMV	\$90,000
<p>Description of Problem: As the e-Citation project is fully implemented, there are major enhancements SCDMV will need to make within the Phoenix application to more effectively process the citations. These enhancements include the ability to process financial responsibility violations through the electronic ticket system, filter cleanup which will allow for user control of the filters, remove class edit for OOS license holders, and migrate SC drivers speeding, seatbelts, and miscellaneous tickets to a fully automated process.</p> <p>Solution: Use SCUTTIES Business Application Manager as the business analyst and hire a .NET contractor for part time work as required to support this development. This contractor would be at 50% for this project initially and could ramp up to 100% for the duration of the development cycle. This project addresses TRS Goal #2: Improve traffic records data integration, access, and analysis.</p> <p style="text-align: right;">Section 405c Funds are requested for this project - <input checked="" type="checkbox"/>Yes <input type="checkbox"/>No</p>			
<p>Core Traffic Records System Components Affected (Check all that apply): <input type="checkbox"/>Collision, <input checked="" type="checkbox"/>Citation / Adjudication, <input type="checkbox"/>Roadway, <input type="checkbox"/>Injury Surveillance, <input checked="" type="checkbox"/>Driver, <input checked="" type="checkbox"/>Vehicle</p>			
<p>Lead Agency: SCDMV Project Lead: TBD Goal Completion Date: 2022</p>		<p>Partner Agencies: SCJB</p>	
<p>Total Budget: \$90,000</p>		<p>Funding Sources: 405c (Traffic Records): \$90,000 State funds: \$0 Other Federal Funds: \$0</p>	
<p>Performance Measure(s): <input type="checkbox"/>Timeliness <input type="checkbox"/>Accuracy <input type="checkbox"/>Completeness <input type="checkbox"/>Uniformity <input checked="" type="checkbox"/>Accessibility <input checked="" type="checkbox"/>Data Integration</p> <p>Project Goal: Enhance Phoenix to further automate the processing of e-Citations.</p>			
<p>Project Status: The project is in development. An MOA and SOW have been approved by SCJB and SCDMV. Project scheduled to be completed by 2022.</p>			

Project Title	TRS Program Priority Rank 3	Lead Agency	405 c Request
Data Quality Improvements: Citations & Collisions	Phoenix	SCDMV	\$20,000
<p>Description of Problem: After SCUTTIES was fully deployed, SCDMV had identified several issues related to the collected data and the data quality. Currently, this is requiring SCDMV's ticket triage unit, law enforcement and the courts to identify the issue(s). SCDMV will need to provide a developer and/or business analyst to determine the cause of the inconsistent data and present a solution.</p> <p>Solution: Utilize SCUTTIES Business Application Manager as the business analyst and hire a .NET contractor for part time work as required to support this development to correct the data collection and quality issues. This contractor would be at 10% for this project.</p> <p style="text-align: right;">Section 405c Funds are requested for this project - <input checked="" type="checkbox"/>Yes <input type="checkbox"/>No</p>			
<p>Core Traffic Records System Components Affected (Check all that apply): <input type="checkbox"/>Collision, <input checked="" type="checkbox"/>Citation / Adjudication, <input type="checkbox"/>Roadway, <input type="checkbox"/>Injury Surveillance, <input checked="" type="checkbox"/>Driver, <input type="checkbox"/>Vehicle</p>			
<p>Lead Agency: SCDMV Project Lead: TBD Goal Completion Date: 2022</p>		<p>Partner Agencies:</p>	
<p>Total Budget: \$20,000</p>		<p>Funding Sources: 405c (Traffic Records): \$20,000 State funds: \$0 Other Federal Funds: \$0</p>	
<p>Performance Measure(s): <input type="checkbox"/>Timeliness <input checked="" type="checkbox"/>Accuracy <input type="checkbox"/>Completeness <input type="checkbox"/>Uniformity <input checked="" type="checkbox"/>Accessibility <input checked="" type="checkbox"/>Data Integration</p> <p>Project Goal: Maintain and improve the consistent quality of the citation, disposition, and collision data for the duration of the project.</p>			
<p>Project Status: Project under development.</p>			

Project Title	TRS Program Priority Rank 4	Lead Agency	405 c Request
SCUTTIES e-Citation Enhancements/Data Quality	SCUTTIES	SCDMV	\$45,000
<p>Description of Problem: Add additional edits for both citations and dispositions as they are required. General support for enhancements, additional vendor certification, and general problem solving.</p> <p>Solution: Maintain employment of a .NET contractor for part time work as required to support SCUTTIES technical issues. This contractor would be at 50% SCUTTIES enhancements.</p> <p style="text-align: right;">Section 405c Funds are requested for this project - <input checked="" type="checkbox"/>Yes <input type="checkbox"/>No</p>			
<p>Core Traffic Records System Components Affected (Check all that apply): <input type="checkbox"/>Collision, <input checked="" type="checkbox"/>Citation / Adjudication, <input type="checkbox"/>Roadway, <input type="checkbox"/>Injury Surveillance, <input checked="" type="checkbox"/>Driver, <input checked="" type="checkbox"/>Vehicle</p>			
<p>Lead Agency: SCDMV Project Lead: TBD Goal Completion Date: 2022</p>		<p>Partner Agencies:</p>	
<p>Total Budget: \$45,000</p>		<p>Funding Sources: 405c (Traffic Records): \$45,000 State funds: \$0 Other Federal Funds: \$0</p>	
<p>Performance Measure(s): <input type="checkbox"/>Timeliness <input type="checkbox"/>Accuracy <input type="checkbox"/>Completeness <input type="checkbox"/>Uniformity <input checked="" type="checkbox"/>Accessibility <input checked="" type="checkbox"/>Data Integration</p> <p>Project Goal: Continue updates to SCUTTIES and provide general support and troubleshooting.</p>			
<p>Project Status: An MOA and SOW have been approved by SCDPS and SCDMV. Project scheduled to be completed by 2022.</p>			

Project Title	TRS Program Priority Rank 5	Lead Agency	405 c Request
Automate Failure to Pay UTT Process	Phoenix	SCDMV	\$20,000
<p>Description of Problem: Currently all Non-Resident violator Compact (NRVC) violations are received by SCDMV from SCJB through a manual process. Due to the rate of noncompliance by violators, the system need to be automated to increase the efficiency of notifying the offender and home licensing State.</p> <p>Solution: This project will automate the Failure to Pay Traffic Ticket Process via web service interface allowing the data regarding unpaid traffic tickets to be exchanged between SCJB and SCDMV. Use SCUTTIES Business Application Manager as the business analyst and hire a .NET contractor for part-time work as required supporting this development. The contractor would be at 50% for the project initially and could ramp up to 100% for the duration of the development cycle. The project addresses TRS Goal #2: Improve Traffic Records Data Integration, Access, and Analysis</p> <p style="text-align: right;">Section 405c Funds are requested for this project - <input checked="" type="checkbox"/>Yes <input type="checkbox"/>No</p>			
<p>Core Traffic Records System Components Affected (Check all that apply): <input type="checkbox"/>Collision, <input checked="" type="checkbox"/>Citation / Adjudication, <input type="checkbox"/>Roadway, <input type="checkbox"/>Injury Surveillance, <input checked="" type="checkbox"/>Driver, <input type="checkbox"/>Vehicle</p>			
<p>Lead Agency: SCDMV Project Lead: TBD Goal Completion Date: 2024</p>		<p>Partner Agencies: SCJB</p>	
<p>Total Budget: \$35,000</p>		<p>Funding Sources: 405c (Traffic Records): \$20,000 State funds: \$15,000 Other Federal Funds: \$0</p>	
<p>Performance Measure(s): <input checked="" type="checkbox"/>Timeliness <input type="checkbox"/>Accuracy <input type="checkbox"/>Completeness <input type="checkbox"/>Uniformity <input type="checkbox"/>Accessibility <input checked="" type="checkbox"/>Data Integration</p> <p>Project Goal: Reduce the number of days to receive information on noncompliance from SCJB.</p>			
<p>Project Status: The final process is in development. An MOA and SOW have been approved by SCJB and SCDMV. Project scheduled to be completed by 2024.</p>			

Project Title	TRS Program Priority Rank 6	Lead Agency	405 c Request
Pedestrian/Bicycle Facilities	Roadway and Crash Management	SCDOT	\$173,000
<p>Description of Problem: Currently, when SCDOT prepares to resurface roads in South Carolina, there is not an integrated system in place to alert the decision makers that a road may be in a local transportation organization's Pedestrian/Bicycle Plan. These plans may include identifying corridors for bike lanes, for example, which is an important factor that should be considered when planning and budgeting for a resurfacing package. SCDOT's Safety office also has no straightforward method to determine which roads have pedestrian or bicycle facilities (e.g., Bicycle Lanes) when performing crash analysis.</p> <p>Solution: The proposed solution is a multi-step process. Initially, SCDOT would like to develop an online tool that would allow local transportation planning organizations to spatially highlight routes that are identified in their approved plan. A tool is preferred because it will allow local agencies to upload information on their schedule, is easily updated, and will provide uniform data. SCDOT GIS staff can then use the information from the tool to consolidate multiple plans and locations into a statewide database. With this information SCDOT could then update its current resurfacing report to include an identifier for locations that have a corresponding approved local Pedestrian/Bicycle Plan. A software addition will also be added to SMS to track existing and planned ped/bike facilities.</p> <p style="text-align: right;">Section 405c Funds are requested for this project – <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>			
<p>Core Traffic Records System Components Affected (Check all that apply): <input type="checkbox"/> Collision, <input type="checkbox"/> Citation / Adjudication, <input checked="" type="checkbox"/> Roadway, <input type="checkbox"/> Injury Surveillance, <input type="checkbox"/> Driver, <input type="checkbox"/> Vehicle</p>			
<p>Lead Agency: SCDOT Project Lead: TBD Goal Completion Date: Sept. 2024</p>		<p>Partner Agencies: Metropolitan Planning Organizations (MPO)/Local transportation organizations</p>	
<p>Total Budget: \$173,000</p>		<p>Funding Sources: 405c (Traffic Records): \$173,000 State funds: \$0 Other Federal Funds: \$0</p>	
<p>Performance Measure(s): <input type="checkbox"/> Timeliness <input type="checkbox"/> Accuracy <input type="checkbox"/> Completeness <input checked="" type="checkbox"/> Uniformity <input type="checkbox"/> Accessibility <input checked="" type="checkbox"/> Data Integration</p> <p>Project Goal: Create a tool that will be used by MPOs to identify approved pedestrian/bicycle corridors, data from which can then be integrated into SCDOT's pavement resurfacing report.</p>			
<p>Project Status: New proposed project in February 2020.</p>			

Project Title	TRS Program Priority Rank 7	Lead Agency	405 c Request
Field Deployment to L/E Agencies	SCCATTS	SCDPS	\$15,000
<p>Description of Problem: Many local law enforcement agencies do not have a robust method for collecting data related to the traffic records forms. While using paper-based mediums, there are inaccuracies with the data collected along with issues of being able to report the information in a timely manner.</p> <p>Solution: The state's SCCATTS solution for e-Reporting gives law enforcement agencies the ability to submit collisions, citations and public contact/warnings electronically. Deployment by OHSJP Traffic Records training staff of the software and/or hardware to agencies will improve timeliness, accuracy, completeness, and integration of collision and citation data.</p> <p>Tasks of the project include:</p> <ul style="list-style-type: none"> • outreach session • software implementation • training • hardware deployment (optional) <p>This project addresses TRS Goal #1: Improve collection and management of core Traffic Records Data Systems.</p> <p style="text-align: right;">Section 405c Funds are requested for this project - <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>			
<p>Core Traffic Records System Components Affected (Check all that apply): <input checked="" type="checkbox"/> Collision, <input checked="" type="checkbox"/> Citation / Adjudication, <input checked="" type="checkbox"/> Roadway, <input checked="" type="checkbox"/> Injury Surveillance, <input checked="" type="checkbox"/> Driver, <input checked="" type="checkbox"/> Vehicle</p>			
<p>Lead Agency: SCDPS Project Lead: Brian Borough Goal Completion Date: On Going</p>		<p>Partner Agencies:</p>	
<p>Total Budget: TBD</p>		<p>Funding Sources: 405c (Traffic Records): \$15,000 State funds: \$0 Other Federal Funds: \$0</p>	
<p>Performance Measure(s): <input checked="" type="checkbox"/> Timeliness <input checked="" type="checkbox"/> Accuracy <input checked="" type="checkbox"/> Completeness <input checked="" type="checkbox"/> Uniformity <input checked="" type="checkbox"/> Accessibility <input checked="" type="checkbox"/> Data Integration Project Goal: Continue to deploy SCCATTS applications to agencies with ability to create electronic reports. Deploy hardware to agencies currently not able to submit electronically.</p>			
<p>Project Status: SCCATTS has been deployed to 169 agencies across the state. SC now receives 45% of all collision reports electronically through SCCATTS. On average 45% of all citations are submitted to SCUTTIES electronically through the SCCATTS application.</p>			

Project Title	TRS Program Priority Rank 8	Lead Agency	405 c Request
Citation Reports	SCUTTIES	SCDMV	\$15,000
<p>Description of Problem: Currently, SCUTTIES offers a simplified solution for reporting. As we fully implement SCUTTIES, more statistical reporting will be required from the Legislature and other interested third parties.</p> <p>If we are required to provide additional reporting prior to the data warehouse implementation, this will require development time from either a .NET Developer or a Database Administrator.</p> <p>Solution: Until such a time as these reports are requested by interested third parties we will expend our efforts toward building the data warehouse.</p> <p style="text-align: right;">Section 405c Funds are requested for this project - <input checked="" type="checkbox"/>Yes <input type="checkbox"/>No</p>			
<p>Core Traffic Records System Components Affected (Check all that apply): <input type="checkbox"/>Collision, <input checked="" type="checkbox"/>Citation / Adjudication, <input type="checkbox"/>Roadway, <input type="checkbox"/>Injury Surveillance, <input checked="" type="checkbox"/>Driver, <input checked="" type="checkbox"/>Vehicle</p>			
<p>Lead Agency: SCDMV Project Lead: TBD Goal Completion Date: 2022</p>		<p>Partner Agencies: State & Local Law Enforcement Agencies, SCDPS, SCJB.</p>	
<p>Total Budget: \$15,000</p>		<p>Funding Sources: 405c (Traffic Records): \$15,000 State funds: \$0 Other Federal Funds: \$0</p>	
<p>Performance Measure(s): <input type="checkbox"/>Timeliness <input type="checkbox"/>Accuracy <input type="checkbox"/>Completeness <input type="checkbox"/>Uniformity <input checked="" type="checkbox"/>Accessibility <input checked="" type="checkbox"/>Data Integration</p> <p>Project Goal: Add additional edits for both citations and dispositions as they are required. General support for enhancements, additional vendor certification, and general problem solving.</p>			
<p>Project Status: Project under development</p>			

Project Title	TRS Program Priority Rank 9	Lead Agency	405 c Request
CMS-SCUTTIES Enhancements	Case Management System	SCJB	\$150,000
<p>Description of Problem: SCJB developed and deployed an electronic citation import screen as part of CMS to record and transmit disposition data as part of SCDMV's SCUTTIES project for e-Citations. The application was deployed and is now in need of enhancements to improve the data quality collected and transmitted as part of the system.</p> <p>Solution: The CMS-SCUTTIES electronic citation enhancement project will consist of three phases:</p> <ul style="list-style-type: none"> Phase 1: Completed - Enhancements to the Summary Criminal Traffic Entry panel in the CMS application to retrieve and import citation data into the current court agency. Phase 2: Completed - SCJB will also develop a web portal for Municipal Courts that do not have CMS to enter dispositions and transmit dispositions to SCDMV. Phase 3 – In Process - SCJB will enhance the ability of printing dockets to include printing of a PDF citation; SCJB will provide on-going maintenance for case disposition error reporting and program errors; SCJB will enhance CMS to have one entry screen for all citations <p>This project addresses TRS Goal #2: Improve traffic records data integration, access, and analysis.</p> <p style="text-align: right;">Section 405c Funds are requested for this project - <input checked="" type="checkbox"/>Yes <input type="checkbox"/>No</p>			
<p>Core Traffic Records System Components Affected (Check all that apply): <input type="checkbox"/>Collision, <input checked="" type="checkbox"/>Citation / Adjudication, <input type="checkbox"/>Roadway, <input type="checkbox"/>Injury Surveillance, <input checked="" type="checkbox"/>Driver, <input checked="" type="checkbox"/>Vehicle</p>			
<p>Lead Agency: SCJB Project Lead: Teresa Gosnell Goal Completion Date: Sept. 2023</p>		<p>Partner Agencies: SCDMV Project Lead: TBD</p>	
<p>Total Budget: \$150,000</p>		<p>Funding Sources: 405c (Traffic Records): \$150,000 State funds: \$0 Other Federal Funds: \$0</p>	
<p>Performance Measure(s): <input checked="" type="checkbox"/>Timeliness <input checked="" type="checkbox"/>Accuracy <input checked="" type="checkbox"/>Completeness <input checked="" type="checkbox"/>Uniformity <input type="checkbox"/>Accessibility <input checked="" type="checkbox"/>Data Integration</p> <p>Project Goal: To enhance processes in the interface between SCJB's CMS and SCDMV's SCUTTIES to improve data quality and information exchange.</p>			
<p>Project Status: The system has been deployed and began full data integration in January 2018. Next steps are to enhance productivity and data quality of the data collected and exchanged.</p>			

Project Title	TRS Program Priority Rank 10	Lead Agency	405 c Request
Local Agency Data Collection/Road Location Coding	Roadway and Crash Management	SCDOT	\$50,000
<p>Description of Problem: SCDOT has completed local agency data collection in all 46 counties. As a result, the majority of crashes that occur on local roads can now be accurately identified on the state's roadway network. However, a process to keep the local road network up to date now needs to be identified and implemented as an ongoing project</p> <p>Solution: SCDOT recently identified ESRI Roads and Highways as a replacement application for its current GIS software. Previous TRCC assisted projects provided an opportunity to collect road inventory data on our states' locally owned roads. A new tool will need to be built to import this data into ESRI. This tool will also allow SCDOT to update local agency data as needed. This project will continue to improve the state's roadway inventory field through a unified location-coding scheme for the state's local roadways. Many county governments and Metropolitan Planning Organizations (MPOs) have already provided GIS data for their areas to SCDOT. SCDOT will continue to extract GIS data from these sources and import it into the Roadway Information System to enable better crash location reporting. This data is used in the mapping software currently furnished to SCDPS for use by law enforcement when locating collision scenes. This project addresses TRS Goal #1: Improve collection and management of core Traffic Records Data Systems.</p> <p style="text-align: right;">Section 405c Funds are requested for this project - <input checked="" type="checkbox"/>Yes <input type="checkbox"/>No</p>			
<p>Core Traffic Records System Components Affected (Check all that apply): <input checked="" type="checkbox"/>Collision, <input type="checkbox"/>Citation / Adjudication, <input checked="" type="checkbox"/>Roadway, <input type="checkbox"/> Injury Surveillance, <input type="checkbox"/>Driver, <input type="checkbox"/>Vehicle</p>			
<p>Lead Agency: SCDOT Project Lead: TBD Goal Completion Date: Sept. 2024</p>		<p>Partner Agencies:</p>	
<p>Total Budget: \$50,000</p>		<p>Funding Sources: 405c (Traffic Records): \$50,000 State funds: \$0 Other Federal Funds: \$0</p>	
<p>Performance Measure(s): <input type="checkbox"/>Timeliness <input checked="" type="checkbox"/>Accuracy <input checked="" type="checkbox"/>Completeness <input checked="" type="checkbox"/> Uniformity <input type="checkbox"/>Accessibility <input checked="" type="checkbox"/>Data Integration</p> <p>Project Goal: Maintain up to date local agency data collection in all 46 counties.</p>			
<p>Project Status: To date, SCDOT has completed local agency data collection in all 46 counties. We anticipate that we will begin a process to keep this data updated in 2022.</p>			

EVIDENCE BASED TRAFFIC SAFETY ENFORCEMENT PROGRAM

Planned activities that collectively constitute an evidence-based traffic safety enforcement program

Unique Identifier	Planned Activity Name
M5PEM	Impaired Driving Communication Campaign
M1HVE	Occupant Protection Communication Campaign
M5HVE	DUI Enforcement Teams
PTS-OP	High visibility enforcement of seat belt law
M5TR	Impaired Driving Countermeasures Training for Law Enforcement
PTS-LEC	Law Enforcement Coordination
PTS-EU	PTS Enforcement Units
PTS-TSO	Traffic Safety Officer Training

Collision Analysis

The state of South Carolina has seen significant fatality reductions in the impaired driving category over the time period 2016-2020. According to NHTSA’s FARS data, the state has experienced a significant decrease in alcohol-impaired driving fatalities (-28 from 2016 to 2020; -38 in 2017; -15 in 2018; -14 in 2019; and +39 in 2020). South Carolina has experienced an 8.16% decline in impaired driving fatalities from 2016 to 2020 compared to an increase of 6.26% nationally. (**Table 3; Table 5; Figure 2 and Figure 3**).

Table 3. Fatalities by Type							
	2016	2017	2018	2019	2020	% Change: 2016 vs. 2020	% Change: 2020 vs. prior 4-yr Avg.
Total Fatalities							
South Carolina	1,020	989	1,036	1,006	1,064	4.31%	5.06%
U.S.	37,803	37,471	36,830	36,352	37,776	-0.07%	1.78%
Driver Fatalities							
South Carolina	679	664	693	655	695	2.36%	3.31%
U.S.	23,713	23,756	23,040	22,744	24,130	1.76%	3.50%
Passenger Fatalities							
South Carolina	166	150	152	158	165	-0.60%	5.43%
U.S.	6,820	6,521	6,276	6,127	6,096	-10.62%	-5.28%
Motorcyclist Fatalities							
South Carolina	186	145	141	151	137	-26.34%	-12.04%
U.S.	5,337	5,226	5,037	4,867	5,277	-1.12%	3.13%
Pedestrian Fatalities							
South Carolina	144	155	165	163	187	29.86%	19.30%

Table 3. Fatalities by Type							
	2016	2017	2018	2019	2020	% Change: 2016 vs. 2020	% Change: 2020 vs. prior 4-yr Avg.
U.S.	6,080	6,075	6,374	6,272	6,333	4.16%	2.14%
Bicyclist Fatalities							
South Carolina	25	17	23	26	14	-44.00%	-38.46%
U.S.	853	806	871	859	920	7.85%	8.59%
Impaired Driving Fatalities							
South Carolina	343	305	290	276	315	-8.16%	3.79%
U.S.	10,967	10,880	10,710	10,196	11,654	6.26%	9.04%
Speeding Fatalities							
South Carolina	393	417	450	459	494	25.70%	14.95%
U.S.	10,291	9,947	9,579	9,592	11,258	9.40%	14.27%
Unrestrained Occupant Fatalities							
South Carolina	315	308	331	300	372	18.10%	18.66%
U.S.	10,464	10,116	9,844	9,520	10,606	1.36%	6.21%
Young Driver(20 & under) -Involved Fatalities							
South Carolina	108	121	136	96	123	13.89%	6.72%
U.S.	4,631	4,472	4,219	4,060	4,649	0.39%	6.98%
Older Driver(65+) -Involved Fatalities							
South Carolina	161	190	208	190	188	16.77%	0.40%
U.S.	7,169	7,299	7,370	7,677	6,926	-3.39%	-6.14%

NHTSA NCSA FARS: 2016-2019 Final File and 2020 Annual Report File (ARF)

Table 5. South Carolina Alcohol-Impaired Driving Fatalities							
	2016	2017	2018	2019	2020	% Change: 2016 vs. 2020	% Change: 2020 vs. prior 4-yr Avg.
Total Fatalities	343	305	290	276	315	-8.16%	3.79%
VMT Rate**	0.63	0.55	0.51	0.48	0.59	-6.35%	8.76%
Pop Rate***	6.92	6.07	5.70	5.36	6.15	-11.13%	2.29%
Pct. Of Total	33.63%	30.84%	27.99%	27.44%	29.61%	-4.02%	-0.37%

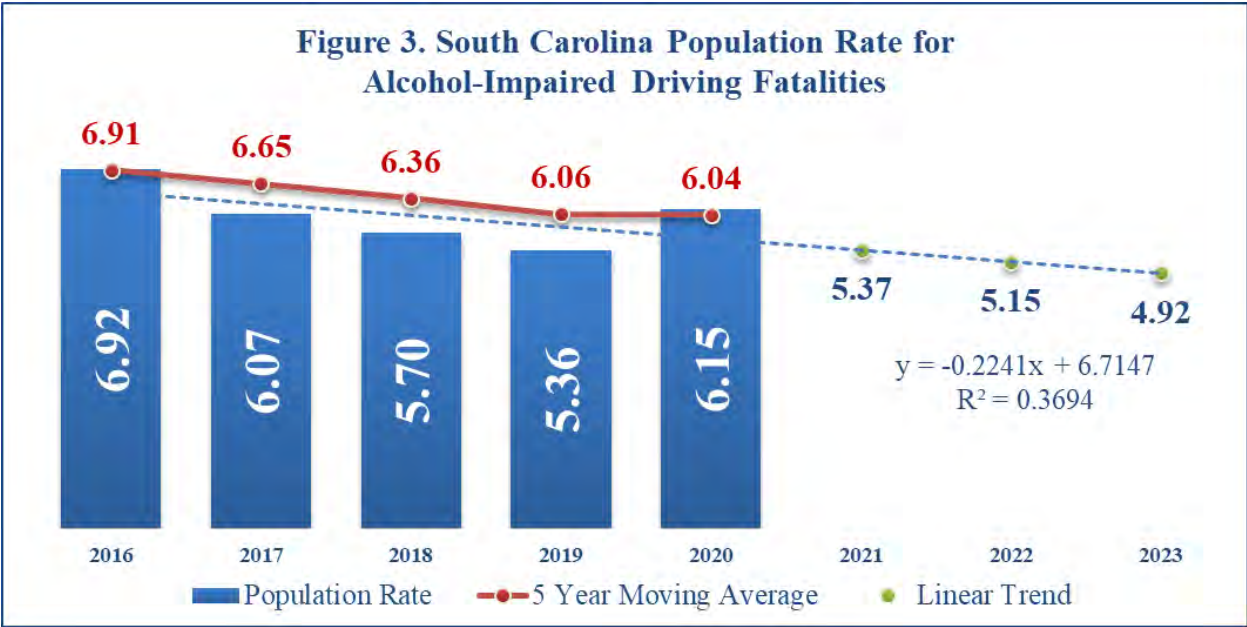
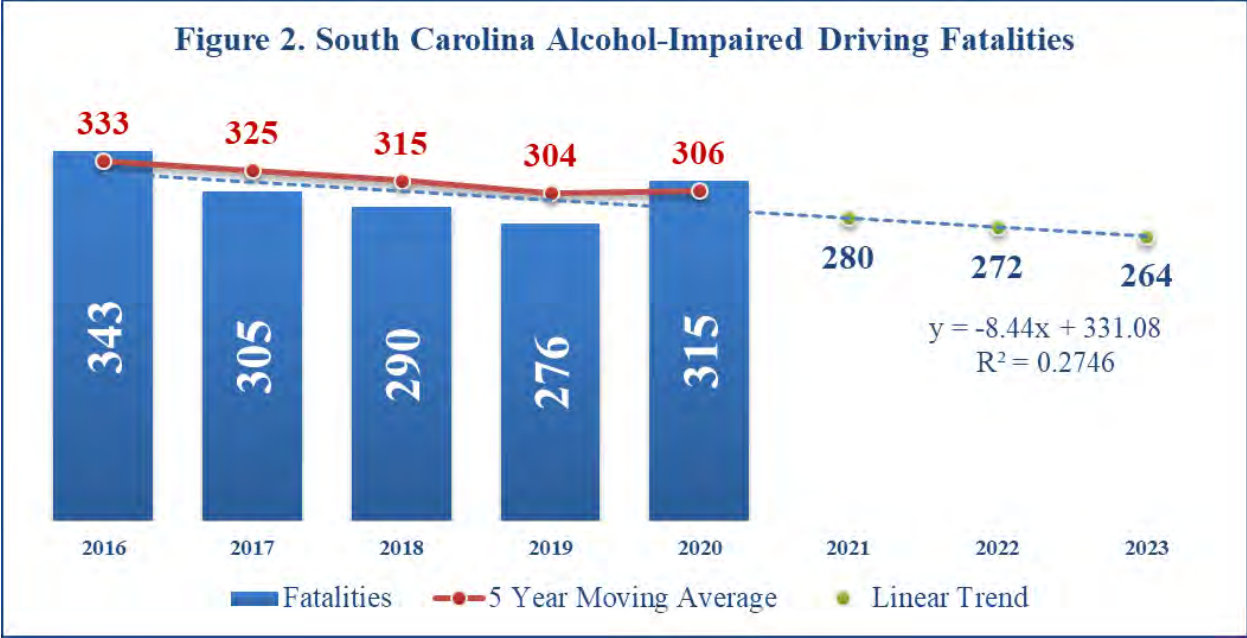
NHTSA NCSA FARS: 2016-2019 Final File and 2020 Annual Report File (ARF)

2020 VMT & VMT Rate provided by South Carolina Department of Transportation

Population provided by U.S. Bureau of Census

**Rate per 100 million vehicle miles

***Rate per 100,000 population



This area has clearly been impacted by the state’s sophisticated and well-coordinated Law Enforcement Network system, which enlists approximately 200 state and local law enforcement agencies statewide in singular and multijurisdictional enforcement efforts and campaigns focusing on speed, occupant protection, and DUI violators, as well as integrated enforcement efforts year-round. Though the state has experienced the positive gains outlined above, there is still much work to be done to improve highway safety in the state and to continue to drive down traffic collisions, injuries, and fatalities on the state’s roadways. The state has implemented a variety of enforcement, education, EMS, and engineering efforts to address the highway safety problems that remain. The

SC Strategic Highway Safety Plan (SHSP), *Target Zero*, updated in 2020, identified a number of strategies in an effort to improve highway safety in the state, including targeted conventional enforcement of traffic laws (p. 89, 90, & 94); increasing speed and DUI enforcement in areas identified with a high occurrence of speed- and DUI-related collisions (p. 89 & 94); conducting enhanced speed enforcement in work zones (p. 111); continuing blitz enforcement campaigns and waves (90, 92, & 94); conducting education and awareness campaigns targeting the general public (p. 90, 92, & 95); funding Drug Recognition Expert programs for law enforcement (p. 91); aggressive enforcement of the primary safety belt law (p. 92); conducting public safety checkpoints and saturation patrols in high-crash/risk areas for DUI (p. 89); and many others. These initiatives demonstrate that not only has the state, and the OHSJP in particular, taken seriously the SHSP document, but the state has used its limited federal and state resources wisely and in partnership among federal, state, and local agencies to improve traffic safety.

The NHTSA-produced *Countermeasures That Work: A Highway Safety Countermeasure Guide for State Highway Safety Offices, Tenth Edition, 2020* stresses the importance of key emphasis areas relative to impaired driving, speed enforcement, occupant protection issues, and motorcycle and pedestrian safety. The document also outlines significant strategies and appropriate countermeasures for these traffic safety issues and problems. Many of these countermeasures have been implemented over time in the state of South Carolina, including highly effective countermeasures, such as administrative license revocation or suspension for DUI offenders; publicizing checkpoints; ignition interlocks; speed limit enforcement; statewide primary safety belt enforcement; short-term high-visibility belt law enforcement following the national *Click it or Ticket* model; and communications strategies for lower belt use groups. The state has also implemented countermeasures deemed likely to be effective, such as high BAC sanctions; mass media campaigns; communications and outreach supporting enforcement; and sustained enforcement. Also, South Carolina implements countermeasures that have been deemed effective in specific situations, such as combined enforcement emphasizing nighttime safety belt enforcement. In addition, the state has implemented countermeasures that have not been clearly demonstrated as effective overall, but may have impact in specific areas, such as the development of inspection stations for child safety seats.

The following data sections outline specifically the problems being faced by the state of South Carolina in terms of highway safety issues and demonstrate the foundation upon which the state has built its response to the problems for its FFY 2023 Highway Safety Plan.

Traffic Collision Fatalities

Total traffic fatalities in South Carolina numbered 768 in 2013 (the third lowest number of fatalities in the prior 50-year state history) before increasing to 823 in 2014. Since 2014, the total number of traffic fatalities in South Carolina has increased considerably. The year 2015 saw 979 traffic fatalities and 1,020 traffic fatalities occurred in 2016. The number of traffic fatalities decreased slightly in 2017 to 989 before increasing to 1,036 in 2018. The total decreased to 1,001 in 2019; however, in 2020, the number of traffic fatalities in South Carolina totaled 1,064, which was the record high for the five-year period of 2016-2020. Overall, there was a net increase of 44 fatalities in comparing 2016 with 2020.

Observed statistical declines occurred in the alcohol-impaired driving fatalities (-8.16%), motorcyclist fatalities (-26.34%), bicyclist (-44.00%), and passenger (-0.60%) categories from 2016 through 2020. The remaining categories all saw increases. The categories of traffic fatalities in which increases were observed were: Driver (2.36%); Young (20 & under) Driver-Involved (13.89%); Older (65+) Driver-Involved (16.77%); Unrestrained Occupant (18.10%); Speeding-Related (25.70%); and Pedestrians (29.86%).

Traffic Collision Injuries

Figure S-1 contains South Carolina state data which indicates there were 286,913 persons injured in motor vehicle collisions during the five year period (2016-2020). The traffic collision data compiled by the OHSJP's Statistical Analysis & Research Section (SARS) indicates that the number of annual motor vehicle injuries sustained during traffic collisions decreased from 61,899 in 2016 to 47,985 in 2020. The 2020 data represents a 22.48% decrease when compared to the number of people injured in traffic collisions in 2016. When compared to the average of the four-year period 2016-2019 (59,732 injuries), the 2020 figure represents a 19.67% decrease. Of the 286,913 people injured during a motor vehicle collision from 2016 to 2020, 14,386 people (**Figure S-2**), sustained serious injuries as a result of a motor vehicle collision.

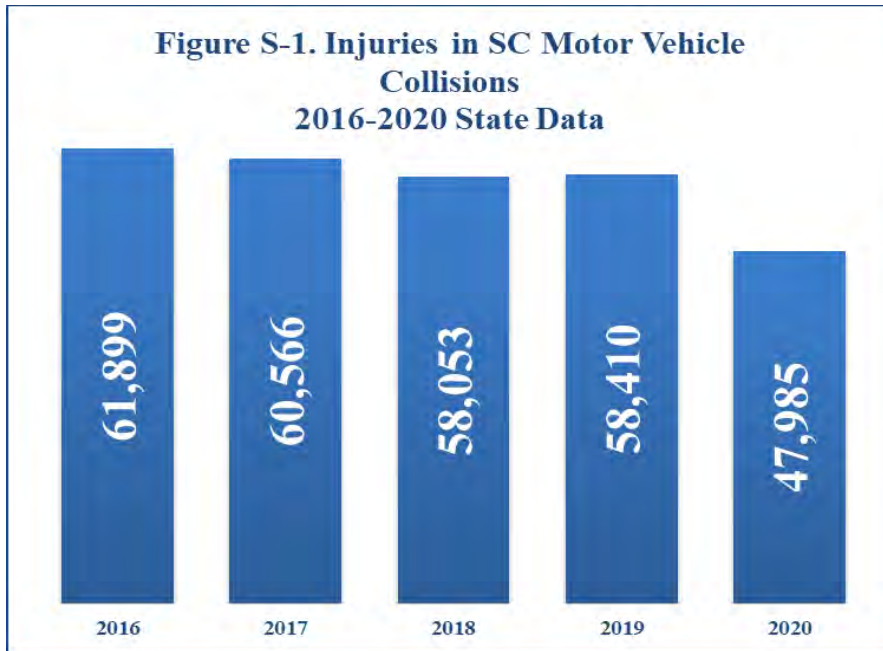
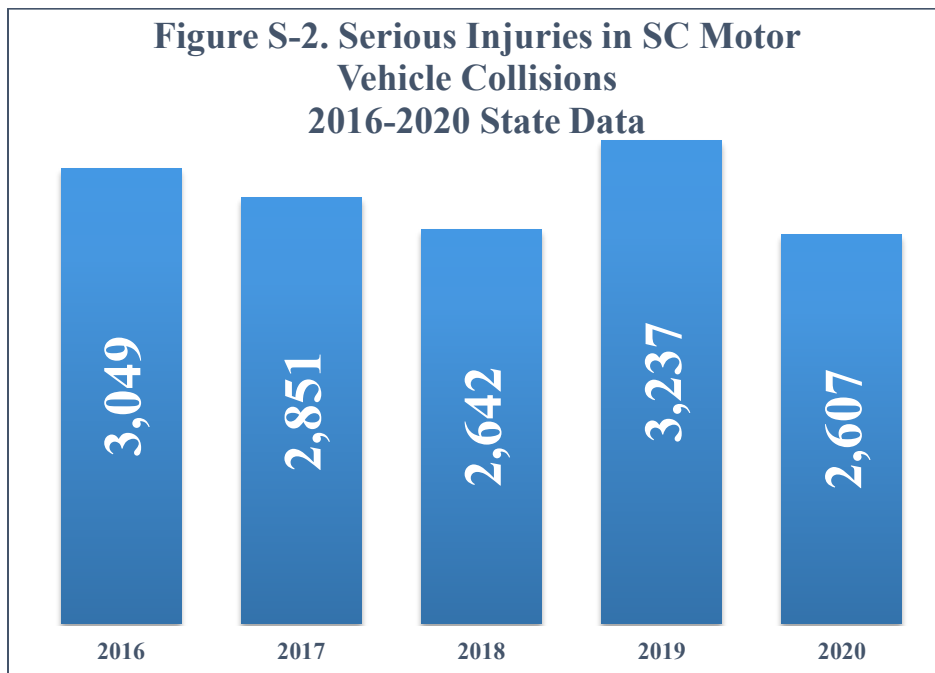


Figure S-2 contains data regarding serious traffic collision injuries occurring in the state during the years 2016-2020. Of the 286,913 traffic collision injuries that occurred during this time period, 14,386 were serious injuries. There were 2,607 traffic-related serious injuries in 2020, a decrease of 14.50% when compared to 2016. The 2020 figure of 2,607 serious traffic collision injuries represents a decrease of 11.48% when compared to the average of the four-year period 2016-2019 (2,945 serious injuries).



Traffic Collisions

From 2016 to 2020, state data contained in **Figure S-3** shows that a total of 688,210 vehicle collisions occurred in South Carolina during this five-year period. Of the 688,210 vehicle collisions reported during this time period, 16,588 (**Figure S-4**) were fatal or serious-injury collisions. From 2016 to 2020, the state experienced a 14.38% decrease in the number of reported vehicle collisions. When compared to the four-year average from 2016 to 2019 (141,744 collisions) the 2020 figure represents a 14.47% decrease. The leading counties for fatal and serious injury collisions from 2016 to 2020 were, in decreasing order, Greenville, Charleston, Horry, Spartanburg, Richland, Anderson, Lexington, York, Berkeley, Orangeburg, Florence, Beaufort, Aiken, Dorchester, Pickens, Sumter, Laurens, Lancaster, Oconee, and Colleton.

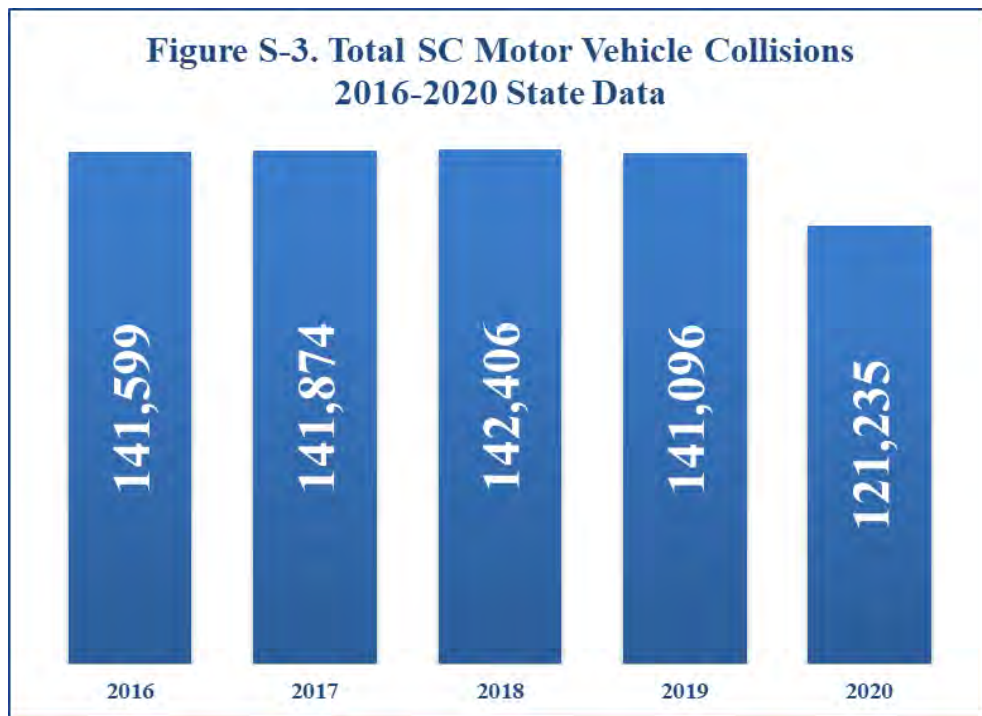


Figure S-4. All SC Fatal and Serious Injury Collisions by County, State Data 2016-2020

County	2016	2017	2018	2019	2020	Total
Greenville	300	292	272	335	257	1,456
Charleston	272	280	263	306	302	1,423
Horry	269	278	241	242	206	1,236
Spartanburg	201	175	220	213	206	1,015
Richland	214	168	143	201	174	900
Anderson	192	174	148	152	135	801
Lexington	142	165	176	171	123	777
York	143	128	125	157	141	694
Berkeley	102	109	102	124	109	546
Orangeburg	96	76	103	112	118	505
Florence	91	79	97	132	91	490
Beaufort	102	105	78	82	83	450
Aiken	88	108	86	74	77	433
Dorchester	75	68	65	71	72	351
Pickens	61	69	78	81	57	346
Sumter	68	59	50	85	80	342
Laurens	66	65	70	69	64	334
Lancaster	85	65	43	58	59	310
Oconee	51	55	58	70	61	295
Colleton	66	50	47	45	55	263
Georgetown	43	67	61	44	41	256
Cherokee	48	59	47	53	48	255
Kershaw	56	49	48	47	49	249
Darlington	64	38	38	56	35	231
Greenwood	47	46	43	49	46	231
Jasper	60	31	36	55	46	228
Williamsburg	38	41	33	43	36	191
Chesterfield	38	44	28	44	34	188
Chester	39	40	42	37	27	185
Clarendon	33	36	22	46	28	165
Newberry	35	32	26	28	22	143
Fairfield	29	28	32	20	31	140
Dillon	21	27	24	28	24	124
Union	21	16	21	26	30	114
Marion	13	20	19	35	24	111
Marlboro	21	15	13	29	27	105
Hampton	17	16	12	23	30	98
Lee	13	13	25	18	19	88
Abbeville	17	24	14	19	13	87
Calhoun	13	17	15	14	20	79
Edgefield	20	14	13	14	15	76
Barnwell	15	16	19	13	12	75
Bamberg	16	11	18	9	10	64
Saluda	13	18	9	11	8	59
Allendale	9	7	12	9	10	47
McCormick	8	5	8	6	5	32
Total	3,431	3,298	3,143	3,556	3,160	16,588

Deployment of Resources

For FFY 2023, the OHSJP will implement an Evidence-Based Traffic Safety Enforcement Plan (TSEP) comprising strategies that will include efforts utilizing highway safety grant enforcement projects in priority counties in the state, law enforcement training projects, the maintenance of the SC Law Enforcement Network, SCDPS' Area Coordinated Enforcement (ACE) Teams in high fatal/injury crash corridors across the state, and planned high-visibility enforcement strategies to support national mobilizations. The ACE Program effort is detailed in the following section.

Area Coordinated Enforcement Teams

The SC Department of Public Safety (SCDPS) will continue to implement a targeted enforcement program, referred to as Area Coordinated Enforcement (ACE). ACE Teams include Highway Patrol troopers and officers from the State Transport Police. The Teams were developed to provide assistance to the state's seven Highway Patrol Troops, and the program's goal is to reduce serious injury and fatal collisions statewide. Enforcement efforts are guided towards the areas identified as most impacted by fatalities and collisions. In-house real-time dashboards and heat maps which show the areas in which collisions are occurring and where additional enforcement is needed are also used. ACE Teams conduct selective, concentrated, and strict enforcement of the state's traffic laws along roadway corridors identified by SCDPS and SCDOT through statistical analysis of the most recent collision data as being highest for the occurrence of fatal and serious injury collisions. The ACE program is not funded by federal dollars; however, it is still an important component of the state's TSEP. In FFY 2023, ACE Team members will focus on traffic enforcement and spend little or no time engaging in crash investigation.

The remaining resources to be deployed, as well as the HSP page number on which a detailed description for each can be found, are included in the table below.

Resource	Unique Identifier(s)	Description Located on Page No.
Highway Safety Grant Enforcement Projects	M5HVE PTS-OP PTS-EU	154 116 130
Law Enforcement Training Projects	M5TR PTS-TSO	160 136
SC Law Enforcement Networks	PTS-LEC	81

Effectiveness Monitoring

The South County Department of Public Safety, Office of Highway Safety and Justice Programs (OHSJP) utilizes several methods to monitor the effectiveness of enforcement activities and uses data as the basis for adjustments to countermeasure strategies and updates to the HSP. To ensure that the activities required by the grant award are being performed, the Program Coordinators (for Impaired Driving Countermeasures and Police Traffic Services and Occupant Protection) complete monthly, at minimum, desk-monitoring for all projects. The Program Coordinators, along with the Highway Safety Grants Accounting Manager and/or Grants Administration Accountants conduct monitoring visits for 100% of all projects funded in order to provide adequate technical assistance and to ensure compliance with grant guidelines. During the visits, staff assigned to the grant are asked programmatic and financial monitoring questions to determine whether the subgrantee is in compliance with the terms and conditions of the grant award and if the subgrantee has made sufficient progress towards achieving the grant's outlined goals and objectives. The results, as well as any findings or recommendations for improvement, are discussed with the subgrantee and documented in a letter, mailed to the subgrantee, and a copy is placed in the grant file.

Enforcement subgrantees must also submit monthly reports and all subgrantees provide quarterly reports to the OHSJP documenting grant progress. The monthly and quarterly reports are reviewed by the appropriate OHSJP staff including the Program Coordinator, Highway Safety Grant Program Manager, and law enforcement staff.

The enforcement subgrantees' specific performance e.g., numbers of citations written for speeding, DUI, seatbelt use, etc. are recorded in a spread sheet. Internal meetings and conversations are held regularly to review the subgrantees' progress. Participants in these meetings and conversations include the Program Coordinators, the Highway Safety Grant Program Manager, and OHSJP staff members with law enforcement experience. The perspective of law enforcement staff is immensely beneficial to the team in evaluating whether the level of enforcement activity is appropriate for the number of officers assigned to the project. If the team determines that enforcement activity is insufficient, the subgrantee is notified by a phone call (which is followed up by an email) regarding the need to make adjustments. The email is placed in the subgrantee's grant file. Additionally, the Program Coordinators maintain effective working relationships with the subgrantees encouraging them to notify the OHSJP if there are changes that may impact the level of grant activity, e.g., an officer is on leave. These relationships and ongoing communication, along with desk and onsite monitoring, help to keep the subgrantees on track with meeting the grant requirements.

Any recommended changes made to the OHSJP's Countermeasure Strategies as warranted by data, are discussed by the senior management team in consultation with our regional NHTSA representative.

HIGH-VISIBILITY ENFORCEMENT (HVE) STRATEGIES

Planned HVE strategies to support national mobilizations:

Countermeasure Strategy
Public Information and Outreach
OP Communication and Outreach
High Visibility DUI Enforcement
Highway Safety Office Program Management
Short-term, High Visibility Law Enforcement
Short-term, High Visibility Seat Belt Law Enforcement

HVE planned activities that demonstrate the State's support and participation in the National HVE mobilizations to reduce alcohol-impaired or drug impaired operation of motor vehicles and increase use of seat belts by occupants of motor vehicles:

Unique Identifier	Planned Activity Name
M5PEM	Impaired Driving Communication Campaign
M1HVE	Occupant Protection Communication Campaign
M5HVE	DUI Enforcement Teams
PTS-EU	PTS Enforcement Units
PTS-LEC	Law Enforcement Coordination
PTS-OP	High visibility enforcement of seat belt law



South Carolina Department of Public Safety

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HENRY MCMASTER
GOVERNOR

ROBERT G. WOODS, IV
DIRECTOR

June 23, 2022

Ms. Carmen Hayes, Regional Administrator
National Highway Traffic Safety Administration
Atlanta Federal Center
61 Forsythe Street, SW, 17T30
Atlanta, Georgia 30303

Re: Maintenance of Effort

Dear Ms. Hayes:

This letter is to affirm that the South Carolina Department of Public Safety (SCDPS) remains the lead agency for meeting the federal maintenance of effort (MOE) requirements. This determination was made after gathering information from other state agencies, which have indicated that the basis of their activities for the identified program areas are primarily comprised of federal funds. SCDPS' Office of Highway Safety and Justice Programs (OHSJP) will serve as the lead for the Traffic Records 405(c) and SCDPS' Highway Patrol Troops 2 – 7 will serve as the lead for the Occupant Protection 405(b) and Impaired Driving 405(d) Programs.

These determinations were based on weighing the established criteria of the amount of state expenditures for each program, the level of program involvement, and the level of control and authority over the program.

Per §23 CFR 133, SCDPS will maintain aggregate expenditures at or above the baseline years for Federal Fiscal Year (FFY) 2014 and FFY 2015 for the Occupant Protection, Traffic Safety Information Systems, and Impaired Driving Countermeasures programs. Please contact Phil Riley, the OHSJP Director, at 803-896-9970 if there are questions about this notice.

South Carolina values its partnership and ongoing relationship with the National Highway Traffic Safety Administration. We look forward to continuing our joint efforts to eliminate traffic-related fatalities.

Sincerely,

Robert G. Woods, IV
Director

RW/pr



SOUTH CAROLINA HIGHWAY PATROL



STATE TRANSPORT POLICE



BUREAU OF PROTECTIVE SERVICES



Internationally Accredited Law Enforcement Agency

Appendix A to Part 1300 – Certifications and Assurances for Fiscal Year 2022 Highway Safety Grants (23 U.S.C. Chapter 4; Sec. 1906, Pub. L. 109-59, As Amended By Sec. 4011, Pub. L. 114-94)

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

State: South Carolina

Fiscal Year: 2023

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

GENERAL REQUIREMENTS

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

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

INTERGOVERNMENTAL REVIEW OF FEDERAL PROGRAMS

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

FEDERAL FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT (FFATA)

The State will comply with FFATA guidance, OMB Guidance on FFATA Subaward and Executive Compensation Reporting, August 27, 2010, (https://www.fsrs.gov/documents/OMB_Guidance_on_FFATA_Subaward_and_Executive_Compensation_Reporting_08272010.pdf) by reporting to FSRS.gov for each sub-grant awarded:

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

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

NONDISCRIMINATION

(applies to subrecipients as well as States)

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

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

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

- **Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations** (prevents discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations); and
- **Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency** (guards against Title VI national origin discrimination/discrimination because of limited English proficiency (LEP) by ensuring that funding recipients take reasonable steps to ensure that LEP persons have meaningful access to programs (70 FR 74087-74100)).

The State highway safety agency—

- Will take all measures necessary to ensure that no person in the United States shall, on the grounds of race, color, national origin, disability, sex, age, limited English proficiency, or membership in any other class protected by Federal Nondiscrimination Authorities, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any of its programs or activities, so long as any portion of the program is Federally-assisted;
- Will administer the program in a manner that reasonably ensures that any of its subrecipients, contractors, subcontractors, and consultants receiving Federal financial assistance under this program will comply with all requirements of the Non-Discrimination Authorities identified in this Assurance;
- Agrees to comply (and require its subrecipients, contractors, subcontractors, and consultants to comply) with all applicable provisions of law or regulation governing US DOT's or NHTSA's access to records, accounts, documents, information, facilities, and staff, and to cooperate and comply with any program or compliance reviews, and/or complaint investigations conducted by US DOT or NHTSA under any Federal Nondiscrimination Authority;
- Acknowledges that the United States has a right to seek judicial enforcement with regard to any matter arising under these Non-Discrimination Authorities and this Assurance;
- Agrees to insert in all contracts and funding agreements with other State or private entities the following clause:

“During the performance of this contract/funding agreement, the contractor/funding recipient agrees—

- a. To comply with all Federal nondiscrimination laws and regulations, as may be amended from time to time;

- b. Not to participate directly or indirectly in the discrimination prohibited by any Federal non-discrimination law or regulation, as set forth in appendix B of 49 CFR part 21 and herein;
- c. To permit access to its books, records, accounts, other sources of information, and its facilities as required by the State highway safety office, US DOT or NHTSA;
- d. That, in event a contractor/funding recipient fails to comply with any nondiscrimination provisions in this contract/funding agreement, the State highway safety agency will have the right to impose such contract/agreement sanctions as it or NHTSA determine are appropriate, including but not limited to withholding payments to the contractor/funding recipient under the contract/agreement until the contractor/funding recipient complies; and/or cancelling, terminating, or suspending a contract or funding agreement, in whole or in part; and
- e. To insert this clause, including paragraphs (a) through (e), in every subcontract and subagreement and in every solicitation for a subcontract or sub-agreement, that receives Federal funds under this program.

THE DRUG-FREE WORKPLACE ACT OF 1988 (41 U.S.C. 8103)

The State will provide a drug-free workplace by:

- a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- b. Establishing a drug-free awareness program to inform employees about:
 - 1. The dangers of drug abuse in the workplace;
 - 2. The grantee's policy of maintaining a drug-free workplace;
 - 3. Any available drug counseling, rehabilitation, and employee assistance programs;
 - 4. The penalties that may be imposed upon employees for drug violations occurring in the workplace;
 - 5. Making it a requirement that each employee engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
- c. Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will –
 - 1. Abide by the terms of the statement;
 - 2. Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction;
- d. Notifying the agency within ten days after receiving notice under subparagraph (c)(2) from an employee or otherwise receiving actual notice of such conviction;

- e. Taking one of the following actions, within 30 days of receiving notice under subparagraph (c)(2), with respect to any employee who is so convicted –
 - 1. Taking appropriate personnel action against such an employee, up to and including termination;
 - 2. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- f. Making a good faith effort to continue to maintain a drug-free workplace through implementation of all of the paragraphs above.

POLITICAL ACTIVITY (HATCH ACT)
(applies to subrecipients as well as States)

The State will comply with provisions of the Hatch Act (5 U.S.C. 1501-1508), which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

CERTIFICATION REGARDING FEDERAL LOBBYING
(applies to subrecipients as well as States)

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

- 1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;
- 2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions;
- 3. The undersigned shall require that the language of this certification be included in the award documents for all sub-award at all tiers (including subcontracts, subgrants, and contracts under grant, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

RESTRICTION ON STATE LOBBYING

(applies to subrecipients as well as States)

None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

CERTIFICATION REGARDING DEBARMENT AND SUSPENSION

(applies to subrecipients as well as States)

Instructions for Primary Tier Participant Certification (States)

1. By signing and submitting this proposal, the prospective primary tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1200.
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective primary tier participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary tier participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default or may pursue suspension or debarment.
4. The prospective primary tier participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary tier participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

5. The terms *covered transaction, civil judgment, debarment, suspension, ineligible, participant, person, principal, and voluntarily excluded*, as used in this clause, are defined in 2 CFR parts 180 and 1200. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.

6. The prospective primary tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.

7. The prospective primary tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Participant Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1200.

8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov/>).

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency may terminate the transaction for cause or default.

Certification Regarding Debarment, Suspension, and Other Responsibility Matters-Primary Tier Covered Transactions

(1) The prospective primary tier participant certifies to the best of its knowledge and belief, that it and its principals:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency;
- (b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
- (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

(2) Where the prospective primary tier participant is unable to certify to any of the Statements in this certification, such prospective participant shall attach an explanation to this proposal.

Instructions for Lower Tier Participant Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1200.

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

4. The terms *covered transaction*, *civil judgment*, *debarment*, *suspension*, *ineligible*, *participant*, *person*, *principal*, and *voluntarily excluded*, as used in this clause, are defined in 2 CFR parts 180 and 1200. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Participant Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1200.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov/>).
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion -- Lower Tier Covered Transactions:

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency.
2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

BUY AMERICA ACT

(applies to subrecipients as well as States)

The State and each subrecipient will comply with the Buy America requirement (23 U.S.C. 313) when purchasing items using Federal funds. Buy America requires a State, or subrecipient, to purchase with Federal funds only steel, iron and manufactured products produced in the United States, unless the Secretary of Transportation determines that such domestically produced items would be inconsistent with the public interest, that such materials are not reasonably available and of a satisfactory quality, or that inclusion of domestic materials will increase the cost of the overall project contract by more than 25 percent. In order to use Federal funds to purchase foreign produced items, the State must submit a waiver request that provides an adequate basis and justification for approval by the Secretary of Transportation.

PROHIBITION ON USING GRANT FUNDS TO CHECK FOR HELMET USAGE

(applies to subrecipients as well as States)

The State and each subrecipient will not use 23 U.S.C. Chapter 4 grant funds for programs to check helmet usage or to create checkpoints that specifically target motorcyclists.

POLICY ON SEAT BELT USE

In accordance with Executive Order 13043, Increasing Seat Belt Use in the United States, dated April 16, 1997, the Grantee is encouraged to adopt and enforce on-the-job seat belt use policies and programs for its employees when operating company-owned, rented, or personally-owned vehicles. The National Highway Traffic Safety Administration (NHTSA) is responsible for providing leadership and guidance in support of this Presidential initiative. For information and resources on traffic safety programs and policies for employers, please contact the Network of Employers for Traffic Safety (NETS), a public-private partnership dedicated to improving the traffic safety practices of employers and employees. You can download information on seat belt programs, costs of motor vehicle crashes to employers, and other traffic safety initiatives at www.trafficsafety.org. The NHTSA website (www.nhtsa.gov) also provides information on statistics, campaigns, and program evaluations and references.

POLICY ON BANNING TEXT MESSAGING WHILE DRIVING

In accordance with Executive Order 13513, Federal Leadership On Reducing Text Messaging While Driving, and DOT Order 3902.10, Text Messaging While Driving, States are encouraged to adopt and enforce workplace safety policies to decrease crashes caused by distracted driving, including policies to ban text messaging while driving company-owned or rented vehicles, Government-owned, leased or rented vehicles, or privately-owned vehicles when on official Government business or when performing any work on or behalf of the Government. States are also encouraged to conduct workplace safety initiatives in a manner commensurate with the size of the business, such as establishment of new rules and programs or re-evaluation of existing programs to prohibit text messaging while driving, and education, awareness, and other outreach to employees about the safety risks associated with texting while driving.

SECTION 402 REQUIREMENTS

1. To the best of my personal knowledge, the information submitted in the Highway Safety Plan in support of the State's application for a grant under 23 U.S.C. 402 is accurate and complete.
2. The Governor is the responsible official for the administration of the State highway safety program, by appointing a Governor's Representative for Highway Safety who shall be responsible for a State highway safety agency that has adequate powers and is suitably equipped and organized (as evidenced by appropriate oversight procedures governing such areas as procurement, financial administration, and the use, management, and disposition of equipment) to carry out the program. (23 U.S.C. 402(b)(1)(A))
3. The political subdivisions of this State are authorized, as part of the State highway safety program, to carry out within their jurisdictions local highway safety programs which have been approved by the Governor and are in accordance with the uniform guidelines promulgated by the Secretary of Transportation. (23 U.S.C. 402(b)(1)(B))
4. At least 40 percent of all Federal funds apportioned to this State under 23 U.S.C. 402 for this fiscal year will be expended by or for the benefit of political subdivisions of the State in carrying out local highway safety programs (23 U.S.C. 402(b)(1)(C)) or 95 percent by and for the benefit of Indian tribes (23 U.S.C. 402(h)(2)), unless this requirement is waived in writing. (This provision is not applicable to the District of Columbia, Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.)
5. The State's highway safety program provides adequate and reasonable access for the safe and convenient movement of physically handicapped persons, including those in wheelchairs, across curbs constructed or replaced on or after July 1, 1976, at all pedestrian crosswalks. (23 U.S.C. 402(b)(1)(D))
6. The State will provide for an evidenced-based traffic safety enforcement program to prevent traffic violations, crashes, and crash fatalities and injuries in areas most at risk for such incidents. (23 U.S.C. 402(b)(1)(E))
7. The State will implement activities in support of national highway safety goals to reduce motor vehicle related fatalities that also reflect the primary data-related crash factors within the State, as identified by the State highway safety planning process, including:
 - Participation in the National high-visibility law enforcement mobilizations as identified annually in the NHTSA Communications Calendar, including not less than 3 mobilization campaigns in each fiscal year to –
 - Reduce alcohol-impaired or drug-impaired operation of motor vehicles; and
 - Increase use of seat belts by occupants of motor vehicles;
 - Sustained enforcement of statutes addressing impaired driving, occupant protection, and driving in excess of posted speed limits;

- An annual Statewide seat belt use survey in accordance with 23 CFR part 1340 for the measurement of State seat belt use rates, except for the Secretary of Interior on behalf of Indian tribes;
 - Development of Statewide data systems to provide timely and effective data analysis to support allocation of highway safety resources;
 - Coordination of Highway Safety Plan, data collection, and information systems with the State strategic highway safety plan, as defined in 23 U.S.C. 148(a). (23 U.S.C. 402(b)(1)(F))
8. The State will actively encourage all relevant law enforcement agencies in the State to follow the guidelines established for vehicular pursuits issued by the International Association of Chiefs of Police that are currently in effect. (23 U.S.C. 402(j))
9. The State will not expend Section 402 funds to carry out a program to purchase, operate, or maintain an automated traffic enforcement system. (23 U.S.C. 402(c)(4))

I understand that my statements in support of the State's application for Federal grant funds are statements upon which the Federal Government will rely in determining qualification for grant funds, and that knowing misstatements may be subject to civil or criminal penalties under 18 U.S.C. 1001. I sign these Certifications and Assurances based on personal knowledge, and after appropriate inquiry.

Signature Governor's Representative for Highway Safety Date



Printed name of Governor's Representative for Highway Safety

**U.S. Department of Transportation National Highway Traffic Safety Administration
Highway Safety Plan Transaction**

State: South Carolina

2023-HSP-1
For Approval

Page: 1
Report Date: 06/27/2022

Program Area	Line	Action	Project	Description	State	Current Fiscal Year Funds	Carry Forward Funds	Share to Local
NHTSA								
FAST Act NHTSA 402								
Police Traffic Services								
	35 Plan		PT-2023-00-00-00	Holding Account		\$.00	\$.00	\$.00
Police Traffic Services Total						\$.00	\$.00	\$.00
FAST Act NHTSA 402 Total						\$.00	\$.00	\$.00
FAST Act 405b OP High								
405b High HVE								
	66 Plan		M1HVE-2023-HS-25-23	405b High Imp Driving Countermeasures *M		\$22,500.00	\$90,000.00	\$.00
	67 Plan		M1HVE-2023-00-00-00	Holding Account		\$.00	\$.00	\$.00
	70 Plan		M1HVE-2023-HS-02-23	OP BUCKLE UP CAMPAIGN *M1HVE		\$82,822.75	\$331,291.00	\$.00
405b High HVE Total						\$105,322.75	\$421,291.00	\$.00
FAST Act 405b OP High Total						\$105,322.75	\$421,291.00	\$.00
FAST Act 405c Data Program								
405c Data Program								
	76 Plan		M3DA-2023-HS-03-23	OHSJP Tr Rec Improvements *TR-M3DA		\$91,384.61	\$365,538.44	\$.00
	77 Plan		M3DA-2023-00-00-00	Holding Account		\$.00	\$.00	\$.00
405c Data Program Total						\$91,384.61	\$365,538.44	\$.00
FAST Act 405c Data Program Total						\$91,384.61	\$365,538.44	\$.00
FAST Act 405d Impaired Driving Mid								
405d Mid HVE								
	63 Plan		M5HVE-2023-00-00-00	Holding Account		\$.00	\$.00	\$.00
405d Mid HVE Total						\$.00	\$.00	\$.00
405d Mid Paid/Earned Media								
	41 Plan		M5PEM-2023-HS-25-22	Imp. Driving Countermeasures PRG MGT *M		\$150,000.00	\$600,000.00	\$.00
405d Mid Paid/Earned Media Total						\$150,000.00	\$600,000.00	\$.00
FAST Act 405d Impaired Driving Mid Total						\$150,000.00	\$600,000.00	\$.00
FAST Act 405h Nonmotorized Safety								
405h Public Education								
	86 Plan		FHPE-2023-HS-04-23	PIOT NONMOTORIZED SAFETY CAMPAIGN *PIOT-		\$87,261.30	\$349,045.19	\$.00
405h Public Education Total						\$87,261.30	\$349,045.19	\$.00

405h Nonmotorized Safety

87 Plan	FHX-2023-00-00-00	Holding Account	\$.00	\$.00	\$.00	\$.00
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405h Nonmotorized Safety Total			\$.00	\$.00	\$.00	\$.00
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FAST Act 405h Nonmotorized Safety Total			\$87,261.30	\$349,045.19	\$.00	\$.00
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BIL NHTSA 402**Planning and Administration**

1 Plan	PA-2023-HS-01-23		\$248,814.00	\$248,814.00	\$.00	\$.00
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Planning and Administration Total			\$248,814.00	\$248,814.00	\$.00	\$.00
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Motorcycle Safety

33 Plan	MC-2023-HS-04-23	OHSJP PIOT MOTORCYCLE SAFETY *M11MA	\$10,000.00	\$40,000.00	\$.00	\$.00
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Motorcycle Safety Total			\$10,000.00	\$40,000.00	\$.00	\$.00
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Occupant Protection

2 Plan	OP-2023-HS-02-23	OHSJP OCCUPANT PROTECTION *OP-INT	\$51,764.50	\$207,058.00	\$.00	\$.00
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3 Plan	OP-2023-HS-17-23	SC DHEC OPERATION SAFE RIDE *OP-1 OP-2	\$49,965.00	\$199,860.00	\$.00	\$199,860.00
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Occupant Protection Total			\$101,729.50	\$406,918.00	\$.00	\$199,860.00
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Police Traffic Services

6 Plan	PT-2023-HS-05-23	OHSJP POLICE TRAFFIC SERVICES *PTS-INT	\$57,307.50	\$229,230.00	\$.00	\$.00
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7 Plan	PT-2023-HS-06-23	OHSJP LAW ENF COORD *PTS-LEC	\$157,264.50	\$629,058.00	\$.00	\$160,000.00
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9 Plan	PT-2023-HS-07-23	SCCJA TSO PROGRAM *PTS-TSO	\$25,262.39	\$101,049.57	\$.00	\$101,049.57
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10 Plan	PT-2023-HS-08-23	City of Spartanburg *PTS-EU/PTS-OP	\$19,924.75	\$79,699.00	\$.00	\$79,699.00
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11 Plan	PT-2023-HS-09-23	Moncks Corner PD *PTS-EU/PTS-OP	\$23,545.25	\$94,181.00	\$.00	\$94,181.00
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12 Plan	PT-2023-HS-10-23	OVERTIME Sumter County Sheriff's Office	\$20,944.75	\$83,779.00	\$.00	\$83,779.00
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13 Plan	PT-2023-HS-11-23	OVERTIME Travelers Rest PTS-EU/PTS-OP	\$20,672.50	\$82,690.00	\$.00	\$82,690.00
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14 Plan	PT-2023-HS-12-23	City of Orangeburg *PTS-EU/PTS-OP	\$20,845.75	\$83,383.00	\$.00	\$83,383.00
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15 Plan	PT-2023-HS-13-23	Town of Port Royal *PTS-EU/PTS-OP	\$24,381.25	\$97,525.00	\$.00	\$97,525.00
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16 Plan	PT-2023-HS-14-23	Berkeley Co SO *PTS--EU/PTS-OP	\$25,918.75	\$103,675.00	\$.00	\$103,675.00
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17 Plan	PT-2023-HS-15-23	Mount Pleasant Police Dept *PTS-EU/PTS-O	\$22,344.75	\$89,379.00	\$.00	\$89,379.00
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18 Plan	PT-2023-HS-16-23	Lancaster Police Dept *PTS-EU/PTS-OP	\$23,224.00	\$92,896.00	\$.00	\$92,896.00
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19 Plan	PT-2023-HS-18-23	Chesterfield County S.O. *PTS-EU/PTS-OP	\$18,191.25	\$72,765.00	\$.00	\$72,765.00
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20 Plan	PT-2023-HS-19-23	Georgetown County S.O. *PTS-EU/PTS-OP	\$50,399.50	\$201,598.00	\$.00	\$201,598.00
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21 Plan	PT-2023-HS-20-23	OVERTIME Berkeley Co SO *PTS--EU/PTS-OP	\$30,426.25	\$121,705.00	\$.00	\$121,705.00
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22 Plan	PT-2023-HS-21-23	York County S.O. *PTS-EU/PTS-OP	\$43,847.50	\$175,390.00	\$.00	\$175,390.00
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23 Plan	PT-2023-HS-22-23	Town of Summerville *PTS-EU/PTS-OP	\$39,433.50	\$157,734.00	\$.00	\$157,734.00
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24 Plan	PT-2023-HS-28-23	Goose Creek P.D. *PTS-EU/PTS-OP	\$39,264.00	\$157,056.00	\$.00	\$157,056.00
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25 Plan	PT-2023-HS-29-23	OVERTIME City of Spartanburg *PTS-EU/PT	\$14,535.75	\$58,143.00	\$.00	\$58,143.00
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26 Plan	PT-2023-HS-30-23	OVERTIME Kershaw County SO *PTS--EU/PTS-	\$24,870.50	\$99,482.00	\$.00	\$99,482.00
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28 Plan	PT-2023-HS-32-23	OVERTIME York County S.O. *PTS-EU/PTS-OP	\$27,542.00	\$110,168.00	\$.00	\$110,168.00
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29 Plan	PT-2023-HS-33-23	Lancaster CO SO *PTS-EU/PTS-OP	\$21,838.75	\$87,355.00	\$.00	\$87,355.00
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30 Plan	PT-2023-HS-34-23	OVERTIME City of Clemson *PTS-EU/PTS-OP	\$16,861.25	\$67,445.00	\$.00	\$67,445.00
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31 Plan	PT-2023-HS-35-23	City of Cayce *PTS-EU/PTS-OP	\$18,420.25	\$73,681.00	\$.00	\$73,681.00
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32 Plan	PT-2023-HS-36-23	City of Camden *PTS-EU/PTS-OP	\$18,536.75	\$74,147.00	\$.00	\$74,147.00
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34 Plan	PT-2023-00-00-00	Holding Account	\$.00	\$.00	\$.00	\$.00
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Police Traffic Services Total			\$805,803.39	\$3,223,213.57	\$.00	\$2,524,925.57
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Traffic Records

4 Plan	TR-2023-HS-03-23	OHSJP Traf Rec Improvements *TR	\$16,112.50	\$64,450.00	\$.00	\$.00
Traffic Records Total			\$16,112.50	\$64,450.00	\$.00	\$.00

Safe Communities

5 Plan	SA-2023-HS-04-23	OHSJP PIOT *PIOT-SA	\$271,356.25	\$1,085,425.00	\$.00	\$.00
Safe Communities Total			\$271,356.25	\$1,085,425.00	\$.00	\$.00

Teen Safety Program

27 Plan	TSP-2023-HS-31-23	SADD, Inc. *YTS	\$43,972.50	\$175,890.00	\$.00	\$175,890.00
Teen Safety Program Total			\$43,972.50	\$175,890.00	\$.00	\$175,890.00
BIL NHTSA 402 Total			\$1,497,788.14	\$5,244,710.57	\$.00	\$2,900,675.57

BIL 405b OP High**405b High HVE**

71 Plan	M1HVE-2023-HS-02-23	OP BUCKLE UP CAMPAIGN *M1HVE	\$20,677.25	\$82,709.00	\$.00	\$.00
73 Plan	M1HVE-2023-00-00-00	Holding Account	\$.00	\$.00	\$.00	\$.00
405b High HVE Total			\$20,677.25	\$82,709.00	\$.00	\$.00

405b High OP Information System

72 Plan	M1OP-2023-HS-02-23	OP BUCKLE UP CAMPAIGN *M1HVE	\$11,498.16	\$45,992.64	\$.00	\$.00
405b High OP Information System Total			\$11,498.16	\$45,992.64	\$.00	\$.00

BIL 405b OP High Total

\$32,175.41	\$128,701.64	\$.00	\$.00
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BIL 405c Data Program**405c Data Program**

78 Plan	M3DA-2023-HS-03-23	OHSJP Tr Rec Improvements *TR-M3DA	\$176,623.55	\$706,494.21	\$.00	\$.00
79 Plan	M3DA-2023-00-00-00	Holding Account	\$.00	\$.00	\$.00	\$.00
405c Data Program Total			\$176,623.55	\$706,494.21	\$.00	\$.00

BIL 405c Data Program Total

\$176,623.55	\$706,494.21	\$.00	\$.00
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BIL 405d Impaired Driving Mid**405d Mid HVE**

39 Plan	M5HVE-2023-HS-25-23	Imp. Driving Countermeasures PRG MGT *M1	\$55,086.00	\$220,344.00	\$.00	\$.00
47 Plan	M5HVE-2023-HS-39-23	Berkeley Co SO *M5HVE	\$24,088.25	\$96,353.00	\$.00	\$.00
48 Plan	M5HVE-2023-HS-40-23	Lexington County S.O. Impaired Driving *	\$22,413.25	\$89,653.00	\$.00	\$.00
49 Plan	M5HVE-2023-HS-41-23	OVERTIME York County S.O. Impaired Drivi	\$19,611.25	\$78,445.00	\$.00	\$.00
50 Plan	M5HVE-2023-HS-42-23	City of Easley Impaired Driving Counterterm	\$20,147.00	\$80,588.00	\$.00	\$.00
53 Plan	M5HVE-2023-HS-45-23	Lancaster CO SO *M5HVE	\$26,807.00	\$107,228.00	\$.00	\$.00
55 Plan	M5HVE-2023-HS-47-23	Town of Summerville *M5HVE	\$15,995.25	\$63,981.00	\$.00	\$.00
58 Plan	M5HVE-2023-HS-50-23	City of Goose Creek Impaired Driving *M5	\$39,264.00	\$157,056.00	\$.00	\$.00
59 Plan	M5HVE-2023-HS-51-23	OVERTIME Lancaster CO SO *M5HVE	\$16,043.75	\$64,175.00	\$.00	\$.00
60 Plan	M5HVE-2023-HS-52-23	OVERTIME City of Clemson ID *M5HVE	\$15,861.25	\$63,445.00	\$.00	\$.00
61 Plan	M5HVE-2023-HS-53-23	North Augusta DPS DUI Enforcement *M5HVE	\$19,646.50	\$78,586.00	\$.00	\$.00
62 Plan	M5HVE-2023-HS-54-23	York County S.O. Impaired Driving *M5HVE	\$20,591.75	\$82,367.00	\$.00	\$.00
64 Plan	M5HVE-2023-00-00-00	Holding Account	\$.00	\$.00	\$.00	\$.00
405d Mid HVE Total			\$295,555.25	\$1,182,221.00	\$.00	\$.00

405d Mid Court Support

38 Plan	M5CS-2023-HS-24-23	SCDPS DUI Paralegal Support *M5CS	\$17,367.25	\$69,469.00	\$.00	\$.00
44 Plan	M5CS-2023-HS-27-22	SC Comm on Prosecution Coord. Prosecutor	\$43,388.75	\$173,555.00	\$.00	\$.00

45 Plan	M5CS-2023-HS-37-23	Fifth Judicial Circuit Solicitor *M5CS	\$26,178.25	\$104,713.00	\$.00	\$.00
46 Plan	M5CS-2023-HS-38-23	SC Judicial Branch Court Admin JOL *SJOL	\$7,400.00	\$29,600.00	\$.00	\$.00
51 Plan	M5CS-2023-HS-43-23	Berkeley Co SO DUI Prosecutor *M5CS	\$32,777.75	\$131,111.00	\$.00	\$.00
52 Plan	M5CS-2023-HS-44-23	Sixth Circuit Solicitor's DUI Office *M5	\$21,641.75	\$86,567.00	\$.00	\$.00
54 Plan	M5CS-2023-HS-46-23	Fifteenth Judicial Circuit Solicitor *M5	\$26,880.50	\$107,522.00	\$.00	\$.00
56 Plan	M5CS-2023-HS-48-23	11th Judicial Circuit DUI Prosecutor *M5	\$21,713.00	\$86,852.00	\$.00	\$.00
57 Plan	M5CS-2023-HS-49-23	City of Goose Creek Prosecutor *M5CS	\$24,834.50	\$99,338.00	\$.00	\$.00
405d Mid Court Support Total			\$222,181.75	\$888,727.00	\$.00	\$.00
405d Mid Paid/Earned Media						
40 Plan	M5PEM-2023-HS-25-23	ID Countermeasures PAID MEDIA *M5PEM	\$152,500.00	\$610,000.00	\$.00	\$.00
405d Mid Paid/Earned Media Total			\$152,500.00	\$610,000.00	\$.00	\$.00
405d Mid Training						
43 Plan	M5TR-2023-HS-26-23	CJA Imp Dr Countermeasures Training *M5T	\$14,322.45	\$57,289.81	\$.00	\$.00
405d Mid Training Total			\$14,322.45	\$57,289.81	\$.00	\$.00
405d Impaired Driving Mid						
37 Plan	M5X-2023-HS-23-22	MADD *M4X	\$47,311.25	\$189,245.00	\$.00	\$.00
405d Impaired Driving Mid Total			\$47,311.25	\$189,245.00	\$.00	\$.00
BIL 405d Impaired Driving Mid Total			\$731,870.70	\$2,927,482.81	\$.00	\$.00
BIL 405f Motorcycle Safety Programs						
405f Safety Motorcyclist Awareness						
80 Plan	M11MA-2023-HS-04-23	PIOT MOTORCYCLE AWARENESS *M11MA	\$18,762.48	\$75,049.93	\$.00	\$.00
81 Plan	M11MA-2023-00-00-00	Holding Account	\$.00	\$.00	\$.00	\$.00
405f Safety Motorcyclist Awareness Total			\$18,762.48	\$75,049.93	\$.00	\$.00
BIL 405f Motorcycle Safety Programs Total			\$18,762.48	\$75,049.93	\$.00	\$.00
BIL 405h Nonmotorized Safety						
405h Public Education						
88 Plan	FHPE-2023-HS-04-23	PIOT NONMOTORIZED SAFETY CAMPAIGN *PIOT-	\$31,854.23	\$127,416.91	\$.00	\$.00
405h Public Education Total			\$31,854.23	\$127,416.91	\$.00	\$.00
405h Nonmotorized Safety						
89 Plan	FHX-2023-00-00-00	Holding Account	\$.00	\$.00	\$.00	\$.00
405h Nonmotorized Safety Total			\$.00	\$.00	\$.00	\$.00
BIL 405h Nonmotorized Safety Total			\$31,854.23	\$127,416.91	\$.00	\$.00
SUPPLEMENTAL BIL NHTSA 402						
Police Traffic Services						
8 Plan	PT-2023-HS-07-23	SCCJA TSO PROGRAM *PTS-TSO	\$79,308.61	\$317,234.43	\$.00	\$317,234.43
36 Plan	PT-2023-00-00-00	Holding Account	\$.00	\$.00	\$.00	\$.00
Police Traffic Services Total			\$79,308.61	\$317,234.43	\$.00	\$317,234.43
SUPPLEMENTAL BIL NHTSA 402 Total			\$79,308.61	\$317,234.43	\$.00	\$317,234.43
SUPPLEMENTAL BIL 405b OP High						

405b High HVE

69 Plan	M1HVE-2023-00-00-00	Holding Account	\$.00	\$.00	\$.00	\$.00
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405b High HVE Total			\$.00	\$.00	\$.00	\$.00
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405b High OP Information System

68 Plan	M1OP-2023-HS-02-23	M1 OP BUCKLE UP SURVEYS HIGH SUPPLEMENTA	\$10,001.84	\$40,007.36	\$.00	\$.00
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405b High OP Information System Total			\$10,001.84	\$40,007.36	\$.00	\$.00
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SUPPLEMENTAL BIL 405b OP High Total			\$10,001.84	\$40,007.36	\$.00	\$.00
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SUPPLEMENTAL BIL 405c Data Program**405c Data Program**

74 Plan	M3DA-2023-HS-03-23	OHSJP Tr Rec Improvements *TR-M3DA	\$11,549.09	\$46,196.35	\$.00	\$.00
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75 Plan	M3DA-2023-00-00-00	Holding Account	\$.00	\$.00	\$.00	\$.00
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405c Data Program Total			\$11,549.09	\$46,196.35	\$.00	\$.00
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SUPPLEMENTAL BIL 405c Data Program Total			\$11,549.09	\$46,196.35	\$.00	\$.00
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SUPPLEMENTAL BIL 405d Impaired Driving Mid**405d Mid HVE**

65 Plan	M5HVE-2023-00-00-00	Holding Account	\$.00	\$.00	\$.00	\$.00
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405d Mid HVE Total			\$.00	\$.00	\$.00	\$.00
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405d Mid Training

42 Plan	M5TR-2023-HS-26-23	CJA Imp Dr Countermeasures Training *M5T	\$39,716.80	\$158,867.19	\$.00	\$.00
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405d Mid Training Total			\$39,716.80	\$158,867.19	\$.00	\$.00
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SUPPLEMENTAL BIL 405d Impaired Driving Mid Total			\$39,716.80	\$158,867.19	\$.00	\$.00
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SUPPLEMENTAL BIL 405f Motorcycle Safety Programs**405f Safety Motorcyclist Awareness**

82 Plan	M11MA-2023-HS-04-23	PIOT MOTORCYCLE AWARENESS *M11MA	\$1,237.52	\$4,950.07	\$.00	\$.00
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83 Plan	M11MA-2023-00-00-00	Holding Account	\$.00	\$.00	\$.00	\$.00
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405f Safety Motorcyclist Awareness Total			\$1,237.52	\$4,950.07	\$.00	\$.00
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SUPPLEMENTAL BIL 405f Motorcycle Safety Programs Total			\$1,237.52	\$4,950.07	\$.00	\$.00
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SUPPLEMENTAL BIL 405h Nonmotorized Safety**405h Public Education**

84 Plan	FHPE-2023-HS-04-23	PIOT NONMOTORIZED SAFETY CAMPAIGN *PIOT-	\$5,884.48	\$23,537.90	\$.00	\$.00
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405h Public Education Total			\$5,884.48	\$23,537.90	\$.00	\$.00
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405h Nonmotorized Safety

85 Plan	FHX-2023-00-00-00	Holding Account	\$.00	\$.00	\$.00	\$.00
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405h Nonmotorized Safety Total			\$.00	\$.00	\$.00	\$.00
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SUPPLEMENTAL BIL 405h Nonmotorized Safety Total			\$5,884.48	\$23,537.90	\$.00	\$.00
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NHTSA Total			\$3,070,741.51	\$11,536,524.00	\$.00	\$3,217,910.00
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Total			\$3,070,741.51	\$11,536,524.00	\$.00	\$3,217,910.00
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405(b) OCCUPANT PROTECTION GRANT

Occupant protection information

405(b) qualification status: High seat belt use rate State

Occupant protection plan

Submit State occupant protection program area plan that identifies the safety problems to be addressed, performance measures and targets, and the countermeasure strategies and planned activities the State will implement to address those problems.

A description of the state's highway safety problems as they relate to occupant protection begins on page 86 of the HSP. This section identifies the safety problems to be addressed and the related performance measures and targets. The state will utilize the countermeasure strategies included in the table below and implement the following planned activities to address its occupant protection-related highway safety problems: recruiting, training, and maintaining child passenger safety technicians; increasing the number of inspection stations; an occupant protection communication campaign; and short-term, high visibility seat belt law enforcement.

Countermeasure Strategies in Program Area

Countermeasure Strategy	Description Located on Page No.
Highway Safety Office Program Management	77
Child Passenger Safety Technicians	101
Child Restraint System Inspection Station(s)	106
Communication and Outreach	113
Short-term, High Visibility Seat Belt Law Enforcement	115

Countermeasure Strategy: Child Passenger Safety Technicians

Program Area: Occupant Protection (Adult and Child Passenger Safety)

Project Safety Impacts

The overall traffic safety impact of the chosen countermeasure strategy will be a greater number of children who survive automobile collisions without serious injuries because this countermeasure strategy will increase the number of Child Passenger Safety (CPS) technicians certified to educate the public on proper child restraint use.

Linkage Between Program Area

State data indicates that during the years 2016-2020, 64,703 children under six years of age were occupants involved in traffic collisions in South Carolina. During this five-year period, 63,140 of those children were restrained by a safety restraint device. These figures indicate that approximately 98% of children involved in 2016-2020 traffic collisions were utilizing some sort of safety restraint device. Although approximately 98% of children were utilizing some sort of safety restraint device, informal studies conducted by the South Carolina Department of Environmental Control (SCDHEC) indicate that only 15% of child safety seats are properly installed. Given that 85% of child safety seats are improperly installed, there is a significant need for increased opportunities to educate the public on the proper use of child safety seats. By increasing the number of technicians trained to educate the public in the proper use of child restraints and to provide caregivers with "hands on" assistance, the number of parents/caregivers who properly restrain the children under their care will also increase.

The Occupant Protection/Police Traffic Services Program Coordinator (OP/PTSPC) will work with the SCDHEC to coordinate Child Safety Seat (CSS) Presentations and Child Passenger Safety (CPS) Technician training classes. The OP/PTSPC will implement a comprehensive approach to increase the overall safety belt usage rate above 90% with a target of 100% safety belt usage. The OP/PTSPC will be available to provide education to the public on occupant protection through presentations at health fairs, special interest groups, and businesses. The OP/PTSPC will also oversee efforts aimed at increasing the number of permanent fitting stations within South Carolina, especially in underserved areas of the state. In 2023, SCDHEC will augment its child restraint efforts by continuing its Diversity Outreach Project for high-risk populations (children of Hispanic and African-American descent), spearheaded by the agency's Emergency Management Services and Trauma Division, and will include collaboration and coordination with their Office of Minority Health Division and SCDHEC's Public Health Regional professionals. The Diversity Outreach Project will target non-white children and their parents who are less likely than their white counterparts to use safety restraints. The county areas of Cherokee, Union, Edgefield, Newberry, Abbeville, Allendale, Bamberg, Colleton, Dillon, Lee, and McCormick are targeted for development of Occupant Protection safety education and CPS fitting stations since these counties serve the at-risk population of drivers on rural roadways and do not currently have CPS fitting stations. The efforts of the Diversity Outreach Project will be supplemented using communications and outreach statewide. These activities will occur throughout the grant year.

Rationale

The state currently complies with countermeasures deemed highly effective by the *Countermeasures that Work* guide, such as statewide primary safety belt enforcement, short-term high-visibility belt law enforcement following the national *Click it or Ticket* model, combined nighttime seat belt and alcohol enforcement, and communications and outreach strategies for lower

belt use groups. South Carolina also implements countermeasures that have been deemed effective in specific situations, such as sustained enforcement. In addition, the state has implemented countermeasures that have not clearly been demonstrated as effective overall but may have an impact in specific areas, such as the development of inspection stations for child safety seats.

Planned activity in countermeasure strategy

Unique Identifier	Planned Activity Name	Description Located on HSP Page No.
OP-2	Recruiting, Training, and Maintaining Child Passenger Safety Technicians	103

Planned Activity: Recruiting, Training, and Maintaining Child Passenger Safety Technicians

Planned activity number: OP-2

Primary Countermeasure Strategy ID: Child Passenger Safety Technicians

Planned Activity Description:

Recruiting of Technicians

The typical audience for the NHTSA Child Passenger Safety Technician training is composed of law enforcement, firefighters, and emergency medical personnel. Recruitment of agencies to participate in the SC Fitting Station Network is accomplished through a number of avenues. Word-of-mouth advertising about the program from agency to agency in areas surrounding currently staffed fitting stations generates a great deal of interest in the training. As SCDHEC Vehicle Occupant Protection project staff travel throughout the state, visits are made to agencies that do not currently have CPS Technicians trained. Focus is concentrated on areas of the state that have few or no fitting stations. For law enforcement agencies that are members of the South Carolina Law Enforcement Network (SCLLEN), funding is sometimes available through the SCLLEN to pay the registration fee associated with the CPS Technician certification course, enabling an agency with a tight budget to train personnel, with the only investment required being time away from the office. Law enforcement officers attending the CPS Technician training also earn Continuing Law Enforcement Education units (CLEEs). Fire and rescue agencies are quickly becoming the predominant agency requesting training, and efforts are under way to secure continuing education credit for firefighters as well. The state also trains a large number of SC Highway Patrol Troopers as CPS Technicians.

SCDHEC will continue to recruit CPS technicians through partnerships with public health agency staff, law enforcement, fire departments, EMS, Safe Kids Coalitions, health educators in the private sector, and various community organizations.

Training of Technicians

In order to ensure that the state addresses the identified highway safety challenges of the high rural fatality rate and low seatbelt usage rate among minority populations, in FFY 2023, the SCDHEC’s South Carolina Buckles Occupant Protection project will increase the number of certified CPS Technicians throughout the state. Targeted efforts to certify technicians in the 11 counties in which there are currently no CPS fitting stations will be made; however, the South Carolina Buckles program typically hosts certification courses as requested by local agencies/organizations. When requests are received, project staff consult the available statistical data to assess the likelihood of expanding its reach to the identified at-risk populations. Requests are then prioritized so as to ensure that resources are being directed towards the areas of greatest need. During FFY 2023, twelve (12) Child Passenger Safety Technician courses will be held. SCDHEC’s target is to certify 120 new CPS technicians in FFY 2023, and to provide three (3) continuing education classes to recertify 30 CPS technicians. These technicians will add to the list of the state’s child passenger safety technicians who will staff inspection stations and participate in inspection events held in FFY 2023.

As of June 2022, course offerings for the entire grant period have not been finalized; however, the chart below contains a tentative listing of four courses to be held during FFY 2023.

<u>FFY 2023 CPS Technician Courses</u>	
Location:	Number of courses to be held:
York County	1
Oconee County	1
Aiken County	1
Sumter County	1

Child Passenger Safety (CPS) Technician training is conducted at the site of the host agency, and invitations are sent to surrounding agencies requesting that they also send personnel. Agencies sending personnel to the CPS Technician training are encouraged to become a part of the South Carolina Child Passenger Safety (SCCPS) Fitting Station Network. Agencies participating in the SCCPS Fitting Station Network must list themselves on the NHTSA website as a permanent fitting

station. Once an agency becomes a NHTSA-recognized fitting station, they are eligible to receive both convertible child restraint and booster seats from the SCDHEC. The seats are kept on hand so that if a seat is deemed unsafe during an inspection, a replacement can be offered as a trade for the unsafe seat. The child must be present so the seat can be fitted to the child, and the parent receives education on the proper use and installation of the child restraint. The Lower Anchors and Tethers for Children (LATCH) Restraint System manual is also provided to the fitting station.

Retention of Technicians

South Carolina’s average recertification rate for FFY 2022, from October 2021 through April 2022, is 45.47%. After a class is held, technicians are encouraged to contact SCDHEC staff with any needs the agency may have for daily operation or recertification. SCDHEC staff offer a one-day training that provides six continuing education units (CEUs) and verification of seat installations. A copy of the CEU curriculum is provided to CPS Technician Instructors, allowing the technician to offer the class in their area. Continuing education is offered at the SCCPS Summit held in September of every other year and also provides an opportunity for seat installation verification. The next course will be held at the end of FFY 2022 on September 13, 2022. SCDHEC staff sends an email to technicians a few months before their certification expires, offering assistance with any aspect of the recertification process. The OHSJP also pays the initial technician and renewal fees of the Occupant Protection/Police Traffic Services Program Coordinator (OP/PTSPC) and Troopers of the SC Highway Patrol in order to certify as many individuals as possible.

Intended Subrecipient(s): South Carolina Department of Health and Environmental Control

Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2022	BIL NHTSA 402	Occupant Protection	\$199,860 (entire grant)	\$49,965	\$199,860

Countermeasure Strategy: Child Restraint System Inspection Station(s)

Program Area: Occupant Protection (Adult and Child Passenger Safety)

Project Safety Impacts

The overall projected traffic safety impact of the chosen countermeasure strategy will be a greater number of children who survive automobile collisions without serious injuries because this countermeasure strategy will increase the availability of locations in which parents/guardians may receive education from certified CPS technicians on proper child restraint use.

Linkage Between Program Area

The linkage is detailed in greater depth in the state's HSP; however, informal surveys conducted by SCDHEC indicate that only 15% of child safety seats are properly, indicating the need for enhanced access to education on proper child restraint use.

Rationale

The rationale for selecting this countermeasure strategy is detailed in greater depth in the state's HSP; however, it is clear that enhanced access to education on proper child restraint use is needed in this state. This may be achieved, in part, through the development of inspection stations for child safety seats.

Planned activity in countermeasure strategy

Unique Identifier	Planned Activity Name	Description Located on HSP Page No.
OP-1	Increasing the number of Inspection Stations	106

Planned Activity: Increasing the number of Inspection Stations

Planned Activity Number: OP-1

Primary Countermeasure Strategy ID: Child Restraint System Inspection Station(s)

Planned Activity Description:

A partnership between the SC Department of Public Safety (SCDPS) and the SC Department of Health and Environmental Control (SCDHEC) will continue in FFY 2023 with the implementation

of the South Carolina Vehicle Occupant Protection grant project. The main focus of the project will be to educate and train local law enforcement and other first responders, public health agency staff, and parents/caregivers concerning the proper usage of Child Passenger Safety (CPS) and occupant restraint devices. Two full-time Child Passenger Safety (CPS) Technician Instructors with the SCDHEC will be funded to ensure that training is taking place statewide to certify new CPS technicians and recertify current technicians. The project will seek to increase all forms of vehicle occupant protection, particularly among the state's identified at-risk populations of minorities and drivers on rural roadways, by educating the public about the importance of safety belt use and supporting national and statewide emphases. The project will also provide staff to serve as the state contacts for National Safe Kids in terms of CPS certification and will continue to coordinate diversity outreach efforts with the Office of Highway Safety and Justice Programs. With the OHSJP's partnerships with SCDHEC, Safe Kids, and highway safety subgrantees, thirty-five (35) of the forty-six (46) counties in the state currently have at least one Child Restraint Inspection Station. This represents 94.4% of the statewide population, according to the US Census (2020), having access to a Child Restraint Inspection Station. At each child safety seat inspection station and during seat check events, educational material is distributed to better educate parent/guardians on the proper way to ensure the safety of their children while riding as passengers in automobiles. Presentations are also conducted across the state at churches, day care centers, schools, and civic organizations by the SCDHEC CPS Technician Instructors, Safe Kids coalitions, and South Carolina Highway Patrol's Community Resource Officers (CROs).

In an effort to curtail the misuse of child safety seats, South Carolina has established an active network of child inspection stations across the state in order for the public to have access to someone who will assist with properly installing child safety seats. Each child restraint inspection station is staffed with nationally-certified child passenger safety technicians who are available during official posted hours and/or by appointment. According to the most recent US Census (2020), South Carolina has a population of 5,118,425 people within 46 counties. Inspection stations are located in 35 of the 46 counties. Using data from the census, counties containing inspection stations have a total population of 4,832,991. Based on both the census data and locations of fitting stations, SC fitting stations reach 94.4% of the state's population. Still, more efforts are needed, especially for the state's high risk populations.

In 2023, the state will continue its efforts to address equity in its highway safety programs and services in a variety of ways. The state will participate in NHTSA's national tribal traffic safety initiative to reduce motor-vehicle-related, crashes, injuries and fatalities in tribal communities by partnering with the Catawba Indian Nation to provide marketing materials and resources regarding applicable highway safety grant funding opportunities, and potentially sponsoring a CPS inspection event and/or establishing a fitting station on the reservation. In addition, the Diversity Outreach Project will continue its work to increase fitting stations in areas where Hispanic and African American individuals reside. The project is a collaboration between SCDPS, SCDHEC's

EMS and Trauma Division, SCDHEC's Office of Minority Health, and SCDHEC's Public Health Regional professionals.

The table below contains a listing of each of the inspection stations in South Carolina that are staffed with a certified CPS technician and includes the total number of inspection stations that service rural and urban areas and high risk populations (minority and low income). As of June 7, 2022, South Carolina has 792 nationally certified child passenger safety technicians, and 28 of those are certified instructors. It is important to note that this number changes regularly as new technicians are certified and others' certifications lapse.

In an effort to provide services to underserved areas within the state, the OHSJP provides child safety seats and educational materials to the SC Highway Patrol's Occupant Protection Division. The SC Highway Patrol has CROs throughout the state who currently handle all CPS events and provide installation of child safety seats. In addition, safety materials, law cards, and fitting station listings are placed in all health districts (one health department is located in each county) and pediatricians' offices across the state.

Based on the 2020 Safe Kids Annual Report (the most recent year for which a report has been completed), South Carolina's technician to child ratio ranks sixth nationally and fourth nationally in classes taught per population.

South Carolina's Child Restraint Inspection Stations Serving Urban and Rural Populations Staffed with a Nationally Certified Child Passenger Safety Technician

Fitting Stations Statewide staffed with a Nationally Certified Passenger Safety Technician				
As of 5/2/2022				
	Organization Name	County	Rural/Urban	Car seat distribution site?
1	Aiken Department of Public Safety	Aiken	Urban	
2	Safe Kids Aiken County/Tri-Development Center	Aiken	Rural	Yes
3	Alicia Stephenson	Anderson	Urban	
4	Anderson City Fire Department Station 1	Anderson	Urban	
5	Anderson City Fire Department Station 2	Anderson	Urban	
6	Anderson City Fire Department Station 3	Anderson	Urban	
7	Anderson County DHEC Office	Anderson	Urban	
8	Safe Kids Anderson County	Anderson	Rural	
9	LCHCS/Barnwell Pediatrics	Barnwell	Rural	
10	Beaufort County First Steps	Beaufort	Urban	Yes
11	Beaufort Fire Department Station 1	Beaufort	Urban	
12	Beaufort Fire Department Station 2	Beaufort	Urban	
13	Beaufort/Port Royal Fire Station	Beaufort	Urban	

14	Port Royal Fire Station	Beaufort	Rural	
15	Town of Hilton Head Fire and Rescue	Beaufort	Urban	Yes
16	Bluffton Township Fire District	Beaufort	Urban	
17	Berkeley County Sheriff's Office	Berkeley	Urban	
18	Goose Creek Police Department	Berkeley	Urban	Yes
19	Hanahan Fire/EMS	Berkeley	Rural	
20	Calhoun County EMS	Calhoun	Urban	Yes
21	Charleston County EMS	Charleston	Urban	
22	Charleston Fire Department	Charleston	Urban	
23	Isle of Palms Fire Department	Charleston	Urban	Yes
24	Isle of Palms Police Department	Charleston	Urban	
25	Mt. Pleasant Fire Department	Charleston	Rural	
26	North Charleston City Hall	Charleston	Urban	
27	North Charleston Fire Department Station 1	Charleston	Urban	
28	North Charleston Fire Department Station 10	Charleston	Urban	
29	North Charleston Fire Department Station 11	Charleston	Urban	
30	North Charleston Fire Department Station 12	Charleston	Urban	
31	North Charleston Fire Department Station 2	Charleston	Urban	
34	North Charleston Fire Department Station 6	Charleston	Urban	
32	North Charleston Fire Department Station 8	Charleston	Urban	
33	North Charleston Fire Department Station 9	Charleston	Urban	
35	St. Andrews Fire Department	Charleston	Urban	Yes
36	St. John's Fire Department	Charleston	Rural	Yes
37	The Medical University of South Carolina	Charleston	Urban	
38	Chester Police Department	Chester	Urban	
39	Lando Fire Department	Chester	Urban	
40	Chesterfield Sheriff's Department	Chesterfield	Urban	
41	Clarendon County Fire Rescue	Clarendon	Urban	
42	Manning Fire Department	Clarendon	Urban	
43	Hartsville Fire Department	Darlington	Urban	Yes
44	Baby CSI	Dorchester	Urban	
45	Dorchester County Fire Rescue	Dorchester	Urban	Yes
46	Dorchester County Fire Rescue	Dorchester	Urban	Yes
47	Summerville Fire and Rescue Headquarters	Dorchester	Rural	Yes
48	Summerville Fire and Rescue Station 2	Dorchester	Rural	
49	Summerville Fire and Rescue Station 3	Dorchester	Rural	
50	Summerville Fire and Rescue Station 4	Dorchester	Urban	

51	Summerville Fire and Rescue Station 5	Dorchester	Urban	
52	Fairfield County Sheriff's Office	Fairfield	Rural	Yes
53	Lake City Fire Department	Florence	Rural	
54	Safe Kids Pee Dee/Coastal/McLeod Regional Medical Center	Florence	Urban	Yes
55	Georgetown City Fire Department Station 2	Georgetown	Rural	
56	Georgetown City Fire Headquarters	Georgetown	Urban	
57	Georgetown County Fire	Georgetown	Urban	
58	Midway Fire/Rescue	Georgetown	Urban	
59	St. James Santee Family Healthcare Center/Georgetown Pediatric Center	Georgetown	Rural	
61	Berea Fire Department	Greenville	Urban	Yes
60	Boiling Springs Fire Department	Greenville	Urban	Yes
62	Boiling Springs Fire Department Station 12	Greenville	Urban	Yes
63	Boiling Springs Fire Department Station 14	Greenville	Urban	Yes
64	Boiling Springs Fire Department Station 15	Greenville	Urban	Yes
65	Clear Springs Fire and Rescue	Greenville	Urban	
66	Greenville Memorial Hospital	Greenville	Urban	
67	Greer Fire Department	Greenville	Urban	
68	Lugoff Fire Department	Greenville	Urban	Yes
69	Mauldin Fire Department	Greenville	Urban	
70	Palmetto Medical Training LLC	Greenville	Urban	
71	Parker Fire Department	Greenville	Urban	
72	Piedmont Park Fire Department	Greenville	Urban	
73	Prisma Health Patewood Campus	Greenville	Rural	
74	Shriners Hospital for Children Greenville	Greenville	Rural	
75	Simpsonville Fire Department	Greenville	Urban	
76	Simpsonville Police Department	Greenville	Urban	
77	Special Needs Clinic	Greenville	Urban	
78	Greenwood City Police Department	Greenwood	Rural	
79	Safe Kids Lakelands	Greenwood	Urban	
80	Hampton County Sheriff's Office	Hampton	Rural	
81	Conway Police Department	Horry	Urban	Yes
82	Horry County Fire/Rescue	Horry	Rural	Yes
83	Myrtle Beach Fire Department Station 1	Horry	Rural	Yes
84	Myrtle Beach Fire Department Station 2	Horry	Rural	Yes
85	Myrtle Beach Fire Department Station 3	Horry	Rural	Yes

86	Myrtle Beach Fire Department Station 4	Horry	Rural	Yes
87	Myrtle Beach Fire Department Station 5	Horry	Urban	Yes
88	Myrtle Beach Fire Department Station 6	Horry	Urban	Yes
89	Myrtle Beach Police Department	Horry	Urban	
90	North Myrtle Beach DPS	Horry	Rural	
91	Jasper County First Steps	Jasper	Urban	Yes
92	Camden Fire Department	Kershaw	Urban	Yes
93	Camden Fire Department Station 2	Kershaw	Urban	Yes
94	A Step Above CDC	Lancaster	Urban	
95	Lancaster County EMS	Lancaster	Rural	
96	Laurens County Sheriff's Office	Laurens	Rural	
97	Prisma Health Laurens County Hospital	Laurens	Rural	
98	Batesburg/Leesville Police Department	Lexington	Urban	Yes
99	Cayce Public Safety	Lexington	Urban	
100	Irmo Fire District Northlake	Lexington	Urban	
101	Lexington County Sheriff's Department	Lexington	Rural	Yes
102	Lexington Police Department	Lexington	Rural	Yes
103	West Columbia Police Department	Lexington	Urban	Yes
104	Marion City Fire Department	Marion	Urban	
105	Bennettsville Fire Department	Marlboro	Urban	
106	Seneca Fire Department	Oconee	Rural	
107	Walhalla Fire Department	Oconee	Rural	
108	OBC Safe Kids/The Regional Medical Center	Orangeburg	Rural	
109	Easley Fire Department #2	Pickens	Rural	
110	Pickens City Fire Department	Pickens	Urban	
111	Capital Parent and Baby Specialty Services	Richland	Urban	
112	City of Columbia Police Department	Richland	Urban	Yes
113	Irmo Fire District	Richland	Rural	
114	Irmo Police Department	Richland	Rural	
115	Richland County Sheriff's Department	Richland	Rural	Yes
116	SCDHEC	Richland	Rural	
117	South Carolina Center for Community Literacy	Richland	Rural	
118	South Carolina State Fire Office	Richland	Rural	
119	Saluda County DHEC	Saluda	Urban	Yes
120	Saluda County Sheriff's Department	Saluda	Urban	Yes
121	Boiling Springs Fire Department	Spartanburg	Urban	Yes
122	North Spartanburg Fire Department	Spartanburg	Rural	Yes

123	Pelham-Batesville Fire Department	Spartanburg	Urban	Yes
124	Reidville Fire Department	Spartanburg	Urban	
125	Safe Kids of the Piedmont/Spartanburg Regional Medical Center	Spartanburg	Urban	Yes
126	Westview Fairforest Fire Department Headquarters	Spartanburg	Urban	
127	Westview Fairforest Fire Department Station 2	Spartanburg	Urban	
128	Whitney Fire Department	Spartanburg	Urban	
129	Safe Kids Sumter/Prisma Health Tuomey	Sumter	Urban	
130	Sumter County EMS	Sumter	Urban	
131	Sumter Fire Department	Sumter	Rural	Yes
132	Tandem Health	Sumter	Urban	Yes
133	Williamsburg County Fire	Williamsburg	Urban	
134	Britax Child Safety, Inc. PCS	York	Urban	
135	Clover Police Department	York	Urban	
136	International Center of York County	York	Rural	
137	Piedmont EMS	York	Urban	
138	York County Coroner's Office	York	Urban	

Intended Subrecipient(s): South Carolina Department of Health and Environmental Control

Funding Sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2022	BIL NHTSA 402	Occupant Protection	\$199,860 (entire grant)	\$49,965	\$199,860

Countermeasure Strategy: OP Communication and Outreach

Program Area: Occupant Protection (Adult and Child Passenger Safety)

Project Safety Impacts

Communication campaigns serve to educate the public on the importance of using occupant restraint devices, and they serve to inform the public of upcoming high-visibility enforcement efforts. Educating the public on the importance of occupant restraint usage should increase

occupant protection usage rates among the population. Given the knowledge that seatbelts save lives, if the number of unrestrained occupants can be decreased and observed seatbelt rates can be increased, a significant positive impact on traffic safety can be achieved.

Linkage Between Program Area

South Carolina is committed to its focus on the dissemination of traffic safety information to the general public and the law enforcement community. Marketing campaigns, training for highway safety professionals and sharing information at public events are key strategies to help meet performance measures and goals related to issues with Occupant Protection in the state.

The OHSJP's Public Information Outreach and Training (PIOT) section will continue to use a full-service marketing firm to assist with such efforts as media buying, creative production, and evaluation of campaigns. However, the OHSJP, with the help of the agency's Communications Office and SC Highway Patrol Community Relations Officers (CROs), will oversee earned media efforts, such as issuing news releases, conducting press events, and coordinating media interviews. The marketing firm will continue to assist with campaigns, including *Buckle Up, SC. It's the law and it's enforced.*

Child Passenger Safety is another important public information initiative for the State Highway Safety Office. Special public information events during National Child Passenger Safety Week in September 2023 will occur in FFY 2023. Additionally, the State Highway Safety Office (SHSO) will also assist in planning, coordinating, and implementing, with the assistance of the SCDPS Contractor, the *Buckle up, South Carolina. It's the law and it's enforced.* public information, education and enforcement campaign during the Memorial Day holiday of 2023.

Communication and outreach contribute to heightened public awareness, which when combined with enforcement, have been beneficial in addressing the issues faced by the state, as determined through its problem identification process.

Rationale

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

Planned activities in countermeasure strategy

Unique Identifier	Planned Activity Name	Description Located on Page No.
OP-INT	OHSJP Occupant Protection Program Management	79
M1HVE	Occupant Protection Communication Campaign	114

Planned Activity: Occupant Protection Communication Campaign

Planned Activity Number: M1HVE

Primary Countermeasure Strategy ID: Communications and Outreach

Planned Activity Description:

Highway Safety staff will coordinate statewide public information and education efforts to promote compliance with occupant protection laws and impaired driving laws. The overarching Target Zero theme will be utilized by the OHSJP and the SCDPS for all social media and paid media campaigns throughout the year.

The OHSJP will work with local project personnel and law enforcement officials to implement the *Buckle Up, SC* campaign throughout South Carolina during the Memorial Day holiday period in an effort to improve safety belt usage rates within the state. The campaign emphasis areas will include a variety of media outreach techniques which will include television, radio, paid social media, digital media, and outdoor advertising. Highway Safety staff, other SCDPS staff, and partner agencies/groups will continue to educate and inform the citizens of the state and its visitors about the state's primary enforcement safety belt law. Educational strategies will also be incorporated into event venues such as college football games, the Carolina Country Music Festival, and the Carolina Cup, with the intent of reaching all citizens and visitors of the state, in particular those minority populations (African-American and Hispanic) and others (rural white males) which have traditionally shown a lower rate of safety belt and child passenger safety restraint usage than white, urban and female counterparts. All major mobilization emphases of the OHSJP will include messages to reach the diverse population of the state. The OHSJP will incorporate into its diversity outreach strategy a variety of media aimed at reaching teens, African Americans, Hispanics, and rural residents across South Carolina. The goal of the outreach is to encourage safety on the roadways in these populations by urging the use of appropriate occupant restraints and attempting to reduce specific risk-taking behaviors such as drinking and driving

Intended Subrecipient(s): The South Carolina Department of Public Safety

Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2021	FAST Act 405b High	HVE	\$331,291	\$82,822.75	\$0
2022	BIL 405b High	HVE	\$82,709	\$20,677.25	\$0
2022	SUPPLEMENTAL BIL 405b High	Information System	\$40,007.36	\$10,001.84	\$0
2022	BIL 405b High	Information System	\$45,992.64	\$11,498.16	\$0

Countermeasure Strategy: Short-term, High Visibility Seat Belt Law Enforcement

Program Area: Police Traffic Services

Project Safety Impacts

The state will use two strategies to address the Occupant Protection issues plaguing South Carolina. In order to increase the safety belt usage rate, the state will continue its existing educational program which is intended to alert the state's citizens, particularly minority groups, who lag behind their non-minority counterparts in belt usage rates, to the primary enforcement safety belt law. Additionally, the state will continue to conduct a statewide occupant protection enforcement mobilization during and around the Memorial Day holiday each year to coincide with the national enforcement mobilization in order to increase safety belt usage.

Linkage Between Program Area

Based on the analysis of the problem identification data, South Carolina faces significant issues related to Occupant Protection. Allocating funds to high-visibility enforcement of the state's primary seatbelt law will facilitate the state's achievement of the outlined Occupant Protection performance targets. Achievement of these performance targets will serve to reduce collisions, severe-injuries, and fatalities in the state.

Rationale

Short-term high-visibility belt law enforcement following the national *Click it or Ticket* model is a countermeasure deemed highly effective by the *Countermeasures that Work* guide.

Planned activity in countermeasure strategy

Unique Identifier	Planned Activity Name	Description Located on HSP Page No.
PTS-OP	High Visibility Enforcement of Seat Belt Law	116

Planned Activity: High visibility enforcement of seat belt law

Planned activity number: PTS-OP

Primary Countermeasure Strategy ID: Short-term, High Visibility Seat Belt Law Enforcement

Planned Activity Description:

The state of South Carolina will again conduct a high-visibility statewide enforcement and education campaign during the Memorial Day 2023 holiday period from May 22 – June 4, 2023, known as *Buckle Up, South Carolina. It's the law and it's enforced. (BUSC)*, modeled after the national *Click-It-or-Ticket* mobilization to emphasize the importance of and to increase the use of occupant restraints. The campaign will include paid and earned media, increased enforcement activity by state and local law enforcement agencies, and diversity outreach elements in order to increase safety belt and child restraint use among the state's minority populations. The campaign will focus on nighttime safety belt enforcement to attempt to reduce unrestrained traffic fatalities and injuries, especially during these hours. The 2023 *BUSC* campaign media plan will follow similarly the media buy plan implemented for the 2022 *BUSC* campaign. The SC Highway Patrol (SCHP), the SC State Transport Police (STP), and the Law Enforcement Network system in South Carolina, which is composed of local law enforcement agencies statewide, have indicated that they will again participate in 2023. This level of participation will again allow the OHSJP to cover 100% of the state's population. Additionally, all Police Traffic Services enforcement subgrantees have an objective to participate in the *BUSC* campaign and have an objective specifically related to increasing Occupant Protection violation citations. Diversity outreach is accomplished through focusing placement of paid media on stations and during time slots that attract African American, Hispanic, youth, and rural male audiences. These demographic groups have shown statistically to have lower safety belt use rates than non-minority, urban, and female counterparts. Campaign on-air messages, both radio and television, will be translated/dubbed into Spanish and aired on Hispanic television and radio stations statewide. The paid media components of this effort will include airing television and radio spots to alert the general public of the enforcement mobilization and to send the message that law enforcement in the state is serious about enforcing the state's occupant protection laws. The campaign will utilize the state's enforcement slogan, *Buckle up, South Carolina. It's the law, and it's enforced. (BUSC)*. The OHSJP will also hold press events in key media markets of the state to enhance the effort and to alert the general public regarding the enforcement and media components of the campaign. The mobilization crackdown will be

coordinated through the SC Law Enforcement Network. Saturation patrols, nighttime seatbelt enforcement, and direct enforcement strategies will be employed to focus on occupant protection violations.

Intended Subrecipients

Agency	County	Project Title
Moncks Corner Police Department	Berkeley	Moncks Corner Traffic Enforcement Unit
Town of Port Royal Police Department	Beaufort	Town of Port Royal Police Department Traffic Unit
Chesterfield County Sheriff's Office	Chesterfield	Chesterfield County Traffic Enforcement Unit
Town of Mount Pleasant Police Department	Charleston	Mount Pleasant Traffic Enforcement Unit
City of Camden Police Department	Kershaw	Camden Police Department Traffic Officers
City of Clemson Police Department	Pickens, Anderson	City of Clemson Traffic Enforcement Unit
Georgetown County Sheriff's Office	Georgetown	GCSO Traffic Unit
Kershaw County Sheriff's Office	Kershaw	Kershaw County Traffic Enforcement Project
Berkeley County Sheriff's Office	Berkeley	2023 Traffic Safety Unit
Berkeley County Sheriff's Office	Berkeley	2023 Traffic Safety Unit - Overtime
City of Goose Creek Police Department	Berkeley	Traffic Enforcement Officers
City of Cayce Police Department	Lexington, Richland	City of Cayce Traffic Enforcement Unit
City of Orangeburg Police Department	Orangeburg	City of Orangeburg Traffic Enforcement Unit: Project Continuation
City of Spartanburg Police Department	Spartanburg	City of Spartanburg Traffic Unit
City of Spartanburg Police Department	Spartanburg	City of Spartanburg OT Speed Enforcement Project
Lancaster Police Department	Lancaster	Lancaster Traffic Enforcement
Lancaster County Sheriff's Office	Lancaster	Speed Enforcement

Sumter County Sheriff's Office	Sumter	Overtime Traffic Enforcement Project
Town of Summerville	Dorchester, Berkeley, Charleston	Summerville Specialized Traffic Enforcement
Travelers Rest Police Department	Greenville	Overtime Hours For Traffic Safety
York County Sheriff's Office	York	Continuation of Traffic Enforcement Unit - Overtime
York County Sheriff's Office	York	Continuation of Traffic Enforcement Unit

Funding Sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2022	BIL NHTSA 402	Police Traffic Services	\$2,263,876 (total for PTS-OP and PTS-EU)	\$609,941.50	\$2,263,876

Participation in Click-it-or-Ticket (CIOT) national mobilization

Select the planned participating agencies during the fiscal year of the grant, as required under § 1300.11(d)(6). Agencies planning to participate in CIOT

City of Camden Police Department
Town of Mount Pleasant Police Department
City of Spartanburg Police Department
City of Cayce Police Department
York County Sheriff's Office
City of Goose Creek Police Department
Berkeley County Sheriff's Office

Moncks Corner Police Department
Sumter County Sheriff's Office
City of Orangeburg Police Department
Town of Port Royal Police Department
Town of Summerville Police Department
Lancaster Police Department
Georgetown County Sheriff's Office
City of Clemson Police Department
Chesterfield County Sheriff's Office
Kershaw County Sheriff's Office
Lancaster County Sheriff's Office
Travelers Rest Police Department

Enter description of the State's planned participation in the Click-it-or-Ticket national mobilization.

The State of South Carolina will again conduct a high-visibility statewide enforcement and education campaign during the Memorial Day 2023 holiday period, from May 22 through June 4, 2023, known as *Buckle Up, South Carolina. It's the law and it's enforced. (BUSC)*. *BUSC* is modeled after the national *Click-It-or-Ticket* mobilization to emphasize the importance of and to increase the use of occupant restraints. The campaign will include paid and earned media, increased enforcement activity by state and local law enforcement agencies, and diversity outreach elements in order to increase safety belt and child restraint use among the state's minority populations. It will focus on nighttime safety belt enforcement to attempt to reduce unrestrained traffic fatalities and injuries, especially during nighttime hours. The FFY 2023 *BUSC* campaign media plan will follow the media buy plan for the FFY 2022 *BUSC* campaign. The SC Highway Patrol (SCHP), the SC State Transport Police (STP), and the Law Enforcement Network system in South Carolina, which is comprised of local law enforcement agencies statewide, have all indicated that they will again participate in FFY 2023. This level of participation will again allow the OHSJP to cover 100% of the state's population. The campaign mobilizations will include elements of paid and earned media, enforcement, and diversity outreach. The funding expended

during the *BUSC* portion of the effort will be utilized for advertising, which will focus on the enforcement of safety belt and child passenger safety seat laws. The Law Enforcement Support Services section of the OHSJP will work to recruit and encourage agencies to conduct and report special enforcement activities focusing on occupant protection violations during the *BUSC* campaign. Additionally, all Police Traffic Services FFY 2023 subgrantees will have an objective requiring them to participate in the *BUSC* campaign and will have another objective specifically related to increasing occupant protection violation enforcement activities. According to the U.S. Census Bureau’s 2019 population estimates, South Carolina has a significant minority population: 27.0% African American and 6.0% Hispanic. For this reason, the State has focused placement of paid media on digital outlets and on television stations during time slots that attract African American, youth, and rural male audiences. These demographic groups have shown statistically lower safety belt use rates than non-minority and female counterparts.

The paid media components of this effort may include a combination of paid social media, digital media, television, and outdoor advertising. All paid media will be used to send the message that law enforcement in the state is serious about enforcing the state’s occupant protection laws. The campaign will utilize the state’s enforcement slogan, *Buckle up, South Carolina* (*BUSC*). The enforcement mobilization will be coordinated through the SC Highway Patrol and the SC Law Enforcement Network (SCLLEN). Saturation patrols and direct enforcement strategies will be employed to focus on occupant protection violations. Campaign media messages will focus on the life-saving capabilities of the state’s primary enforcement safety belt law and alert the listening and/or viewing audiences to the aggressive, specialized enforcement being conducted by law enforcement agencies during the Memorial Day enforcement mobilization. In addition, for FFY 2023, the state will use its adopted umbrella message of “Target Zero” relating to all campaign efforts and its corresponding logo will be incorporated with all campaign materials.

Child restraint inspection stations

Submit countermeasure strategies, at the level of detail required under § 1300.11(d), demonstrating an active network of child passenger safety inspection stations and/or inspection events based on the State’s problem identification.

Countermeasure Strategy Name
Child Restraint System Inspection Station(s)

Submit planned activities, at the level of detail required under § 1300.11(d), demonstrating an active network of child passenger safety inspection stations and/or inspection events based on the State’s problem identification.

Planned activity unique identifier	Planned Activity Name	Primary Countermeasure
OP-1	Increasing the number of Inspection Stations	Child Restraint System Inspection Station(s)

The description of the OP-1 planned activity is located in the state’s HSP on page 106; however, during FFY 2023, SCDHEC will establish at least five new child restraint inspection stations with a primary focus on the counties of Cherokee, Union, Edgefield, Newberry, Abbeville, Allendale, Bamberg, Colleton, Dillon, Lee, and McCormick. These counties do not currently have fitting stations, and these are the counties in which where many of the state's minority populations (Hispanic and African Americans) reside. As detailed in the HSP’s description of the OP-2 planned activity, the South Carolina Buckles program typically hosts certification courses as requested by local agencies/organizations. Following the conclusion of each certification course, a seat inspection event is held.

Neither the course offerings nor the planned inspection events for the entire grant period have been finalized, but a total of 138 inspection events will occur. The chart below contains a tentative listing of inspection events to be held during FFY 2023 as of June 7, 2022.

<u>FFY 2023 Inspection Events</u>	
Location:	Month:
York County	October 2022
Oconee County	October 2022
Aiken County	November 2022
Sumter County	February 2023
TBD	May 2023
TBD	September 2023

Enter the total number of planned inspection stations and/or events in the State.

Planned inspection stations and/or events:	138
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Enter the number of planned inspection stations and/or inspection events serving each of the following population categories: urban, rural, and at-risk.

Populations served-urban	96
Populations served-rural	42
Populations served-at risk	138

CERTIFICATION: The inspection stations/events are staffed with at least one current nationally certified Child Passenger Safety Technician.

Child Passenger Safety Technicians

Submit countermeasure strategies, at the level of detail required under § 1300.11(d), for recruiting, training and maintaining a sufficient number of child passenger safety technicians based on the State’s problem identification.

Countermeasure Strategy Name
Child passenger safety technicians

Submit planned activities, at the level of detail required under § 1300.11(d), for recruiting, training and maintaining a sufficient number of child passenger safety technicians based on the State’s problem identification.

Planned activity unique identifier	Planned Activity Name	Primary Countermeasure
OP-2	Recruiting, training and maintaining a sufficient number of child passenger safety technicians	Child passenger safety technicians

Enter an estimate of the total number of classes and the estimated total number of technicians to be trained in the upcoming fiscal year to ensure coverage of child passenger safety inspection stations and inspection events by nationally Certified Child Passenger Safety Technicians.

Estimated total number of classes	12
Estimated total number of technicians	150

Maintenance of effort

ASSURANCE: The lead State agency responsible for occupant protection programs will maintain its aggregate expenditures for occupant protection programs at or above the average level of such expenditures in fiscal years 2014 and 2015. (23 U.S.C. 405(a)(9))

405(c) STATE TRAFFIC SAFETY INFORMATION SYSTEM IMPROVEMENT GRANT

Traffic records coordinating committee (TRCC)

Submit at least three meeting dates of the TRCC during the 12 months immediately preceding the application due date.

Meeting Date
09/23/2021
12/08/2021
03/04/2022
04/28/2022 (Approval date of TRSP)

Enter the name and title of the State's Traffic Records Coordinator

Name of State's Traffic Records Coordinator:	Wilson Matthews
Title of State's Traffic Records Coordinator:	State Traffic Records Manager

Enter a list of TRCC members by name, title, home organization and the core safety database represented, provided that at a minimum, at least one member represents each of the following core safety databases: (A) Crash; (B) Citation or adjudication; (C) Driver; (D) Emergency medical services or injury surveillance system; (E) Roadway; and (F) Vehicle.

TRCC – Executive Group

The Honorable Donald W. Beatty
SC Chief Justice
SC Judicial Branch
Citation & Adjudication

Christy Hall, P. E., Secretary
SC Department of Transportation
Crash & Roadway Systems

Colonel Kevin A. Shwedo (ret., U.S. Army),
Executive Director
SC Department of Motor Vehicles
Crash, Driver & Vehicle Services

Dr. Edward Simmer, Director
SC Department of Health and
Environmental Control
Injury Surveillance Systems

Mr. Robert G Woods IV, Director
SC Department of Public Safety
TRCC, Crash & Citation

TRCC – Working Group Designees

SC Department of Health and
Environmental Control
Core System-Injury Surveillance Systems
Mr. Victor Grimes, EMS and Trauma
Mr. Rich Wisniewski, EMS and Trauma

SC Department of Transportation
Core Systems-Crash & Roadway
Mr. George Kinard, CIO
Mr. Todd Anderson, P. E., Road Data Services
Mrs. Emily Thomas, SHSP Manager

SC Judicial Branch
Core Systems-Citation/Adjudication
Mrs. Teresa Gosnell, SCJB IT Applications
Operations
Mr. Bob McCurdy, Court Services – Deputy
Director
Mr. Terry Leverette, Court Services

Law Enforcement Representatives
Core Systems-Crash & Citation
Captain David Biggers, Technical Services
Rock Hill Police Department (RHPD)
Captain Kevin Baker, Fusion Center
SC State Law Enforcement Division (SLED)
Lt. Stephen Craven, Admin/Regulatory Comp.
SC Highway Patrol (SCHP)

SC Department of Motor Vehicles
Core Systems Crash, Driver and Vehicle
Ms. Shirley Rivers, Driver Services
Ms. Rosalind Jenkins, Financial Responsibility
Ms. Deborah Mangels, OIT-Director

TRCC Coordinator
Wilson Matthews

SC Department of Public Safety
Core Systems Crash, Citation
Mr. David Findlay, State Transport Police
Officer Brian Borough, SCCATTS
Larry Long, Statistician
Regina Crolley, OIT-Director

State's Traffic Records Strategic Plan

Upload a Strategic Plan, approved by the TRCC, that— (i) Describes specific, quantifiable and measurable improvements, as described in paragraph (b)(3) of this section, that are anticipated in the State's core safety databases, including crash, citation or adjudication, driver, emergency medical services or injury surveillance system, roadway, and vehicle databases; (ii) Includes a list of all recommendations from its most recent highway safety data and traffic records system assessment; (iii) Identifies which recommendations identified under paragraph (b)(2)(ii) of this section the State intends to address in the fiscal year, the countermeasure strategies and planned activities, at the level of detail required under § 1300.11(d), that implement each recommendation, and the performance measures to be used

to demonstrate quantifiable and measurable progress; and (iv) Identifies which recommendations identified under paragraph (b)(2)(ii) of this section the State does not intend to address in the fiscal year and explains the reason for not implementing the recommendations.

SC's FFY 2022-2024 Traffic Records Strategic Plan (TRSP), approved by the TRCC on 4/28/2022, is provided as SC_FY23_405c_Approved TRCC Strategic Plan.

Please note that a Traffic Records Assessment was completed in FFY 2022; however, the results of the Assessment were not timely. Thus, they have not been incorporated into the current Traffic Records Strategic Plan (TRSP). Any allowable considerations and/or recommendations will be incorporated into the next TRSP.

Enter a direct copy of the section of the State traffic records strategic plan that lists all recommendations from the State's most recent highway safety data and traffic records system assessment.

Crash Recommendations

1. Improve the data dictionary for the Crash data system to reflect best practices identified in the Traffic Records Program Assessment Advisory.
2. Improve the interfaces with the Crash data system to reflect best practices identified in the Traffic Records Program Assessment Advisory.
3. Improve the data quality control program for the Crash data system to reflect best practices identified in the Traffic Records Program Assessment Advisory.

Vehicle Recommendations

1. Improve the description and contents of the Vehicle data system to reflect best practices identified in the Traffic Records Program Assessment Advisory.
2. Improve the applicable guidelines for the Vehicle data system to reflect best practices identified in the Traffic Records Program Assessment Advisory.
3. Improve the data quality control program for the Vehicle data system to reflect best practices identified in the Traffic Records Program Assessment Advisory.

Driver Recommendations

1. Improve the data dictionary for the Driver data system to reflect best practices identified in the Traffic Records Program Assessment Advisory.
2. Improve the procedures/ process flows for the Driver data system to reflect best practices identified in the Traffic Records Program Assessment Advisory.
3. Improve the data quality control program for the Driver data system to reflect best practices identified in the Traffic Records Program.

Roadway Recommendations

1. Improve the data dictionary for the Roadway data system to reflect best practices identified in the Traffic Records Program Assessment Advisory.
2. Improve the data quality control program for the Roadway data system to reflect best practices identified in the Traffic Records Program Assessment Advisory.

Citation/Adjudication Recommendations

1. Improve the data dictionary for the Citation and Adjudication systems to reflect best practices identified in the Traffic Records Program Assessment Advisory.
2. Improve the procedures/ process flows for the Citation and Adjudication systems to reflect best practices identified in the Traffic Records Program Assessment Advisory.
3. Improve the data quality control program for the Citation and Adjudication systems to reflect best practices identified in the Traffic Records Program Assessment Advisory.

EMS/Injury Surveillance System Recommendations

1. Improve the interfaces with the Injury Surveillance systems to reflect best practices identified in the Traffic Records Program Assessment Advisory.
2. Improve the data quality control program for the Injury Surveillance systems to reflect best practices identified in the Traffic Records Program Assessment Advisory.

Data Use and Integration Recommendations

1. Improve the traffic records systems capacity to integrate data to reflect best practices identified in the Traffic Records Program Assessment Advisory.

Enter a direct copy of the section of the State traffic records strategic plan that identifies which recommendations the State intends to address in the fiscal year, the countermeasure strategies and planned activities, at the level of detail required under 23 C.F.R. 1300.11(d), that implement each recommendation, and the performance measures to be used to demonstrate quantifiable and measurable progress.

The State's TRSP was approved by the TRCC on 4/28/2022.

Please note that a Traffic Records Assessment was completed in FFY 2022; however, the results of the Assessment were not timely. Thus, they have not been incorporated into the current Traffic Records Strategic Plan (TRSP). Any allowable considerations and/or recommendations will be incorporated into the next TRSP.

Crash Recommendations

Recommendation: Improve the interfaces with the Crash data system to reflect best practices identified in the Traffic Records Program Assessment Advisory. **Response:** The *SCCATTS Enhancements/Maintenance/Reporting Equipment* project is included in the current TRSP to enhance the interfaces between SCDPS, SCDMV, SCDHEC and SCDOT "Crash-Roadway and Injury Surveillance

Systems”. These interfaces will enhance the capabilities of SCCATTS for data sharing of elements collected between the systems that relate to crash records. The project addresses the countermeasure strategies of Improving Timeliness, Accuracy, Completeness, Uniformity, Accessibility, and Data Integration and represents HSP planned activity number TR M3DA. The project description is provided below and can be found in the 2022-2024 TRSP Appendix C.

Project Title	TRS Program Not Ranked	Lead Agency	405 c Request
SCCATTS Enhancements/Maintenance/ Reporting Equipment	SCCATTS	SCDPS	TBD
<p>Description of Problem: While the SCCATTS project has had a fairly large amount of success, enhancements are required that could both improve the system and integrate features that will enhance that application and data quality. On-going maintenance of the current system is also required as possible enhancements are pursued.</p> <p>Solution: Create a project within the SCCATTS initiative’s portfolio that will provide upgrades for the Office of Highway Safety and Justice Programs to properly interface, input, extract, and report data to and from SCCATTS. This project will include, but will not be limited to:</p> <ul style="list-style-type: none"> • Enhance SCCATTS applications/features for changes and/or updates to forms and databases. • Enhancing the Statewide Fatality Application • Creating a new Traffic Records Reporting File using data from within SCCATTS • Import of collision data from agencies not using the state solution • Automation of the Traffic Collision Fact Book • Updating the current Fatality Tracking Application • Updating equipment infrastructure for data processing, storage and records. • Enhanced e-Citation processing elements between SCCATTS and SCUTTIES. • Enhanced e-Collision processing elements within SCCATTS and related applications. • Purchase field reporting equipment for training and field deployment. <p>This project addresses TRS Goal #1: Improve collection and management of core Traffic Records Data Systems.</p> <p style="text-align: right;">Section 405c Funds are requested for this project - <input checked="" type="checkbox"/>Yes <input type="checkbox"/>No</p>			
<p>Core Traffic Records System Components Affected (Check all that apply): <input checked="" type="checkbox"/>Collision, <input checked="" type="checkbox"/>Citation / Adjudication, <input checked="" type="checkbox"/>Roadway, <input checked="" type="checkbox"/>Injury Surveillance, <input checked="" type="checkbox"/>Driver, <input checked="" type="checkbox"/>Vehicle</p>			
<p>Lead Agency: SCDPS Project Lead: Brian Borough Goal Completion Date: Ongoing</p>		<p>Partner Agencies:</p>	
<p>Total Budget: \$TBD</p>		<p>Funding Sources: 405c (Traffic Records): \$TBD Other Funds \$50,000</p>	
<p>Performance Measure(s): <input checked="" type="checkbox"/>Timeliness <input checked="" type="checkbox"/>Accuracy <input checked="" type="checkbox"/>Completeness <input checked="" type="checkbox"/>Uniformity <input type="checkbox"/>Accessibility <input checked="" type="checkbox"/>Data Integration</p> <p>Project Goal: Continually upgrade components of SCCATTS and related TRS as requirements change through rollout of different applications within SCCATTS initiative. Currently exploring different storage options for SCCATTS data. Maintain current system until upgrades are completed.</p>			
<p>Project Status: SCCATTS has been deployed to 169 agencies across the state. SC now receives 45% of all collision reports electronically through SCCATTS. Another 53% electronically comes through Highway Patrol’s SmartCOP application. On average 45% of all citations are submitted to SCUTTIES electronically through the SCCATTS application.</p>			

Recommendation: Improve the data quality control program for the Crash data system to reflect best practices identified in the Traffic Records Program Assessment Advisory. **Response:** The Office of Highway Safety and Justice Programs hired a full time Data Traffic Records Analyst for the SCCATTS. This analyst has been charged with developing programs and initiatives to identify best practices for ensuring optimal data collection for “Crash Systems” reporting. The TRCC will also enact a regular agenda item for the reporting of data quality initiatives and problems at each regularly scheduled TRCC meeting. The project addresses the countermeasure strategies of Improving Timeliness, Accuracy, Completeness, Uniformity, Accessibility, and Data Integration and represents HSP planned activity number TR. The project description is provided below and can be found in the 2022-2024 TRSP Appendix C.

Recurring Program	TRS Program	Lead Agency	405 c Funds
OHSJP Staffing	TRCC	SCDPS	\$454,530
<p>Description of Problem: Positions are needed to fulfill the missions of the Office of Highway Safety and Justice Programs (OHSJP) specifically related to SC Traffic Records System operations and management. The SC Traffic Records Coordinating Committee (TRCC) requires a full-time Traffic Records Coordinator to guide the initiatives of the TRCC. Additional personnel are necessary to handle daily activities and act as SC Traffic Records System and SC Traffic Records Assessment subject matter experts.</p> <p>Solution: SCDPS's OHSJP will maintain the positions necessary to facilitate the requirements of SC Traffic Records System (TRS) and assist the TRCC Coordinator with program management of the TRCC, South Carolina Collision and Ticket Tracking System (SCCATTS), Data Quality Control, Crash Reporting Sampling System (CRSS), and other tasks associated with the South Carolina Traffic Records System. Other positions include, but are not limited to, Data Entry, Fatality Analysis Reporting Systems (FARS) Analysts, Safety Net Coordinator, Information Technology, and OHSJP Statisticians.</p> <p>This project addresses TRS Goal #3: Improve management and coordination of traffic records systems.</p> <p style="text-align: right;">Section 405c Annual Recurring Funds are requested for this project - <input checked="" type="checkbox"/>Yes <input type="checkbox"/>No</p>			
<p>Core Traffic Records System Components Affected (Check all that apply): <input checked="" type="checkbox"/>Collision, <input checked="" type="checkbox"/>Citation / Adjudication, <input checked="" type="checkbox"/>Roadway, <input checked="" type="checkbox"/>Injury Surveillance, <input checked="" type="checkbox"/>Driver, <input checked="" type="checkbox"/>Vehicle</p>			
<p>Lead Agency: SCDPS Project Lead: Phil Riley Date of Completion: Ongoing</p>		<p>Partner Agencies:</p>	
<p>Annual Budget: \$754,530</p>		<p>Funding Sources: 405c (Traffic Records): \$454,530 Other Funds: \$300,000</p>	
<p>Performance Measure(s): <input checked="" type="checkbox"/>Timeliness <input checked="" type="checkbox"/>Accuracy <input checked="" type="checkbox"/>Completeness <input checked="" type="checkbox"/>Uniformity <input checked="" type="checkbox"/>Accessibility <input checked="" type="checkbox"/>Data Integration</p> <p>Project Goal: Continue the employment of the Traffic Records and support staff through 2022. Implement user support tools and resources for the TRCC and others in the traffic safety community.</p>			
<p>Program Information: The Traffic Records Team and support staff within the SCDPS have been steadily coordinating Traffic Records efforts. Positions included in the following areas are: TRCC-Management, SCCATTS, Crash Data Quality Control, Citation Data Quality Control, CRSS, Statistics, FARS, Safety Net, Information Technology, and Data Entry. As the rollout of the SCCATTS and SCUTTIES applications continues, staffing requirements will continue to grow to ensure both operations are successful for SC Traffic Records System. The TRCC Coordinator position was filled in August 2019.</p>			

Driver Recommendations

Recommendation: Improve the procedures/process flows for the Driver data system to reflect best practices identified in the Traffic Records Program Assessment Advisory. **Response:** The e-Citation database project was completed in January 2018. This project enhanced the interfaces between SCDPS, SCDMV, and SCJB “Driver and Citation/Adjudication” systems. These new interfaces between the Core Systems will enhance the process flow for records directly associated with Citation/Adjudication Driver data systems. Two new projects included in the current TRSP address enhancing these new interfaces. They are the *SCUTTIES e-Citation Enhancements/Data Quality* project and the *Phoenix e-Citation Enhancements* project. These projects address the countermeasure strategies of Improving Accessibility and Data Integration and represent HSP planned activity number TR M3DA. The project descriptions are provided below and on the following page and can be found in the 2022-2024 TRSP Appendix C.

Project Title	TRS Program Priority Rank 2	Lead Agency	405 c Request
Phoenix e-Citation Enhancements	Phoenix	SCDMV	\$90,000
<p>Description of Problem: As the e-Citation project is fully implemented, there are major enhancements SCDMV will need to make within the Phoenix application to more effectively process the citations. These enhancements include the ability to process financial responsibility violations through the electronic ticket system, filter cleanup which will allow for user control of the filters, remove class edit for OOS license holders, and migrate SC drivers speeding, seatbelts, and miscellaneous tickets to a fully automated process.</p> <p>Solution: Use SCUTTIES Business Application Manager as the business analyst and hire a .NET contractor for part time work as required to support this development. This contractor would be at 50% for this project initially and could ramp up to 100% for the duration of the development cycle. This project addresses TRS Goal #2: Improve traffic records data integration, access, and analysis.</p> <p style="text-align: right;">Section 405c Funds are requested for this project - <input checked="" type="checkbox"/>Yes <input type="checkbox"/>No</p>			
<p>Core Traffic Records System Components Affected (Check all that apply): <input type="checkbox"/>Collision, <input checked="" type="checkbox"/>Citation / Adjudication, <input type="checkbox"/>Roadway, <input type="checkbox"/>Injury Surveillance, <input checked="" type="checkbox"/>Driver, <input checked="" type="checkbox"/>Vehicle</p>			
<p>Lead Agency: SCDMV Project Lead: TBD Goal Completion Date: 2022</p>		<p>Partner Agencies: SCJB</p>	
<p>Total Budget: \$90,000</p>		<p>Funding Sources: 405c (Traffic Records): \$90,000 State funds: \$0 Other Federal Funds: \$0</p>	
<p>Performance Measure(s): <input type="checkbox"/>Timeliness <input type="checkbox"/>Accuracy <input type="checkbox"/>Completeness <input type="checkbox"/>Uniformity <input checked="" type="checkbox"/>Accessibility <input checked="" type="checkbox"/>Data Integration</p> <p>Project Goal: Enhance Phoenix to further automate the processing of e-Citations.</p>			
<p>Project Status: The project is in development. An MOA and SOW have been approved by SCJB and SCDMV. Project scheduled to be completed by 2022.</p>			

Project Title	TRS Program Priority Rank 4	Lead Agency	405 c Request
SCUTTIES e-Citation Enhancements/Data Quality	SCUTTIES	SCDMV	\$45,000
<p>Description of Problem: Add additional edits for both citations and dispositions as they are required. General support for enhancements, additional vendor certification, and general problem solving.</p> <p>Solution: Maintain employment of a .NET contractor for part time work as required to support SCUTTIES technical issues. This contractor would be at 50% SCUTTIES enhancements.</p> <p style="text-align: right;">Section 405c Funds are requested for this project - <input checked="" type="checkbox"/>Yes <input type="checkbox"/>No</p>			
<p>Core Traffic Records System Components Affected (Check all that apply): <input type="checkbox"/>Collision, <input checked="" type="checkbox"/>Citation / Adjudication, <input type="checkbox"/>Roadway, <input type="checkbox"/>Injury Surveillance, <input checked="" type="checkbox"/>Driver, <input checked="" type="checkbox"/>Vehicle</p>			
<p>Lead Agency: SCDMV Project Lead: TBD Goal Completion Date: 2022</p>		<p>Partner Agencies:</p>	
<p>Total Budget: \$45,000</p>		<p>Funding Sources: 405c (Traffic Records): \$45,000 State funds: \$0 Other Federal Funds: \$0</p>	
<p>Performance Measure(s): <input type="checkbox"/>Timeliness <input type="checkbox"/>Accuracy <input type="checkbox"/>Completeness <input type="checkbox"/>Uniformity <input checked="" type="checkbox"/>Accessibility <input checked="" type="checkbox"/>Data Integration</p> <p>Project Goal: Continue updates to SCUTTIES and provide general support and troubleshooting.</p>			
<p>Project Status: An MOA and SOW have been approved by SCDPS and SCDMV. Project scheduled to be completed by 2022.</p>			

Citation/Adjudication Recommendations

Recommendations: Improve the procedures/ process flows for the Citation and Adjudication systems to reflect best practices identified in the Traffic Records Program Assessment Advisory. **Response:** The e-

Citation database project was completed in January 2018. This project enhanced the interfaces between SCDPS, SCDMV, and SCJB “Driver and Citation/Adjudication” systems. These new interfaces between the Core Systems will enhance the process flow for records directly associated with Citation/Adjudication and Driver data systems. Three projects included in the current TRSP address enhancing these new interfaces that are now being utilized to improve Timeliness, Accuracy, Completeness and Uniformity. They are the *SCUTTIES e-Citation Enhancements* project (description located on page 8 of this document), *Phoenix e-Citation Enhancements* project (description located on page 7 of this document), and the *CMS-SCUTTIES Enhancement* project (description located on the following page). The first two projects address the countermeasure strategies of Improving Accessibility and Data Integration and represent HSP planned activity number TR M3DA. The *CMS-SCUTTIES Enhancement* project addresses the countermeasure strategies of Improving Timeliness, Accuracy, Completeness, Uniformity, and Data Integration and represents the HSP planned activity number TR M3DA. The project descriptions can be found in the 2022-2024 TRSP Appendix C.

Project Title	TRS Program Priority Rank 9	Lead Agency	405 c Request
CMS-SCUTTIES Enhancements	Case Management System	SCJB	\$150,000
<p>Description of Problem: SCJB developed and deployed an electronic citation import screen as part of CMS to record and transmit disposition data as part of SCDMV's SCUTTIES project for e-Citations. The application was deployed and is now in need of enhancements to improve the data quality collected and transmitted as part of the system.</p> <p>Solution: The CMS-SCUTTIES electronic citation enhancement project will consist of three phases:</p> <ul style="list-style-type: none"> Phase 1: Completed - Enhancements to the Summary Criminal Traffic Entry panel in the CMS application to retrieve and import citation data into the current court agency. Phase 2: Completed - SCJB will also develop a web portal for Municipal Courts that do not have CMS to enter dispositions and transmit dispositions to SCDMV. Phase 3 – In Process - SCJB will enhance the ability of printing dockets to include printing of a PDF citation; SCJB will provide on-going maintenance for case disposition error reporting and program errors; SCJB will enhance CMS to have one entry screen for all citations <p>This project addresses TRS Goal #2: Improve traffic records data integration, access, and analysis.</p> <p style="text-align: right;">Section 405c Funds are requested for this project - <input checked="" type="checkbox"/>Yes <input type="checkbox"/>No</p>			
<p>Core Traffic Records System Components Affected (Check all that apply): <input type="checkbox"/>Collision, <input checked="" type="checkbox"/>Citation / Adjudication, <input type="checkbox"/>Roadway, <input type="checkbox"/>Injury Surveillance, <input checked="" type="checkbox"/>Driver, <input checked="" type="checkbox"/>Vehicle</p>			
<p>Lead Agency: SCJB Project Lead: Teresa Gosnell Goal Completion Date: Sept. 2023</p>		<p>Partner Agencies: SCDMV Project Lead: TBD</p>	
<p>Total Budget: \$150,000</p>		<p>Funding Sources: 405c (Traffic Records): \$150,000 State funds: \$0 Other Federal Funds: \$0</p>	
<p>Performance Measure(s): <input checked="" type="checkbox"/>Timeliness <input checked="" type="checkbox"/>Accuracy <input checked="" type="checkbox"/>Completeness <input checked="" type="checkbox"/>Uniformity <input type="checkbox"/>Accessibility <input checked="" type="checkbox"/>Data Integration</p> <p>Project Goal: To enhance processes in the interface between SCJB's CMS and SCDMV's SCUTTIES to improve data quality and information exchange.</p>			
<p>Project Status: The system has been deployed and began full data integration in January 2018. Next steps are to enhance productivity and data quality of the data collected and exchanged.</p>			

EMS/Injury Surveillance System Recommendations

Recommendation: Improve the interfaces with the Injury Surveillance systems to reflect best practices identified in the Traffic Records Program Assessment Advisory. **Response:** SCDHEC is in the process of reviewing their Injury Surveillance and Emergency Medical Systems to develop projects to enhance interfaces between their systems and the Crash System to accurately report injury surveillance data. The current TRSP *Emergency Medical Services Patient Tracking System* project will be the initial step in the process. This project will track the patient from crash to discharge and will improve proper coding data collection for injuries related to crash victims. This project addresses the Countermeasure Strategies of Improving Timeliness, Accuracy, Completeness, Uniformity, and Data Integration; however, 405c funding is not being sought for this project so it does not correspond to any HSP planned activities. For reference, the project description is included below and can be found in the 2022-2024 TRSP Appendix C.

Project Title	TRS Program Not Ranked	Lead Agency	405 c Request
EMS Patient Tracking System	ISS	SCDHEC	None
<p>Description of Problem: Tracking patients from the scene of an incident creates an issue in accountability and prevents the potential to follow up or provide accurate information. Being able to account for all patients throughout the process ensures no person is missed and can provide information for all responders and families.</p> <p>Solution: Through the development of a smartphone application, any registered user will be able to log in and scan a barcode to enter a patient. There will also be the ability to search the database by patient name, GPS, and any other requested method. This will assist in accountability and ensure no patient is missed. Also, it will give the opportunity for a law enforcement officer to track a patient that may have been transported from the collision scene prior to the officer's arrival. For example, EMS can log a patient from the scene. When Law Enforcement arrives, they will be able to search for the patient (by name on Driver's License) and see where the patient was transported. Upon arrival at the hospital, the hospital or EMS provider can log that the patient has arrived. If the patient is discharged, the hospital can log that as well. This project addresses TRS Goal #2: Improve traffic records data integration, access, and analysis.</p> <p style="text-align: right;">Section 405c Funds are requested for this project - <input type="checkbox"/>Yes <input checked="" type="checkbox"/>No</p>			
<p>Core Traffic Records System Components Affected (Check all that apply): <input checked="" type="checkbox"/>Collision, <input type="checkbox"/>Citation / Adjudication, <input type="checkbox"/>Roadway, <input checked="" type="checkbox"/>Injury Surveillance, <input type="checkbox"/>Driver, <input type="checkbox"/>Vehicle</p>			
<p>Lead Agency: SCDHEC Project Lead: Rich Wisniewski Goal Completion Date: Sept. 2023</p>		<p>Partner Agencies:</p>	
<p>Total Budget: TBD</p>		<p>Funding Sources: 405c (Traffic Records): \$0 State funds: \$0 Other Federal Funds: \$0</p>	
<p>Performance Measure(s): <input checked="" type="checkbox"/>Timeliness <input checked="" type="checkbox"/>Accuracy <input checked="" type="checkbox"/>Completeness <input checked="" type="checkbox"/>Uniformity <input type="checkbox"/>Accessibility <input checked="" type="checkbox"/>Data Integration</p> <p>Project Goal: To reduce the number of improper injury status codes on traffic collisions by 10% before October 2023.</p>			
<p>Project Status: Under development. Original RFP has been updated with new criteria.</p>			

Data Use and Integration Recommendations

Recommendation: Improve the traffic records systems capacity to integrate data to reflect best practices identified in the Traffic Records Program Assessment Advisory. **Response:** The current TRSP has several projects targeting the integration of Traffic Records Systems to enhance the data sharing and accessibility of data collected from all Core Systems. The projects addressing these issues include the SCCATTS, CMS, SCUTTIES and Phoenix system enhancement projects. In addition, the *EMS Patient Tracking System* (description located on page 10) would be a first step in integrating the ISS and Crash systems for improved data collection of injury records. The TRSP also includes the *Traffic Records Dashboard* project. This dashboard would give stake-holders and limited public access to data records based on security protocols. The *SCATTS Enhancements/Maintenance/Reporting Equipment* (description located on page 5) and *CMS-SCUTTIES Enhancements* (description located on page 9) projects address the countermeasure strategies of Improving Timeliness, Accuracy, Completeness, Uniformity, and Data Integration and correspond to HSP planned activity TR M3DA. The *SCUTTIES e-Citation Enhancements/Data Quality* (description located on page 8) and *Phoenix e-Citation Enhancements* (description located on page 7) projects address the countermeasure strategies of Improving Accessibility and Data Integration and correspond to HSP planned activity TR M3DA. All project descriptions can be found in the 2022-2024 TRSP Appendix C.

Traffic Records Supporting Non-Implemented Recommendations

Crash Recommendation

Recommendation: Improve the data dictionary for the Crash data system to reflect best practices identified in the Traffic Records Program Assessment Advisory. **Response:** SCDPS, SCDOT and SCDMV are reviewing the current structures of the Crash data system to develop a data dictionary. This recommendation is slated for future development within the TRCC.

Vehicle Recommendations

Recommendation 1: Improve the description and contents of the Vehicle data system to reflect best practices identified in the Traffic Records Program Assessment Advisory. **Response:** SCDMV and the TRCC are reviewing the current structures of the descriptions and contents of the Vehicle data system to develop a comprehensive data dictionary and best practices included in the advisory for this system. This recommendation is slated for future development within the TRCC.

Recommendation 2: Improve the applicable guidelines for the Vehicle data system to reflect best practices identified in the Traffic Records Program Assessment Advisory. **Response:** SCDMV and the TRCC are reviewing the guidelines of the Vehicle data system to incorporate best practices included in the recommendations of the advisory for this system. This recommendation is slated for future development within the TRCC.

Recommendation 3: Improve the data quality control program for the Vehicle data system to reflect best practices identified in the Traffic Records Program Assessment Advisory. **Response:** The TRCC will enact a regular agenda item for data quality discussion, planning, and review for each of the Core Data Systems within the Traffic Records System. These discussions and problem identification will be used to develop best practices to ensure data quality for all systems.

Driver Recommendations

Recommendation 1: Improve the data dictionary for the Driver data system to reflect best practices identified in the Traffic Records Program Assessment Advisory. **Response:** SCDMV is reviewing the current structures of the Driver data system to develop a comprehensive data dictionary. This recommendation is slated for future development within the TRCC.

Recommendation 3: Improve the data quality control program for the Driver data system to reflect best practices identified in the Traffic Records Program. **Response:** The TRCC will enact a regular agenda item for data quality discussion, planning, and review for each of the Core Data Systems within the Traffic Records System. These discussions and problem identification will be used to develop best practices to ensure data quality for all systems.

Roadway Recommendations

Recommendation 1: Improve the data dictionary for the Roadway data system to reflect best practices identified in the Traffic Records Program Assessment Advisory. **Response:** SCDOT is reviewing the current structures of the Roadway data system to develop a comprehensive data dictionary. This recommendation is slated for future development within the TRCC.

Recommendation 2: Improve the data quality control program for the Roadway data system to reflect best practices identified in the Traffic Records Program Assessment Advisory. **Response:** The TRCC will enact a regular agenda item for data quality discussion, planning, and review for each of the Core Data Systems within the Traffic Records System. These discussions and problem identification will be used to develop best practices to ensure data quality for all systems.

Citation/Adjudication Recommendations

Recommendation 1: Improve the data dictionary for the Citation and Adjudication systems to reflect best practices identified in the Traffic Records Program Assessment Advisory. **Response:** SCJB is reviewing the current structures of their data system to develop a detailed data dictionary. This recommendation is slated for future development within the TRCC.

Recommendation 3: Improve the data quality control program for the Citation and Adjudication systems to reflect best practices identified in the Traffic Records Program Assessment Advisory. **Response:** The TRCC will enact a regular agenda item for data quality discussion, planning, and review for each of the Core Data Systems within the Traffic Records System. These discussions and problem identification will be used to develop best practices to ensure data quality for all systems.

EMS/Injury Surveillance System Recommendation

Recommendation: Improve the data quality control program for the Injury Surveillance systems to reflect best practices identified in the Traffic Records Program Assessment Advisory. **Response:** The TRCC will enact a regular agenda item for data quality discussion, planning, and review for each of the Core Data Systems within the Traffic Records System. These discussions and problem identification will be used to develop best practices to ensure data quality for all systems.

Quantitative improvement

Enter a direct copy of the section of the State traffic records strategic plan that describes specific, quantifiable and measurable improvements, as described in 23 C.F.R. 1300.22(b)(3), that are anticipated in the State’s core safety databases, including crash, citation or adjudication, driver, emergency medical services or injury surveillance system, roadway, and vehicle databases. Specifically, the State must demonstrate quantitative improvement in the data attribute of accuracy, completeness, timeliness, uniformity, accessibility or integration of a core database by providing a written description of the performance measures that clearly identifies which performance attribute for which core database the State is relying on to demonstrate progress using the methodology set forth in the “Model Performance Measures for State Traffic Records Systems” (DOT HS 811 441), as updated.

The core safety database the State is relying on to demonstrate progress lies within the Adjudication system. Quantitative improvements were demonstrated for the performance measure of “Timeliness”. This measure identifies the number of days taken to report dispositions on CDL holder violations to the driver’s home state DMV. When the process began, the state was only meeting the 10 day FMCSA reporting requirement for that process 8% of the time. Since the deployment of the South Carolina Uniform Traffic Ticket Information Exchange System (SCUTTIES), the rate of compliance has increased to 93.42%. The state’s target goal of 90% or higher for four continuous months by 2020 was achieved, and the average percentage of time the dispositions met the 10 day Federal reporting mandate increased 2.14% during this reporting period compared to the previous reporting period (4/1/2020-3/31/2021).

The State also relied on the core safety database of crash to demonstrate progress. Quantitative improvement was demonstrated for the performance measure of “Timeliness”. This measure identifies the percentage of collision reports submitted to SCDMV electronically. Reports submitted electronically have greater accuracy, and they are received into the database in a timelier manner. A paper report can take a month or more to be received by SCDMV. In contrast, electronic reports can be transmitted and received by SCDMV in minutes.

Upload supporting documentation covering a contiguous 12-month performance period starting no earlier than April 1 of the calendar year prior to the application due date, that demonstrates quantitative improvement when compared to the comparable 12-month baseline period.

Supporting documentation covering a contiguous 12-month performance period that demonstrates quantitative improvement when compared to the comparable 12-month baseline period have been provided for the performance measure of Timeliness. The documents are titled SC_FY22_405c_Progress Report CMV and SC_FY22_405c_Progress Report SCDPS Field Deployment.

State highway safety data and traffic records system assessment

Enter the date of the assessment of the State’s highway safety data and traffic records system that was conducted or updated within the five years prior to the application due date and that complies with the procedures and methodologies outlined in NHTSA’s “Traffic Records Highway Safety Program Advisory” (DOT HS 811 644), as updated.

Date of Assessment	4/15/2022
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Please note that a Traffic Records Assessment completed in FFY 2022; however, the results of the Assessment were not timely. Thus, they have not been incorporated into the current Traffic Records Strategic Plan (TRSP). Any allowable considerations and/or recommendations will be incorporated into the next TRSP.

Requirement for maintenance of effort

ASSURANCE: The lead State agency responsible for State traffic safety information system improvements programs shall maintain its aggregate expenditures for State traffic safety information system improvements programs at or above the average level of such expenditures in fiscal years 2014 and 2015.



STATE OF SOUTH CAROLINA

Traffic Records Strategic Plan for 2022-2024

Approved 04/28/2022

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2022-2024 Traffic Records Strategic Plan-South Carolina Executive Summary

The South Carolina Traffic Records Coordinating Committee (TRCC) Working Group has prepared the 2022-2024 *Traffic Records Strategic Plan* (TRSP) for the Traffic Records Executive Group's review and approval. The TRCC-Working Group presented the plan to the Executive Group on April 28, 2022, during a meeting in Blythewood, SC.

The primary focus of last year's 2020-2022 TRSP was enhancements to the South Carolina Uniform Traffic Ticket Information Exchange System (SCUTTIES). This system, designed to automate the processing of citations issued and adjudicated through the courts, is hosted by the South Carolina Department of Motor Vehicles (SCDMV). SCDMV partnered with the South Carolina Department of Public Safety (SCDPS) and the South Carolina Judicial Branch (SCJB) to develop e-Citation interfaces between each agency's traffic records system to collect, track, and disseminate citation data initiated by law enforcement. Since going into full production in early 2018, SCUTTIES has undergone several enhancements, including improvements to system interfaces between SCJB's Case Management System (CMS) and the South Carolina Collision and Ticket Tracking System (SCCATTS). In 2020, SmartCOP (SCDPS' Case Management System) was also interfaced.

The TRCC Working Group identified projects in the 2022-2024 TRSP that focused on enhancements of the SCUTTIES and Phoenix systems, which collect and process citation data collected from Law Enforcement through either SCCATTS, SmartCOP, the SCUTTIES web-portal, or third party vendors. Over the past year, issues have arisen between the various systems, and while the completed projects resolved many of the issues, others remain. It is estimated that the remaining projects will take approximately 24 months to complete.

The SCUTTIES application was developed to meet the Federal Motor Carrier Safety Administration's (FMCSA) mandatory process for transferring traffic conviction data for holders of a Commercial Driver's License (CDL) to the state in which the holder is licensed within 10 days of conviction. To accomplish this, a legislative change was made which required the law enforcement officer to electronically submit citation data to DMV after a Uniform Traffic Ticket (UTT) was issued. The mandatory submission and collection of this citation data was implemented on January 1, 2018.

As of January 2020, law enforcement agencies could submit citation data to SCDMV by several avenues. First, they could utilize their own Records Management System (RMS) validated by SCDMV for several independent vendors to submit citation data from local agency RMS directly into SCUTTIES. This process accounted for approximately 20% of all citation data captured.

The second process, SCCATTS, hosted by SCDPS, provides interested local (city/county) law enforcement agencies with the ability to electronically prepare, issue, and submit citations to SCDMV. At the end of 2021, SCCATTS submissions accounted for approximately 28% of all electronic citation data received by SCDMV.

A third avenue is the SmartCOP application, which the SC Highway Patrol, the SC State Transport Police and the SC Bureau of Protective Services use to submit their citations. At the end of 2021, SmartCOP submissions accounted for approximately 40% of all electronic citation data received by SCDMV.

Finally, SCDMV provides the SCUTTIES web portal for law enforcement agencies that do not have a RMS or the in-vehicle hardware required to electronically submit data. The web portal application provides interested agencies and local (county/city) law enforcement the ability to enter citation data directly, via the web, to SCDMV. At the end of 2021, the SCUTTIES web portal submissions accounted for approximately 10% of all electronic citation data received by SCDMV.

Initially, SCDMV was reporting at less than 10% compliance with the FMCSA regulation. With implementation of the mandatory electronic citation process, this rate jumped to 48% compliance within the first month. During the first quarter of 2022, the rate rose to 94.02% compliance.

Proposed 2022-2024 TRSP

The focus for the 2022-2024 TRSP will be on upgrading and enhancing the state's core Traffic Records System. A major priority for this year's TRSP is the upgrading of the SCCATTS e-Reporting application. The current application for electronic Traffic Records report submission and data processing is the ReportBeam® product. This product, purchased through federal grant funds, is hosted by SCDPS for county and local law enforcement to process records data. The product is used by law enforcement officers to produce and electronically submit citations, collisions, and public contact/warning reports and/or data through SCDPS to SCDMV, SCJD, and the SCDOT. The application was purchased in 2009 and, unfortunately, presents several security vulnerabilities.

During the first half of 2020, to reduce end user device security risks, a new version of the client software for ReportBeam® was installed on laptops utilizing SCCATTS (ReportBeam). To improve the application and infrastructure security, as well as to provide improved operational capabilities, a project is proposed for the 2022-2024 TRSP (listed under the SCCATTS program), to research a replacement for the current e-reporting software application. The State is dependent upon the SCUTTIES and SCCATTS programs and the traffic records data to meet both FMCSA and National Highway Traffic Safety Administration (NHTSA) reporting requirements. These requirements have a direct impact on funding for Traffic and Roadway Safety Programs within our state.

The TRCC held five separate meetings over the past fiscal year. They occurred on September 23, 2021, December 8, 2021, March 3, 2022, April 7, 2022 and April 28, 2022 (Executive Group Meeting). The March 3, 2022 and April 7, 2022 meetings were planning sessions for the updated 2022-2024 TRSP. During this planning session, the Working Group updated the 2022-2024 TRSP with project updates and any modifications needed for the plan. The TRCC will allocate funds for the projects as available and recommended by the TRCC-Working Group, with final approval from the Executive Group.

A project prioritization rank has been added to each project description page. Multiple projects within the list will be addressed throughout the year, and the completion of one project is not contingent upon the completion of a higher ranked project. The current TRSP contains the programs that make up the Core Systems of the state's traffic records collection process and projects that are being addressed within each of those systems. The plan includes projects that are not seeking Traffic Records funding, but are nonetheless addressing the traffic records system. The program areas for the state are:

- ❖ **SC TRCC Programs** or projects that benefit multiple Traffic Records Systems.
- ❖ **SCDHEC's Injury Surveillance Systems (ISS)** injury coding and tracking for traffic related incidents.
- ❖ **SCDMV's Phoenix System** for driver and vehicle records services.
- ❖ **SCDMV's SCUTTIES** for citation records processing.
- ❖ **SCDOT's Roadway Component** for maintaining, compiling, and analyzing traffic records data for highway safety purposes.
- ❖ **SCDPS's SCCATTS** application for collection and e-Reporting of crash, citation, and public contact/warnings.
- ❖ **SCDPS's SMARTCOP** application for DPS Law Enforcement Divisions for e-Reporting and Data integration.
- ❖ **SCJB's Case Management System (CMS)** citation and adjudication processing.

Each agency has developed a prioritized schedule of the projects within each of these program areas for the 2022-2024 TRSP. A synopsis of those programs is attached to this executive summary. Details for each project are listed in Appendix C of the TRSP.

In closing, it is important to mention the South Carolina Traffic Records Assessment (TRA) that took place over several months in early 2022. NHTSA has required states to conduct a TRA every five years in order to qualify for highway safety funding authorized by the current transportation authorization bill. The most recent TRA was conducted through an online process that was initiated on January 18, 2022 and ran through April 15, 2022. Members of the SC TRCC-Working Group and associated traffic records stakeholders provided NHTSA assessors detailed information on core components of the state's Traffic Records System. The information was collected using the State Traffic Records Assessment Program (STRAP), a federal program facilitated by NHTSA through

independent contractors and OHSJP Traffic Records staff. The TRCC-Working Group received general recommendations from the assessment on April 19, 2022. The TRCC-Working group continues to review these recommendations and will use this information as a resource for improving the state's TRS through future programs and projects associated with the TRSP. The report was received too late for inclusion in this year's TRSP, but the recommendations will be incorporated into the 2023 TRSP.

2022-2024 Programs and Projects Overview

System Title	Type	Lead Agency	405 c
SC TRCC-Programs/Projects	TRS	SCDPS	\$454,530
<p>The TRCC will administer programs and/or projects that benefit multiple Traffic Records Systems. These programs/projects are approved by designated members of the TRCC.</p> <p style="text-align: right;">405c Funds <input checked="" type="checkbox"/> Yes State Funds <input checked="" type="checkbox"/> Yes Other Federal Funds <input checked="" type="checkbox"/> Yes</p>			
<p>TRCC Prioritized Programs/Projects: (Full descriptions of projects are listed in Appendix C)</p> <p>1. OHSJP Traffic Records Staffing. The Traffic Records Team within the Office of Highway Safety and Justice Programs has been steadily coordinating Traffic Records efforts.....405 c \$454,530</p>			
<p>TRS Goal # 1: Improve collection and management of core Traffic Records Data Systems.</p> <p>TRS Goal #2: Improve traffic records data integration, access, and analysis.</p> <p>Data Quality Goal: Improve the overall data quality of traffic records data collected.</p>	<p>TRS Components</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Collision <input checked="" type="checkbox"/> Citation / Adjudication, <input checked="" type="checkbox"/> Roadway <input checked="" type="checkbox"/> Injury Surveillance, <input checked="" type="checkbox"/> Driver <input checked="" type="checkbox"/> Vehicle 	<p>Performance Measures:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Accessibility <input checked="" type="checkbox"/> Timeliness <input checked="" type="checkbox"/> Accuracy <input checked="" type="checkbox"/> Completeness <input checked="" type="checkbox"/> Uniformity <input checked="" type="checkbox"/> Data Integration 	

System Title	Type	Lead Agency	405 c
Injury Surveillance Systems (ISS)	Injury	SCDHEC	None
<p>This is an ongoing program to maintain and enhance systems related to the gathering of injury codes for traffic related incidents. The Injury Surveillance System (ISS) is managed by SCDHEC. This agency collects and maintains data through several statewide data systems. They include Emergency Medical Services (EMS) records; a patient care reporting system called Prehospital Management Information System (PreMIS), which is an electronic reporting component of the National Emergency Medical Services Information System (NEMSIS); and statewide trauma registry and the vital records system.</p> <p style="text-align: right;">405c Funds <input type="checkbox"/> Yes State Funds <input checked="" type="checkbox"/> Yes Other Federal Funds <input checked="" type="checkbox"/> Yes</p>			
<p>ISS Prioritized Projects: (Full descriptions of projects are listed in Appendix C) 1. EMS Patient Tracking System..... State/Other Federal Funds</p>			
<p>TRS Goal #2: Improve traffic records data integration, access, and analysis.</p> <p>Project Goal: To improve the data collection, management and quality of injury coding systems for enhance data analysis and data sharing methods.</p>	<p>TRS Components:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Collision <input type="checkbox"/> Citation /Adjudication <input type="checkbox"/> Roadway <input checked="" type="checkbox"/> Injury Surveillance <input type="checkbox"/> Driver <input type="checkbox"/> Vehicle 	<p>Performance Measures:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Accessibility <input checked="" type="checkbox"/> Timeliness <input checked="" type="checkbox"/> Accuracy <input checked="" type="checkbox"/> Completeness <input checked="" type="checkbox"/> Uniformity <input checked="" type="checkbox"/> Data Integration 	

System Title	Type	Lead Agency	405 c
Phoenix System	Driver/ Vehicle	SCDMV	\$130,000
<p>SCDMV maintains driver records for the state in a customer-centric system, called the Phoenix System. This system uses a common architecture to combine driver license records and driver history. These records contain crash and citation data that are used daily by stakeholder agencies for day-to-day operations. The SCDMV is responsible for maintaining current South Carolina driver history from the data collected from the TR-310 collision form and UTT citation data received from law enforcement and the courts.</p> <p style="text-align: right;">405c Funds <input checked="" type="checkbox"/> Yes State Funds <input checked="" type="checkbox"/> Yes Other Federal Funds <input checked="" type="checkbox"/> Yes</p>			
<p>Phoenix System Prioritized Projects: (Full descriptions of projects are listed in Appendix C)</p> <ol style="list-style-type: none"> 1. Automate Failure to Pay UTT Process; Working with SCDMV's Phoenix system and SCJB's CMS develop an application or program to automate the processing of UTT's that are not paid by violator according to statute.....[\$90,000]...405 c \$20,000 State \$15,000 2. Phoenix e-Citation Enhancements.....405 c \$90,000 3. Phoenix e-Citation data quality improvements..... 405 c \$20,000 			
<p>TRS Goal # 1: Improve collection and management of core Traffic Records Data Systems.</p> <p>Program Goal: Enhance the collection systems for Driver/Vehicle records and improve data quality.</p>	<p>TRS Components</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Collision <input checked="" type="checkbox"/> Citation /Adjudication <input type="checkbox"/> Roadway <input type="checkbox"/> Injury Surveillance <input checked="" type="checkbox"/> Driver <input checked="" type="checkbox"/> Vehicle 	<p>Performance Measures:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Accessibility <input checked="" type="checkbox"/> Timeliness <input checked="" type="checkbox"/> Accuracy <input checked="" type="checkbox"/> Completeness <input checked="" type="checkbox"/> Uniformity <input checked="" type="checkbox"/> Data Integration 	

System Title	Type	Lead Agency	405 c
SC Uniform Traffic Ticket Information Exchange System (SCUTTIES)	Citation	SCDMV	\$60,000
<p>This is a joint program between SCDMV, SCJB and SCDPS to maintain and enhance the South Carolina Uniform Traffic Ticket Information Exchange System (SCUTTIES). This system has a central citation database in order to process citations issued by law enforcement through courts to SCDMV. This program may require projects to be developed to maintain proper collection and sharing of data. This program and the projects included will improve data quality and decrease processing time for receiving adjudicated citation records between courts and SCDMV.</p> <p style="text-align: right;">405c Funds <input checked="" type="checkbox"/> Yes State Funds <input checked="" type="checkbox"/> Yes Other Federal Funds <input checked="" type="checkbox"/> Yes</p>			
<p>SCUTTIES Prioritized Projects: (Full descriptions of projects are listed in Appendix C)</p> <ol style="list-style-type: none"> 1. Citation Reports Development: Develop an online reporting tool for reporting needs for users of the SCUTTIES application..... 405 c \$15,000 2. SCUTTIES e-Citation Data Quality Improvements..... 405 c \$45,000 3. Court Ishmael Orders electronic process..... State/Other Fed 			
<p>TRS Goal #2: Improve traffic records data integration, access, and analysis.</p> <p>Program Goal: Decrease the number of days for adjudicated records to be posted and available in SCDMV Phoenix from 30/45 days to 10 days or less.</p> <p>Program Goal: Improve the overall data quality of citation/adjudication data collected.</p>	<p>TRS Components</p> <ul style="list-style-type: none"> <input type="checkbox"/> Collision <input checked="" type="checkbox"/> Citation /Adjudication <input type="checkbox"/> Roadway <input type="checkbox"/> Injury Surveillance <input checked="" type="checkbox"/> Driver <input checked="" type="checkbox"/> Vehicle 	<p>Performance Measures:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Accessibility <input checked="" type="checkbox"/> Timeliness <input checked="" type="checkbox"/> Accuracy <input checked="" type="checkbox"/> Completeness <input checked="" type="checkbox"/> Uniformity <input checked="" type="checkbox"/> Data Integration 	

System Title	Type	Lead Agency	405 c
Roadway and Crash Management Program	Roadway	SCDOT	\$223,000
<p>SCDOT's Roadway and Crash Management Program is an ongoing program used to identify locations in the state with the highest occurrence of traffic collisions, as well as maintaining and enhancing the state's roadway information. Traffic crash data received from SCDPS is placed on SCDOT's line work and each crash is assigned a mile point which enables data analysts to study the locations of crashes to identify corridors/intersections for engineering improvements. Additionally, this program has been used to identify locations for law enforcement activities (e.g. ACE: Area Coordinated Enforcement). Vital roadway data are critical for the planning of roadway management initiatives related to traffic safety. Multiple roadway enhancement projects are included in the state's TRSP related to traffic records data collection and analysis for traffic safety improvements.</p> <p style="text-align: right;">405c Funds <input checked="" type="checkbox"/> Yes State Funds <input checked="" type="checkbox"/> Yes Other Federal Funds <input checked="" type="checkbox"/> Yes</p>			
<p>Roadway/Crash Mgmt. Prioritized Projects: (Full descriptions of projects are listed in Appendix C)</p> <ol style="list-style-type: none"> 1. Maintenance of Local Agency Data Collected.....405c \$50,000 2. Pedestrian/Bicycle Facilities.....405c \$173,000 3. Roadway & Crash Management Program Enhancement/Update ...Multiple Sources \$2,150,000 			
<p>TRS Goal #2: Improve traffic records data integration, access, and analysis.</p> <p>Project Goals: To increase the robustness of the SCDOT's Roadway and Crash Management Program, capturing additional data elements, improving data quality and improving collision data analysis.</p>	<p>TRS Components:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Collision <input checked="" type="checkbox"/> Citation /Adjudication <input checked="" type="checkbox"/> Roadway <input checked="" type="checkbox"/> Injury Surveillance <input checked="" type="checkbox"/> Driver <input checked="" type="checkbox"/> Vehicle 	<p>Performance Measures:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Accessibility <input checked="" type="checkbox"/> Timeliness <input checked="" type="checkbox"/> Accuracy <input checked="" type="checkbox"/> Completeness <input checked="" type="checkbox"/> Uniformity <input checked="" type="checkbox"/> Data Integration 	

System Title	Type	Lead Agency	405 c												
South Carolina Collision and Ticket Tracking System (SCCATTS)	Crash/Citation	SCDPS	\$40,000												
<p>This is an ongoing program to maintain and enhance the state's SCCATTS solution for e-Reporting by local law enforcement agencies. This system, available to all state law enforcement agencies, allows for the electronic submission of collision forms (TR-310) Uniform Traffic Ticket (UTT) citations, and Public Contact/Warnings. The data are collected, stored and disseminated to other stakeholders by SCDPS. Approximately 96% of the state's collision data are collected electronically through the SmartCOP application and this system. The remaining 4% is collected manually and entered into SCCATTS by SCDPS data entry staff. The SCCATTS system also submits approximately 28% of all citation data electronically to SCDMV's SCUTTIES to allow for processing through the Driver, Vehicle and Citation/Adjudication Core Systems. Continued SCCATTS maintenance, upgrades, and deployment of application software(s) are vital to the continued success of the program. This system will improve timeliness, accuracy, completeness, and integration of collision and citation data.</p> <p style="text-align: right;">405c Funds <input checked="" type="checkbox"/> Yes State Funds <input checked="" type="checkbox"/> Yes Other Federal Funds <input checked="" type="checkbox"/> Yes</p>															
<p>SCCATTS Prioritized Projects: (Full descriptions of projects are listed in Appendix C)</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 80%;">1. SCCATTS Software Application Replacement</td> <td style="width: 10%;">405c</td> <td style="width: 10%;">\$15,000</td> </tr> <tr> <td>2. Field Deployment to Law Enforcement Agencies.....</td> <td>405c</td> <td>\$15,000</td> </tr> <tr> <td>3. SCCATTS Enhancements/ Reporting Equipment.....</td> <td>405c</td> <td>\$ 0</td> </tr> <tr> <td>4. Collision Report Form Revision.....</td> <td>405c</td> <td>\$10,000</td> </tr> </table>				1. SCCATTS Software Application Replacement	405c	\$15,000	2. Field Deployment to Law Enforcement Agencies.....	405c	\$15,000	3. SCCATTS Enhancements/ Reporting Equipment.....	405c	\$ 0	4. Collision Report Form Revision.....	405c	\$10,000
1. SCCATTS Software Application Replacement	405c	\$15,000													
2. Field Deployment to Law Enforcement Agencies.....	405c	\$15,000													
3. SCCATTS Enhancements/ Reporting Equipment.....	405c	\$ 0													
4. Collision Report Form Revision.....	405c	\$10,000													
<p>TRS Goal # 1: Improve collection and management of core Traffic Records Data Systems.</p> <p>Program Goal: Increase total numbers of traffic records reports received electronically and improve data quality.</p>	<p>TRS Components:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Collision <input checked="" type="checkbox"/> Citation /Adjudication <input checked="" type="checkbox"/> Roadway <input checked="" type="checkbox"/> Injury Surveillance <input checked="" type="checkbox"/> Driver <input checked="" type="checkbox"/> Vehicle 		<p>Performance Measures:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Accessibility <input checked="" type="checkbox"/> Timeliness <input checked="" type="checkbox"/> Accuracy <input checked="" type="checkbox"/> Completeness <input checked="" type="checkbox"/> Uniformity <input checked="" type="checkbox"/> Data Integration 												

System Title	Type	Lead Agency	405 c
SmartCOP	Crash/Citation	SCDPS	None

This is a new system for use by the SCDPS Law Enforcement Divisions (Highway Patrol, State Transport and Bureau of Protective Services). This system allows for the electronic submission of collision forms (TR-310) Uniform Traffic Ticket (UTT), and Public Contact/Warnings. The data is collected, stored and disseminated to other stakeholders by SCDPS. Approximately 96% of the state's collision data are collected electronically through a combination of this system and the SCCATTS Reporting software program. The remaining 4% is collected manually and entered into SCCATTS by SCDPS data entry staff. The SmartCOP system also submits approximately 40% of all citation data electronically to SCDMV's SCUTTIES to allow for processing through the Driver, Vehicle and Citation/Adjudication Core Systems. This system will improve timeliness, accuracy, completeness, and integration of collision and citation data.

405c Funds Yes
State Funds Yes
Other Federal Funds Yes

SMARTCOP Project: (Full descriptions of projects are listed in Appendix C)

1. SmartCOP data quality and enhancements.....405c \$0

TRS Goal # 1: Improve collection and management of core Traffic Records Data Systems.

Program Goal: Increase total numbers of traffic records reports received electronically and improve data quality.

TRS Components:

- Collision
- Citation /Adjudication
- Roadway
- Injury Surveillance
- Driver
- Vehicle

Performance Measures:

- Accessibility
- Timeliness
- Accuracy
- Completeness
- Uniformity
- Data Integration

System Title	Type	Lead Agency	405 c
Case Management System (CMS)	Citation/Adjudication	SCJB	\$150,000
<p>This is an ongoing program to maintain and enhance the state's court's processing system as it applies to Traffic Records related cases. SCJB's CMS was developed to track court records from summons, trial, adjudication and dissemination of disposition data to the SCDMV for vital Driver and Vehicle records.</p> <p style="text-align: right;">405c Funds <input checked="" type="checkbox"/> Yes State Funds <input checked="" type="checkbox"/> Yes Other Federal Funds <input checked="" type="checkbox"/> Yes</p>			
<p>CMS Prioritized Projects: (Full descriptions of projects are listed in Appendix C)</p> <p>1. CMS-SCUTTIES Enhancements.....405 c \$150,000</p>			
<p>TRS Goal #2: Improve traffic records data integration, access, and analysis.</p> <p>Program Goal: Maintain and enhance the collection, tracking, and sharing of citation/adjudication data process through the state's traffic courts.</p>	<p>TRS Components:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Collision <input checked="" type="checkbox"/> Citation /Adjudication <input type="checkbox"/> Roadway <input type="checkbox"/> Injury Surveillance <input checked="" type="checkbox"/> Driver <input checked="" type="checkbox"/> Vehicle 	<p>Performance Measures:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Accessibility <input checked="" type="checkbox"/> Timeliness <input checked="" type="checkbox"/> Accuracy <input checked="" type="checkbox"/> Completeness <input checked="" type="checkbox"/> Uniformity <input checked="" type="checkbox"/> Data Integration 	

Introduction

South Carolina's *2022-2024 Traffic Records Strategic Plan* (TRSP) provides a framework for identifying projects critical to improving the state's Traffic Records Systems (TRS). This plan was developed based on the Infrastructure Investment and Jobs Act (IIJA), Section 405c, which includes a requirement for having a TRSP in order to qualify for grants to improve the state's TRS.

The legislation also includes a requirement that each state have a Traffic Records Coordinating Committee (TRCC). South Carolina's TRCC is a two-tiered committee including an Executive Group and a Working Group. The Executive Group includes the agency heads from the South Carolina Department of Motor Vehicles (SCDMV), South Carolina Department of Public Safety (SCDPS), South Carolina Department of Transportation (SCDOT), South Carolina Judicial Branch (SCJB), and the South Carolina Department of Health and Environmental Control (SCDHEC). The Working Group is composed of members appointed by the Executive Group based on duties related to traffic records data collection and core databases. It also includes representatives from local law enforcement that are directly involved in traffic records collection and information technology.

The Executive Group also appointed a State Traffic Records Manager, who chairs the TRCC Working Group. The mission of the TRCC is ***“to provide multi-agency coordination of projects designed to create more timely, complete, uniform, integrated, accurate, and accessible data and to use these data to realize our ultimately shared goal of reducing traffic fatalities and injuries in South Carolina.”***

One of the major responsibilities of the TRCC is to develop an annual TRSP to meet the requirements set forth in the IIJA. This plan is based on maintaining and improving the state's core TRS, which includes collision reporting, citation data, citation adjudication, driver/vehicle records, injury surveillance systems, and roadway databases. Each of these components provides vital information in analyzing the state's safety performance and helps prepare strategic highway safety initiatives to reduce traffic-related fatalities, serious injuries, and collisions overall. Improving the quality of data by addressing known deficiencies helps decision-makers put more trust in the data, supports higher-quality decisions, and proves the value of the traffic records information.

The TRSP will help South Carolina spend limited resources wisely, getting the largest benefit for the investment of money and staff time. A strategic plan is a way for the state to ensure that new efforts are aimed squarely at needed improvements to the data elements and those resources are allocated in a systematic manner. In addition, as situations change and South Carolina reacts to new opportunities or requirements, the strategic plan can help to put those changes and opportunities into context.

It is also important to acknowledge that a strategic plan is a “living” document. It cannot remain static, but must be updated frequently to account for changes in budgets, revised priorities, new opportunities, and emerging needs. When a plan is kept fresh, it serves as an integral part of the management of the traffic records system in general, and for each of the components of that system.

The following pages will include specific information on this year’s plan, the previous plan’s successes, continuing opportunities, and a synopsis of the current status of the state’s traffic records system.

Components of a Traffic Records System

Traffic Records Systems (TRS) are defined as several state systems that contain information about collisions, roadway, citations/adjudications, drivers, vehicles, and injury surveillance for collision victims. The figure below shows the components of an interconnected traffic records system.



It helps to view the various data components as a unified whole that supplies the information needed to support safety decisions at the state and local levels. The information in these systems supports data-driven decision making, including problem identification, countermeasure selection, and safety improvement evaluation. In practice, the traffic records system is not a single data source, but incorporates several systems that reside in multiple databases within different agencies.

Overview of the South Carolina Traffic Records System

The South Carolina Traffic Records System is composed of the six components maintained by five core state agencies SCDMV, SCDOT, SCJB, SCDHEC and SCDPS.

The Collision Component (SCDPS, SCDMV)

The SCDPS maintains the South Carolina Collision and Ticket Tracking System (SCCATTS). SCCATTS serves as the state-provided solution for collecting collision, public contact/warning, and citation data for SCCATTS users. The SCDPS Law Enforcement Divisions are now using their own system (SmartCOP) for collecting electronic forms. As of December 31, 2021, SCDPS is submitting about 53% of the crash data and SCCATTS is submitting about 44%. The remaining 3% of reports are submitted manually and entered into SCCATTS by data entry clerks with the SCDPS Office of Highway Safety and Justice Programs (OHSJP).

SCDPS also houses the South Carolina Traffic Collision Master File. This file contains data obtained from the South Carolina Traffic Collision Report Form (TR-310) submitted by law enforcement collision investigators. This form can be submitted electronically either through the SCCATTS system or SmartCOP to SCDPS and SCDMV. The form can also be submitted manually through a paper process by law enforcement agencies that do not have the capability to submit electronically through SCCATTS. SCDPS also houses the Traffic Records Staff, Fatality Analysis Reporting System (FARS), SafetyNet, and Statistical Analysis & Research sections. All of these sections work as a cohesive unit in association with South Carolina's crash data collection. SCDPS now has a Geographical Fatality portal which is accessible by the public. This portal is updated three times a day with the latest fatality information and allows the public to query the information and also map the crash locations.

In addition to those systems mentioned above, OHSJP is now participating in the National Highway Traffic Safety Administration's (NHTSA) Crash Report Sampling System (CRSS). This system reviews a sample geographical area of law enforcement reported crash investigations involving all types of motor vehicles, pedestrians, and cyclists. CRSS is used to develop an overall crash depiction, that can be used to identify highway safety problem areas, performance measure trends and as a basis for cost analysis with highway safety initiatives.

SCDMV currently houses driver and vehicle collision records obtained from the TR-310 and Financial Responsibility (FR-10) form. The FR-10 is a component of the TR-310 issued by law enforcement, during crash investigations, to verify liability insurance on the units involved. These records are used for insurance verification and driver/vehicle components of collision records described on the following pages. The SCDMV recently completed a project that allows the public to purchase a copy of the preliminary collision report online. An official copy of the collision report can be purchased from a DMV office.

The Driver Component (SCDMV)

SCDMV maintains driver records for the state in a customer-centric system, called the Phoenix System. This system uses a common architecture to combine driver license records and driver history. These records contain crash and citation data that are used daily by stakeholder agencies for day-to-day operations. The SCDMV is responsible for maintaining current South Carolina driver history from the data collected from the TR-310 collision form and UTT citation data received from law enforcement and the courts.

The Vehicle Component (SCDMV)

SCDMV's Phoenix System also maintains vehicle records for the state. This system is used to maintain vehicle title, registration, and insurance records. This system is also used daily by stakeholders for vehicle information. The SCDMV is responsible for maintaining current South Carolina vehicle history from title, registration information and data collected from the TR-310 collision and FR-10 forms.

The Citation/Adjudication Component (SCDMV, SCJB)

The Citation/Adjudication component went through major changes in the collection of citation data over the past several years. The South Carolina General Assembly enacted legislation that requires all citation data to be submitted electronically to SCDMV by January 1, 2017 as per SCDMV requirements. In response to this legislation, the TRCC coordinated the creation of a statewide citation database housed within SCDMV. This database, the South Carolina Uniform Traffic Ticket Information Exchange System (SCUTTIES), was designed to collect all citation data electronically from the issuing law enforcement agency and track the citation through the court system to ultimately obtain the disposition data for all traffic related offenses. The system became fully operational on January 1, 2018.

The Adjudication Component is managed by the South Carolina Judicial Branch (SCJB) through its Case Management System (CMS) and various local courts' Records Management Systems (RMS). The Court Administration was charged, as per legislation, with developing adjudication disposition data collection application(s) for all citations issued within the state. The data collection process utilized the state's Case Management System developed by SCJB. It also uses a Web-services application that was developed for local courts not utilizing CMS. The CMS disposition system was completed and enacted in June 2016. The Disposition Portal to collect disposition data for courts with no RMS was deployed in January 2018.

The Injury Surveillance System Component (SCDHEC)

The Injury Surveillance System (ISS) is managed by SCDHEC. This agency collects and maintains data through several statewide data systems. They include Emergency Medical Services (EMS) records; a patient care reporting system called Prehospital Management Information System (PreMIS), which is an electronic reporting component of the National Emergency Medical Services Information System (NEMSIS); and statewide trauma registry and the vital records system.

These major statewide data systems rely on data collected by:

- State, county, local government agencies, private and volunteer service providers in health care-related fields that manage/report data contained in these systems
- State, county, and local government employees in law enforcement and engineering agencies

The Roadway Component (SCDOT)

The South Carolina Department of Transportation (SCDOT) maintains roadway information in the Integrated Transportation Management System (ITMS), the Safety Management System (SMS) and a Geographic Information System (GIS). These systems focus on state-maintained roadways and local roadway segments that are included as selected segments for the Highway Performance Monitoring System (HPMS). SCDOT manages the state's Highway Safety Improvement Program (HSIP), the purpose of which is to identify locations in the state with the greatest potential to reduce traffic fatalities and serious injuries. Locations are evaluated for possible countermeasure implementation.

States are required to have access to a complete collection of Model Inventory of Roadway Elements (MIRE) fundamental data elements (FDE) on all public roads by September 30, 2026. In preparation for 100% compliance, 23 CFR Part 924.11 directs states to include in their Traffic Records Strategic Plan (TRSP) information related to MIRE FDE, expressly to "incorporate specific quantifiable and measurable anticipated improvements for the collection of MIRE fundamental data elements". Of the 33 unique MIRE FDE identified, South Carolina Department of Transportation will have access to 97%, missing only one element, intersection traffic control, before the end of 2022. A number of projects in this year's TRSP address improvements to the collection of MIRE FDE. Specifically, the Collision Report Form Revision and the SMS Enhancements will have the greatest impact. See Appendix C for more details on each of these projects.

Traffic Records System Performance Measures

Traffic Records Systems (TRS) are typically made up of components that serve primary functions other than highway traffic safety improvement. Because of this, it may not be immediately obvious to the data custodians responsible for day-to-day management of the traffic records components that their data are part of the Traffic Records System. Data collected for one purpose (e.g., asset management, driver licensing, medical billing, etc.) may or may not be suitable for use in highway safety decision making. Treating such a diverse system as a unified whole requires that collectors, managers, and users come together to discuss needs and how best to meet the needs of decision-makers at a reasonable cost. To assist in this dialog, states develop measures of how well the traffic records data meet the needs of their users. The performance measures developed for this purpose are intended to measure the quality of the data in ways that are operationally meaningful. These measures could be used by front-line managers to gauge day-to-day operations and convey meaningful information to users. NHTSA has identified six performance attributes in the *Model Performance Measures for State Traffic Records Systems*.

1. **Timeliness:** Timeliness reflects the span of time between the occurrence of an event and entry of information into the appropriate database. Timeliness can also measure the time from when the custodial agency receives the data to the point when the data is entered into the database.
2. **Accuracy:** Accuracy reflects the degree to which the data is error-free, satisfies internal consistency checks, and does not exist in duplicate within a single database. Error means that the recorded value for some data element of interest is incorrect. Error does not mean that the information is missing from the record. Erroneous information in a database cannot always be detected. In some cases, it is possible to determine that the values entered for a variable or data element are not legitimate codes. In other cases, errors can be detected by matching data with external sources of information. It may also be possible to determine that duplicate records have been entered for the same event.
3. **Completeness:** Completeness reflects both the number of records that are missing from the database (e.g., events of interest that occurred but were not entered into the database) and the number of missing (blank) data elements in the records that are in a database.
4. **Uniformity:** Uniformity reflects the consistency among the files or records in a database and may be measured against some independent standard, preferably a national standard. Within a state, all jurisdictions should collect and report the same data using the same definitions and procedures.

5. **Integration:** Integration reflects the ability of records in a database to be linked to a set of records in another of the core databases, or components thereof, using common or unique identifiers. Integration differs in one important respect from the first four attributes of data quality. By definition, integration is a performance attribute that always involves two or more traffic records subsystems.
6. **Accessibility:** Reflects the ability of legitimate users to successfully obtain desired data. For every database and file in a traffic records system, there is a set of legitimate users who are entitled to request and receive data. The accessibility of the database or sub-file is determined by obtaining the users' perceptions of how well the system responds to their requests.

The first five of these six types of performance measures are measured by the usage and examination of the data within each component's dataset. The accessibility performance attribute is measured in terms of customer satisfaction related to the retrieval of data. These performance attributes are to be specific and well-defined, performance-based, and practical.

South Carolina Collision and Ticket Tracking System Update

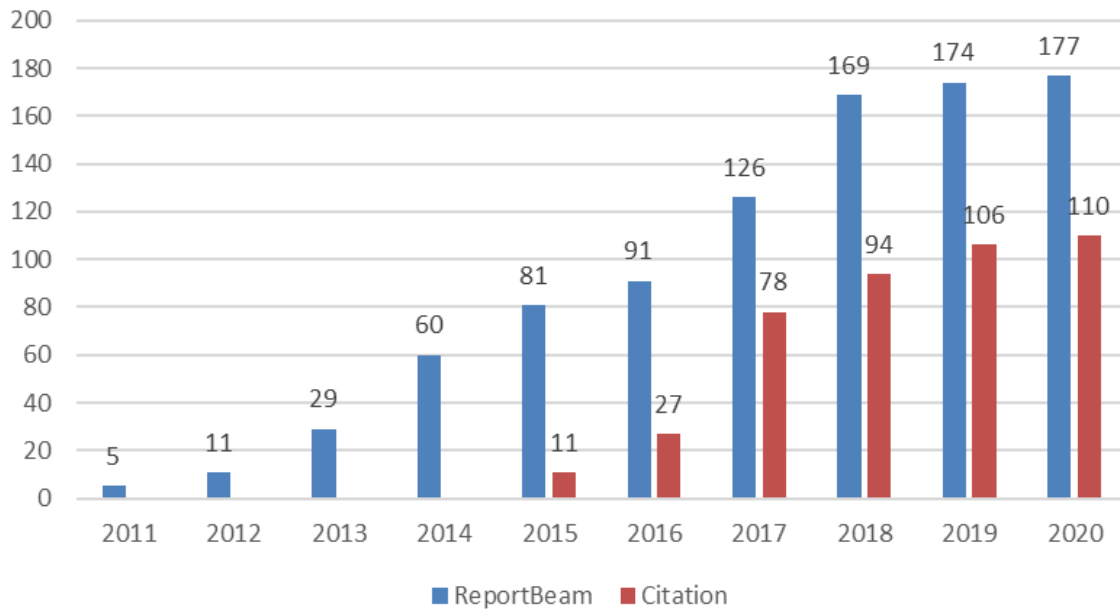
The South Carolina Collision and Ticket Tracking System (SCCATTS) is a collaborative effort among the South Carolina Department of Public Safety (SCDPS), the South Carolina Department of Motor Vehicles (SCDMV), the South Carolina Department of Transportation (SCDOT), the South Carolina Judicial Branch (SCJB), and the South Carolina Department of Health and Environmental Control (SCDHEC) Injury Surveillance System (ISS). It was originally created to address the shortcomings of a system that predominantly generated and processed traffic collision reports and traffic citations manually. The goal of SCCATTS is to enhance highway safety through the timely collection, analysis, and response to pertinent data.

SCCATTS currently uses the product Report Beam® as the electronic reporting application. This reporting system is used by local law enforcement agencies to generate collision reports (TR-310), citations and public contact/warnings electronically. There are currently 130 agencies using SCCATTS. When a collision is investigated, each law enforcement officer submits the completed collision report to the South Carolina Department of Motor Vehicles (SCDMV) via SCDPS's SCCATTS application. The current form, TR-310, is a statewide form that each law enforcement agency uses for traffic crash investigations. SCDPS has deployed the electronic collision report to the Highway Patrol and local law enforcement agencies. In January of 2020, SCDPS began using a new RMS (SmartCOP). As of December 31, 2021, SCDPS is submitting about 53% of the crash data through SmartCOP and SCCATTS is submitting about 44%. The remaining 3% of reports are submitted manually on paper and entered into SCCATTS by data entry clerks with the SCDPS Office of Highway Safety and Justice Programs (OHSJP).

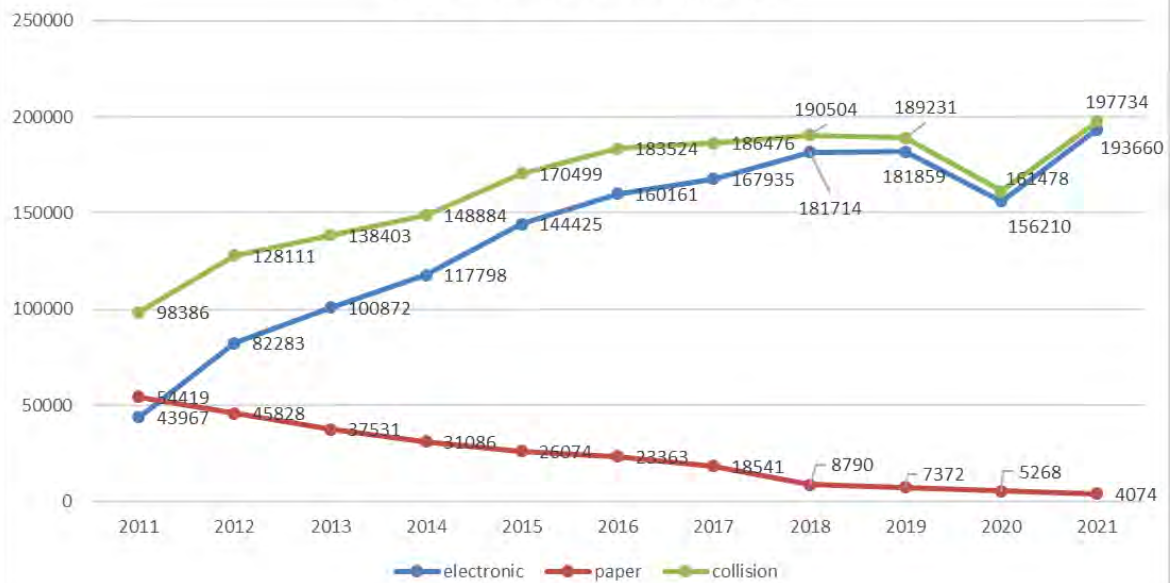
The OHSJP uses the data collected from the collision report to provide up-to-date preliminary numbers for highway fatalities across the state. This data is also utilized to create the SC Traffic Collision Fact Book, as required by statute, and by law enforcement for traffic safety initiatives. Annually, the data is compiled into the fact book that provides statistical information regarding crash data statewide. The data is also used by OHSJP to provide collision experience studies.

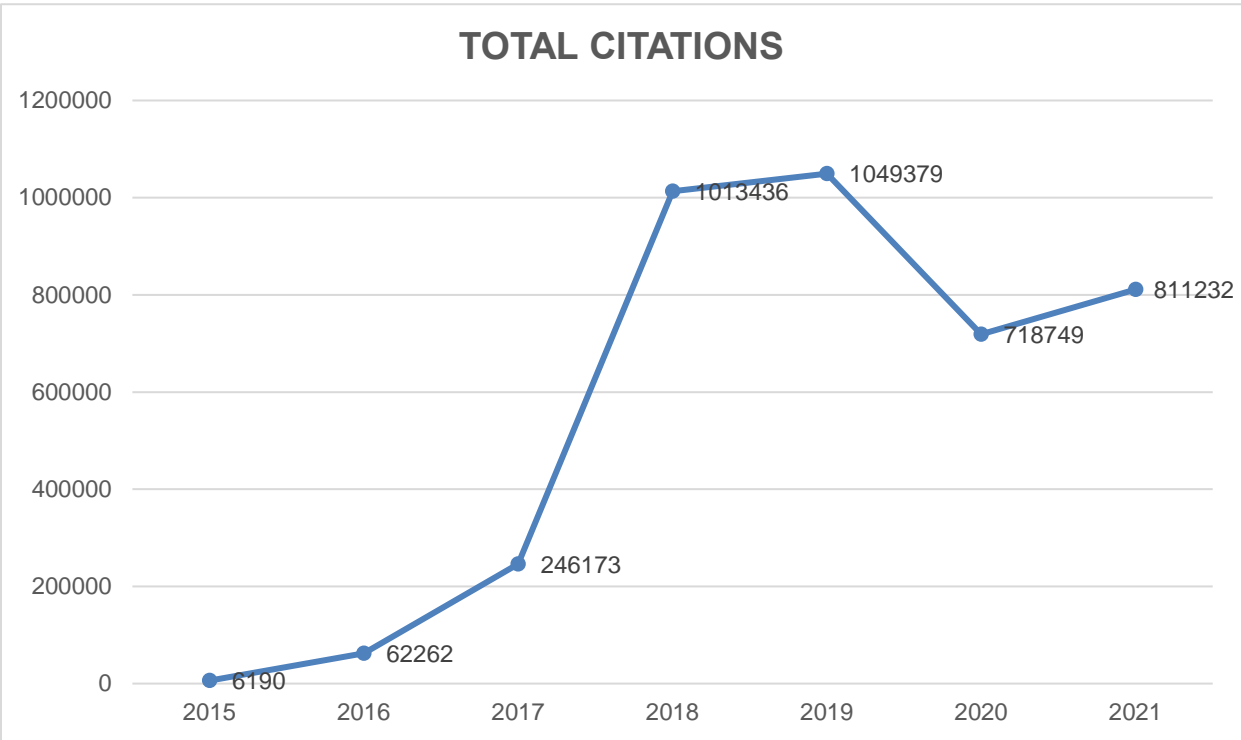
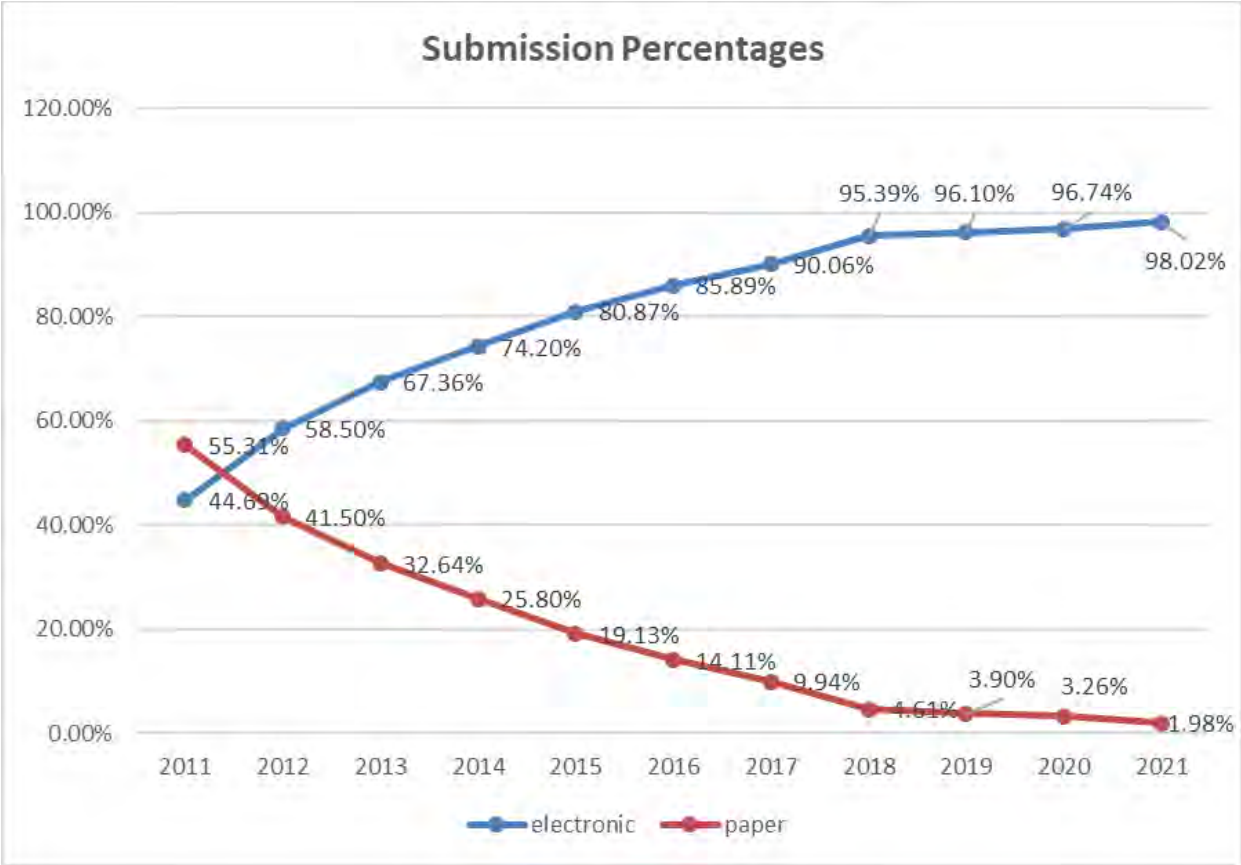
SCCATTS deployed the electronic citation application in ReportBeam® in June 2015. All citation data collected through the application is now transmitted to SCDMV and SCJB through interfaces with the South Carolina Uniform Traffic Ticket Information Exchange System (SCUTTIES). As of December 2021, 75 of the 115 agencies trained to use the e-Citation application in Report Beam® are submitting through the system. In January 2020, SCDPS began using a new RMS. As of December 31, 2021, SCDPS (SMARTCOP) is submitting approximately 875 citations per day and SCCATTS is submitting approximately 600 citations per day.

SCCATTS Trained Agencies



Paper vs Electronic Reporting





SC Traffic Records Coordinating Committee Overview

Since 2007, South Carolina has maintained a two-tiered Traffic Records Coordinating Committee (TRCC) governed by the Charter outlined on the following page. The two groups of the committee include an Executive Group and a Working Group. South Carolina's TRCC Executive Group held its inaugural meeting on September 17, 2007. This group includes the agency heads of the five state agencies composing the state's current Traffic Records System (TRS). These agencies include the South Carolina Department of Motor Vehicles (SCDMV), the South Carolina Department of Public Safety (SCDPS), the South Carolina Department of Transportation (SCDOT), the South Carolina Judicial Branch (SCJB), and the South Carolina Department of Health and Environmental Control (SCDHEC).

The TRCC Working Group includes representatives from these five agencies, appointed by the Executive Group, who are subject matter experts in fields related to components of the Traffic Records System. The Working Group also includes members from state and local law enforcement recommended by the *TRCC-Working Group* and the *South Carolina Law Enforcement Network* (SCLEN) and subsequently approved by the TRCC-Executive Group.

The TRCC Working Group is required to meet a minimum of 3 times per year, and an annual meeting of the Executive Group is held to review the accomplishments of the previous year's strategic plan and direct the current year's plan for traffic records improvements. Currently, the state's Working Group is meeting on a bi-monthly basis.

In the formation of the TRCC, the TRCC Executive Group charged the TRCC Working Group to develop the state's *Traffic Records Strategic Plan* (TRSP) and assist in coordination of the annual grant submission under Section 405c of the FAST Act (Fixing Americas Surface Transportation Act) legislation. The TRSP is prepared by the TRCC-Working Group and approved by the TRCC-Executive Group each year. These programs and projects included in the TRSP focus on improving the core components of the state's TRS which are: collision, roadway, driver, vehicle, injury surveillance, and citation/adjudication. The goals of the projects and programs are to increase accuracy, timeliness, completeness, uniformity, and accessibility of data collected by the various agencies and systems utilized.

Every 5 years the state undergoes a required Traffic Records Assessment (TRA), facilitated by NHTSA, in order to obtain the highest quality of traffic records data collection and record keeping process possible. South Carolina last assessment was completed in April 2022.

Note: A roster of the current TRCC membership is shown in Appendix A.

TRCC Charter

Mission

To provide multi-agency coordination of projects designed to create more timely, integrated, accurate, and accessible data and to use these data to realize our ultimately shared goal of reducing traffic fatalities and injuries in South Carolina.

TRCC Structure

- **TRCC Executive Group:** The Executive Group will oversee new policies and direct projects designed to improve the State's Traffic Records System. This group will ensure that planned projects will align with the priorities of their respective agencies and will review and approve the Traffic Records Strategic Plan. This group consists of the Agency Heads of the South Carolina Department of Public Safety (SCDPS), South Carolina Department of Transportation (SCDOT), South Carolina Judicial Branch (SCJB), South Carolina Department of Motor Vehicles (SCDMV), and SC Department of Health and Environmental Control (SCDHEC).
- **The TRCC Working Group:** This group will be a forum of those operating in technical and managerial capacities in the South Carolina Traffic Records System. Designees will be members appointed by the TRCC Executive Group, as well as members of local law enforcement.

Functions

The TRCC Executive Group will:

- Operate as the Executive Stakeholder forum to discuss multi-agency impact on traffic records systems.
- Assess and make decisions based on recommendations noted by the TRCC Working Group.
- Review and approve the Traffic Records Strategic Plan annually.
- Appoint a State Traffic Records Coordinator who will chair the TRCC Working Group.
- Appoint Designees to serve as part of the TRCC Working Group.

The TRCC Working Group will

- Receive periodic updates on improvements and/or implementations to state Traffic Records Systems
- Meet 3 times per year
- Maintain the Traffic Records Strategic Plan
- Identify, evaluate, and improve performance measures based upon the six Federal performance areas and create attainable goals based on these measures
- Evaluate current state laws and assess the potential impact of new implementations.
- Perform as the discussion forum for emerging technologies that can be applied to the traffic records system.

SC Traffic Records Systems Goals and Objectives

All agencies of South Carolina's TRCC are in the process of implementing projects and planning for the impending implementation of the next phase of projects. Members are also anticipating the many opportunities for access and analysis of the Traffic Records Systems' data that will be available as a result of the efforts outlined in this Plan.

Taking into consideration current efforts and needs/plans, the TRCC Working Group defined three distinct Goals. The three Goals and the projects (listed in Appendix C) associated with them which will be addressed (as funding and other resources allow) are:

Goal 1 – Improve Data Collection Methods

Objective 1: Implement state-of-the-art electronic field data collection system for law enforcement agencies statewide to improve timeliness, accuracy, completeness, accessibility, consistency and data integration.

Objective 2: Improve data quality by systematic reviews of data submitted.

Goal 2 – Implement Data Sharing Projects and Provide Enhanced Data Analysis

Objective 1: Support and implement electronic data sharing.

Objective 2: Improve access to data and analytic resources.

Goal 3 – Improve Management and Coordination of Traffic Records Systems

Objective 1: Implement user support tools and resources for the TRCC and others in the Traffic Safety Community.

2022-2024 TRSP Planning Session

The TRCC-Working Group conducted a TRSP planning meeting at the SCDMV Headquarter building in Blythewood on March 3, 2022. During this meeting the Working Group was updated on completed projects and status of the ongoing projects. The program areas for the state are:

2022-2024 Programs

- ❖ **SC TRCC Programs** or projects that benefit multiple Traffic Records Systems.
- ❖ **SCDHEC's Injury Surveillance Systems (ISS)** injury coding and tracking for traffic related incidents.
- ❖ **SCDMV's Phoenix System** for driver and vehicle records services.
- ❖ **SCDMV's SCUTTIES** for citation records processing.
- ❖ **SCDOT's Roadway Component** for maintaining, compiling and analyzing traffic records data for highway safety purposes.
- ❖ **SCDPS's SCCATTS** application for collection and e-Reporting of crash, citation and public contact/warnings.
- ❖ **SCDPS's SmartCOP** application for DPS Law Enforcement Divisions for e-Reporting and Data integration
- ❖ **SCJB's Case Management System (CMS)** citation and adjudication processing.

After the Working Group meeting, representatives from each agency ranked the proposed projects from 1 to 12 with 1 being the most important and 12 being the least important. The project rankings are as follows:

Ranking	Agency	Project	Requested Amount
1	SCDPS	Collision Form Revision	\$10,000
2	SCDMV	Phoenix e-Citation Enhancements	\$90,000
3	SCDMV	Phoenix e-Citation Data Quality Improvements	\$20,000
4	SCDMV	SCUTTIES e-Citation Data Quality Improvements	\$45,000
5	SCDMV	Automated Failure To Pay	\$20,000
6	SCDOT	Pedestrian/Bicycle Facilities	\$173,000
7	SCDPS	Field Deployment	\$15,000
8	SCDMV	Citation Reports	\$15,000
9	SCJD	CMS-SCUTTIES Enhancements	\$150,000
10	SCDOT	Local Agency Data Collection	\$50,000

Thorough details for each project are listed in Appendix C of the TRSP.

APPENDICES

- A: South Carolina TRCC Membership Roster
- B: 2017 Traffic Records Assessment
- C: 2020-2022 TRSP Project Descriptions
- D: 2009-2019 TRS Completed Projects
- E: Model Inventory of Roadway Elements
- F: Acronyms



Appendix A - 2022-2024 TRCC Membership

Revised 4-28-2022

TRCC – Executive Group

The Honorable Donald W. Beatty
SC Chief Justice
SC Judicial Branch
Citation & Adjudication

Christy Hall, P. E., Secretary
SC Department of Transportation
Crash & Roadway Systems

Colonel Kevin A. Shwedo (ret., U.S. Army),
Executive Director
SC Department of Motor Vehicles
Crash, Driver & Vehicle Services

Dr. Edward Simmer, Director
SC Department of Health and
Environmental Control
Injury Surveillance Systems

Mr. Robert G Woods IV, Director
SC Department of Public Safety
TRCC, Crash & Citation

TRCC – Working Group Designees

SC Department of Health and
Environmental Control
Core System-Injury Surveillance Systems
Mr. Victor Grimes, EMS and Trauma
Mr. Rich Wisniewski, EMS and Trauma

SC Department of Transportation
Core Systems-Crash & Roadway
Mr. George Kinard, CIO
Mr. Todd Anderson, P. E., Road Data Services
Mrs. Emily Thomas, SHSP Manager

SC Judicial Branch
Core Systems-Citation/Adjudication
Mrs. Teresa Gosnell, SCJB IT Applications
Operations
Mr. Bob McCurdy, Court Services – Deputy
Director
Mr. Terry Leverette, Court Services

Law Enforcement Representatives
Core Systems-Crash & Citation
Captain David Biggers, Technical Services
Rock Hill Police Department (RHPD)
Captain Kevin Baker, Fusion Center
SC State Law Enforcement Division (SLED)
Lt. Stephen Craven, Admin/Regulatory Comp.
SC Highway Patrol (SCHP)

SC Department of Motor Vehicles
Core Systems Crash, Driver and Vehicle
Ms. Shirley Rivers, Director Driver Services
Ms. Rosalind Jenkins, Financial Responsibility
Ms. Deborah Mangels, CIO-Director

TRCC Coordinator
Wilson Matthews

SC Department of Public Safety
Core Systems Crash, Citation
Mr. David Findlay, State Transport Police
Officer Brian Borough, SCCATTS
Larry Long, Statistician
Regina Crolley, OIT-Director

Appendix B – 2017/2022 Traffic Records Assessment

2017/2022 TRA Recommendations & Response

NHTSA and its partners from January 18, 2022 through March 18, 2022 conducted the latest South Carolina Traffic Records Assessment (TRA). The TRCC received the final report and briefing of the findings through a tele-conference on April 19th. Since the states' planning session for the 2022-2024 TRSP was conducted in March 2022, some of the recommendations for improvements will need to be addressed in future projects after the TRCC has had adequate time to thoroughly examine the information provided. These recommendations will be included in the 2023 TRSP. However, the state had previously identified some of the issues recognized in the assessment's recommendations, and there are projects included in this year's TRSP that address those recommendations. Below is a brief response to the 2017 TRA Recommendations by Core Systems. Additional detailed information for the projects identified may be found in Appendix C of the TRSP by the project number listed.

Crash Recommendations

1. Improve the data dictionary for the Crash data system to reflect best practices identified in the Traffic Records Program Assessment Advisory.

Response: SCDPS, SCDOT and SCDMV are reviewing the current structures of the Crash data system to develop a data dictionary. This recommendation is slated for future development within the TRCC.

2. Improve the interfaces with the Crash data system to reflect best practices identified in the Traffic Records Program Assessment Advisory.

Response: The *SCCATTS Enhancements/Reporting Equipment* project is included in the current TRSP to enhance the interfaces between SCDPS, SCDMV, SCDHEC and SCDOT "Crash-Roadway and Injury Surveillance Systems". These interfaces will enhance the capabilities of SCCATTS for data sharing of elements collected between the systems that relate to crash records.

[Project Description in 2022-2024 TRSP Appendix C]

3. Improve the data quality control program for the Crash data system to reflect best practices identified in the Traffic Records Program Assessment Advisory.

Response: The Office of Highway Safety and Justice Programs hired a full time Data Traffic Records Analyst for the SCCATTS. This analyst has been charged with developing programs and initiatives to identify best practices for ensuring optimal data collection for "Crash Systems" reporting. The TRCC will also enact a regular agenda item for the reporting of data quality initiatives and problems at each regularly scheduled TRCC meeting.

Vehicle Recommendations

1. Improve the description and contents of the Vehicle data system to reflect best practices identified in the Traffic Records Program Assessment Advisory.

Response: SCDMV and the TRCC are reviewing the current structures of the descriptions and contents of the Vehicle data system to develop a comprehensive data dictionary and best practices included in the advisory for this system. This recommendation is slated for future development within the TRCC.

2. Improve the applicable guidelines for the Vehicle data system to reflect best practices identified in the Traffic Records Program Assessment Advisory.

Response: SCDMV and the TRCC are reviewing the guidelines of the Vehicle data system to incorporate best practices included in the recommendations of the advisory for this system. This recommendation is slated for future development within the TRCC.

3. Improve the data quality control program for the Vehicle data system to reflect best practices identified in the Traffic Records Program Assessment Advisory.

Response: The TRCC will enact a regular agenda item for data quality discussion, planning and review for each of the Core Data Systems within the Traffic Records System. These discussions and problem identification will be used to develop best practices to ensure data quality for all systems.

Driver Recommendations

1. Improve the data dictionary for the Driver data system to reflect best practices identified in the Traffic Records Program Assessment Advisory.

Response: SCDMV is reviewing the current structures of the Driver data system to develop a comprehensive data dictionary. This recommendation is slated for future development within the TRCC.

2. Improve the procedures/ process flows for the Driver data system to reflect best practices identified in the Traffic Records Program Assessment Advisory.

Response: The e-Citation database project was completed in January 2018. This project enhanced the interfaces between SCDPS, SCDMV, and SCJB “Driver and Citation/Adjudication” systems. These new interfaces between the Core Systems will enhance the process flow for records directly associated with Citation/Adjudication Driver data systems. Two new projects included in the current TRSP address enhancing these new interfaces that are now being utilized to improve Timeliness, Accuracy, Completeness and Uniformity. They are the *SCUTTIES e-Citation Enhancements* project and the *Phoenix e-Citation Enhancements* project.

[Project Descriptions in 2022-2024 TRSP Appendix C]

3. Improve the data quality control program for the Driver data system to reflect best practices identified in the Traffic Records Program.

Response: The TRCC will enact a regular agenda item for data quality discussion, planning and review for each of the Core Data Systems within the Traffic Records System. These discussions and problem identification will be used to develop best practices to ensure data quality for all systems.

Roadway Recommendations

1. Improve the data dictionary for the Roadway data system to reflect best practices identified in the Traffic Records Program Assessment Advisory.

Response: SCDOT is reviewing the current structures of the Roadway data system to develop a comprehensive data dictionary. This recommendation is slated for future development within the TRCC.

2. Improve the data quality control program for the Roadway data system to reflect best practices identified in the Traffic Records Program Assessment Advisory.

Response: The TRCC will enact a regular agenda item for data quality discussion, planning and review for each of the Core Data Systems within the Traffic Records System. These discussions and problem identification will be used to develop best practices to ensure data quality for all systems.

Citation/Adjudication Recommendations

1. Improve the data dictionary for the Citation and Adjudication systems to reflect best practices identified in the Traffic Records Program Assessment Advisory.

Response: SCJB is reviewing the current structures of their data system to develop a detailed data dictionary. This recommendation is slated for future development within the TRCC.

2. Improve the procedures/ process flows for the Citation and Adjudication systems to reflect best practices identified in the Traffic Records Program Assessment Advisory.

Response: The e-Citation database project was completed in January 2018. This project enhanced the interfaces between SCDPS, SCDMV, and SCJB “Driver and Citation/Adjudication” systems. These new interfaces between the Core Systems will enhance the process flow for records directly associated with Citation/Adjudication and Driver data systems. Three new projects included in the current TRSP address enhancing these new interfaces that are now being utilized to improve Timeliness, Accuracy, Completeness and Uniformity. They are the *SCUTTIES e-Citation Enhancements* project, *Phoenix e-Citation Enhancements* project and the *CMS-SCUTTIES Enhancement* project.

[Project Descriptions in 2022-2024 TRSP Appendix C]

3. Improve the data quality control program for the Citation and Adjudication systems to reflect best practices identified in the Traffic Records Program Assessment Advisory.

Response: The TRCC will enact a regular agenda item for data quality discussion, planning and review for each of the Core Data Systems within the Traffic Records System. These discussions and problem identification will be used to develop best practices to ensure data quality for all systems.

EMS/Injury Surveillance System Recommendations

1. Improve the interfaces with the Injury Surveillance systems to reflect best practices identified in the Traffic Records Program Assessment Advisory.

Response: SCDHEC is in the processing of reviewing their Injury Surveillance and Emergency Medical Systems to develop projects to enhance interfaces between their systems and the Crash System to accurately report injury surveillance data. The current TRSP *Emergency Medical Services Patient Tracking System* project will be the initial step in the process. This project will track the patient from crash to discharge and will improve proper coding data collection for injuries related to crash victims.

2. Improve the data quality control program for the Injury Surveillance systems to reflect best practices identified in the Traffic Records Program Assessment Advisory.

Response: The TRCC will enact a regular agenda item for data quality discussion, planning and review for each of the Core Data Systems within the Traffic Records System. These discussions and problem identification will be used to develop best practices to ensure data quality for all systems.

Data Use and Integration Recommendations

1. Improve the traffic records systems capacity to integrate data to reflect best practices identified in the Traffic Records Program Assessment Advisory.

Response: The current TRSP has several projects targeting the integration of Traffic Records Systems to enhance the data sharing and accessibility of data collected from all Core Systems. The projects addressing these issues include the SCCATTS, CMS, SCUTTIES and Phoenix system enhancement projects. In addition, the EMS Patient Tracking System would be a first step in integrating the ISS and Crash systems for improved data collection of injury records. The TRSP also includes the *Traffic Records Dashboard* project. This dashboard would give stake-holders and limited public access to data records based on security protocols.

[Project Descriptions in 2022-2024 TRSP Appendix C]

2017 TRA Executive Summary

Out of 391 assessment questions, South Carolina met the Advisory ideal for 136 questions (34.8%), partially met the Advisory ideal for 83 questions (21.2%), and did not meet the Advisory ideal for 172 questions (44%).

As Figure 1 illustrates, within each assessment module, South Carolina met the criteria outlined in the Traffic Records Program Assessment Advisory 78.9% of the time for Traffic Records Coordinating Committee Management, 87.5% of the time for Strategic Planning, 20.5% of the time for Crash, 43.6% of the time for Vehicle, 15.6% of the time for Driver, 36.8% of the time for Roadway, 29.6% of the time for Citation / Adjudication, 33.3% of the time for EMS / Injury Surveillance, and 23.1% of the time for Data Use and Integration.

Figure 1: Rating Distribution by Module

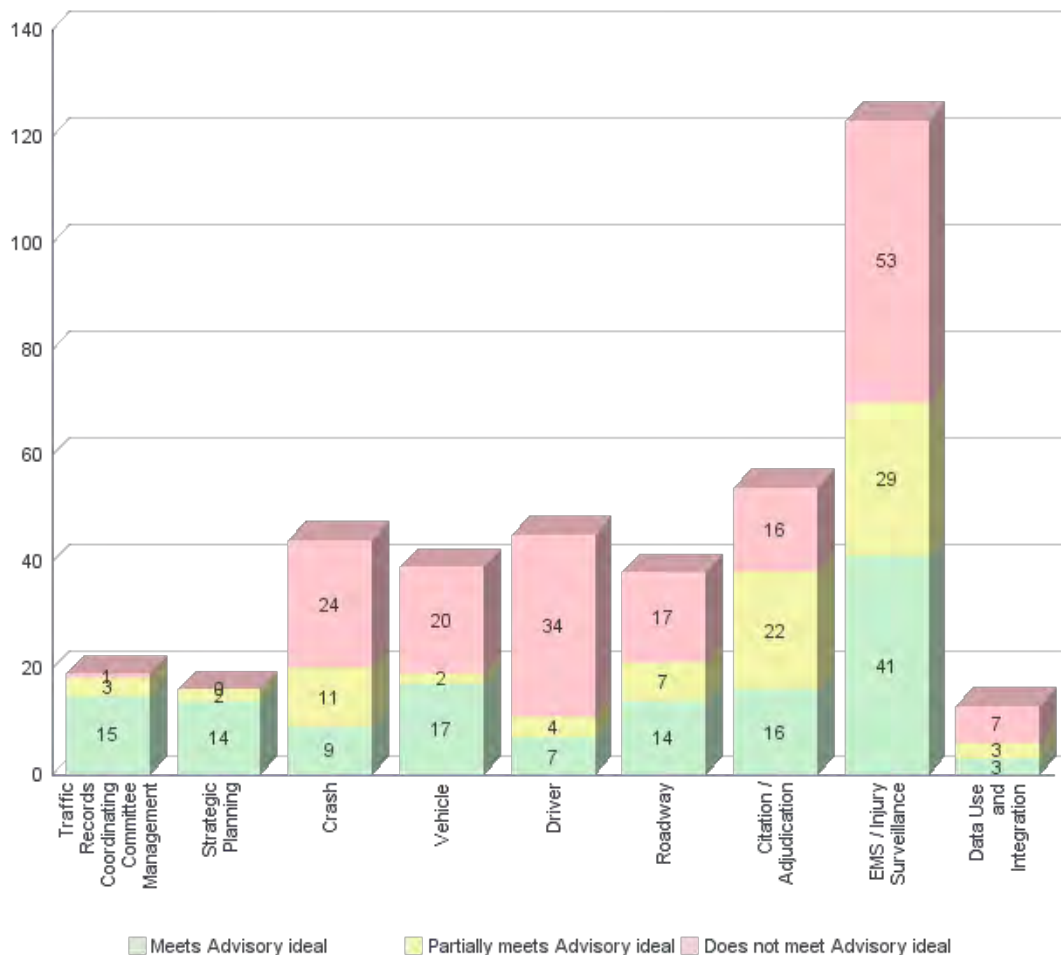
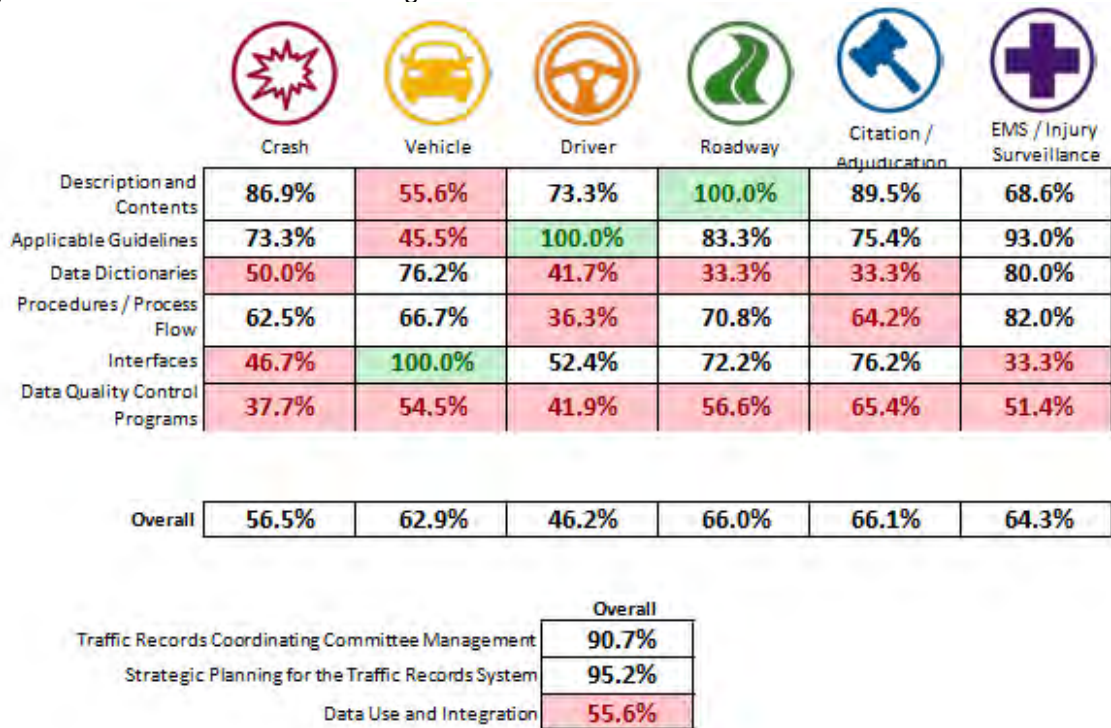


Figure 2: Assessment Section Ratings



Recommendations

Figure 2 shows the aggregate ratings by data system and assessment module. Each question’s score is derived by multiplying its rank and rating (very important = 3, somewhat important = 2, and less important = 1; meets = 3, partially meets = 2, and does not meet = 1). The sum total for each module section is calculated based upon the individual question scores. Then, the percentage is calculated for each module section as follows:

$$\text{Section average (\%)} = \frac{\text{Section sum total}}{\text{Section total possible}}$$

The cells highlighted in red indicate the module sub-sections that scored below that data system’s weighted average. The following priority recommendations are based on improving those module subsections with scores below the overall system score.

According to 23 CFR Part 1200, §1200.22, applicants for State traffic safety information system improvements grants are required to maintain a State traffic records strategic plan that—

- “(3) Includes a list of all recommendations from its most recent highway safety data and traffic records system assessment; (4) Identifies which such recommendations the State intends to implement and the performance measures to be used to demonstrate quantifiable and measurable progress; and (5) For recommendations that the State does not intend to implement, provides an explanation.”

South Carolina can address the recommendations below by implementing changes to improve the ratings for the questions in those section modules with lower than average scores. South Carolina can also apply for a NHTSA Traffic Records GO Team, for targeted technical assistance. (Please Note SC initial responses to recommendations are on pages 33-36.)

Crash Recommendations

Improve the data dictionary for the Crash data system to reflect best practices identified in the Traffic Records Program Assessment Advisory.

Improve the interfaces with the Crash data system to reflect best practices identified in the Traffic Records Program Assessment Advisory.

Improve the data quality control program for the Crash data system to reflect best practices identified in the Traffic Records Program Assessment Advisory.

Vehicle Recommendations

Improve the description and contents of the Vehicle data system to reflect best practices identified in the Traffic Records Program Assessment Advisory.

Improve the applicable guidelines for the Vehicle data system to reflect best practices identified in the Traffic Records Program Assessment Advisory.

Improve the data quality control program for the Vehicle data system to reflect best practices identified in the Traffic Records Program Assessment Advisory.

Driver Recommendations

Improve the data dictionary for the Driver data system to reflect best practices identified in the Traffic Records Program Assessment Advisory.

Improve the procedures/ process flows for the Driver data system to reflect best practices identified in the Traffic Records Program Assessment Advisory.

Improve the data quality control program for the Driver data system to reflect best practices identified in the Traffic Records Program Assessment Advisory.

Roadway Recommendations

Improve the data dictionary for the Roadway data system to reflect best practices identified in the Traffic Records Program Assessment Advisory.

Improve the data quality control program for the Roadway data system to reflect best practices identified in the Traffic Records Program Assessment Advisory.

Citation / Adjudication Recommendations

Improve the data dictionary for the Citation and Adjudication systems to reflect best practices identified in the Traffic Records Program Assessment Advisory.

Improve the procedures/ process flows for the Citation and Adjudication systems to reflect best practices identified in the Traffic Records Program Assessment Advisory.

Improve the data quality control program for the Citation and Adjudication systems to reflect best practices identified in the Traffic Records Program Assessment Advisory.

EMS / Injury Surveillance Recommendations

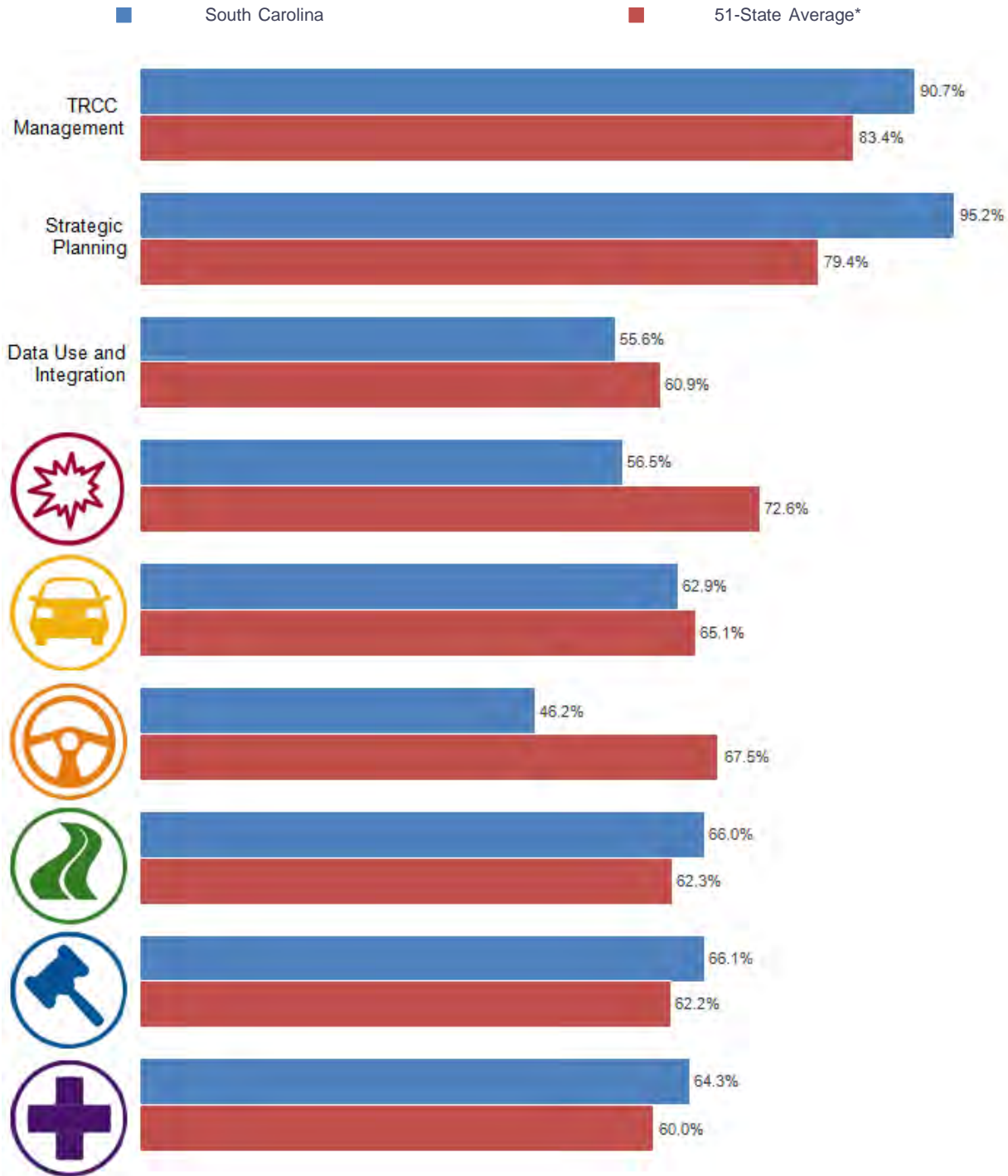
Improve the interfaces with the Injury Surveillance systems to reflect best practices identified in the Traffic Records Program Assessment Advisory.

Improve the data quality control program for the Injury Surveillance systems to reflect best practices identified in the Traffic Records Program Assessment Advisory.

Data Use and Integration Recommendations

Improve the traffic records systems capacity to integrate data to reflect best practices identified in the Traffic Records Program Assessment Advisory.

South Carolina Traffic Records Assessment Module Score Breakdown



Average score of States assessed using the Traffic Records Program Assessment Advisory DOT HS 811 644.

*n=51, Including South Carolina

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Appendix C – TRSP Project Descriptions



Project Description Overview

This appendix contains full project descriptions for the state's Traffic Records Systems (TRS) core program areas of the 2022-2024 Traffic Records Strategic Plan (TRSP). The projects in each of these areas have been individually prioritized by the stakeholder agency. Each agency prioritized the projects based on several factors, including available resources, funding opportunities and realistic timelines for completion. Each project description also contains budget line items, including requests for 405c funds and other funding sources.

The core program areas for the state's TRS are listed alphabetically below:

2022-2024 Programs

- **SC TRCC** administers programs and projects that benefit multiple Traffic Records Systems. These programs/projects are approved by designated members of the TRCC.
 - 1 Program
- **SCDHEC's Injury Surveillance Systems (ISS)** injury coding and tracking for traffic related incidents.
 - 1 Project
- **SCDMV's Phoenix System** for driver and vehicle records services.
 - 3 Projects
- **SCDMV's South Carolina Uniform Traffic Ticket Information Exchange System (SCUTTIES)** for citation records processing.
 - 3 Projects
- **SCDOT's Roadway Component** for maintaining, compiling and analyzing traffic records data for highway safety purposes.
 - 3 Projects
- **SCDPS's South Carolina Collision and Ticket Tracking System (SCCATTS)** application for collection and e-Reporting of crash, citation and public contact/warnings.
 - 4 Projects
- **SCDPS's SmartCOP** application for DPS Law Enforcement Divisions for e-Reporting and Data integration
 - 1 Project
- **SCJB's Case Management System (CMS)** citation and adjudication processing.
 - 1 Project

Recurring Program	TRS Program	Lead Agency	405 c Funds
OHSJP Staffing	TRCC	SCDPS	\$454,530

Description of Problem: Positions are needed to fulfill the missions of the Office of Highway Safety and Justice Programs (OHSJP) specifically related to SC Traffic Records System operations and management. The SC Traffic Records Coordinating Committee (TRCC) requires a full-time Traffic Records Coordinator to guide the initiatives of the TRCC. Additional personnel are necessary to handle daily activities and act as SC Traffic Records System and SC Traffic Records Assessment subject matter experts.

Solution: SCDPS’s OHSJP will maintain the positions necessary to facilitate the requirements of SC Traffic Records System (TRS) and assist the TRCC Coordinator with program management of the TRCC, South Carolina Collision and Ticket Tracking System (SCCATTS), Data Quality Control, Crash Reporting Sampling System (CRSS), and other tasks associated with the South Carolina Traffic Records System. Other positions include, but are not limited to, Data Entry, Fatality Analysis Reporting Systems (FARS) Analysts, Safety Net Coordinator, Information Technology, and OHSJP Statisticians.

This project addresses TRS Goal #3: Improve management and coordination of traffic records systems.

Section 405c Annual Recurring Funds are requested for this project - Yes No

Core Traffic Records System Components Affected (Check all that apply):

Collision, Citation / Adjudication, Roadway, Injury Surveillance, Driver, Vehicle

Lead Agency: SCDPS
Project Lead: Phil Riley
Date of Completion: Ongoing

Partner Agencies:

Annual Budget: \$754,530

Funding Sources:
405c (Traffic Records): \$454,530
Other Funds: \$300,000

Performance Measure(s):

Timeliness Accuracy Completeness Uniformity Accessibility Data Integration

Project Goal: Continue the employment of the Traffic Records and support staff through 2022. Implement user support tools and resources for the TRCC and others in the traffic safety community.

Program Information:

The Traffic Records Team and support staff within the SCDPS have been steadily coordinating Traffic Records efforts. Positions included in the following areas are: TRCC-Management, SCCATTS, Crash Data Quality Control, Citation Data Quality Control, CRSS, Statistics, FARS, Safety Net, Information Technology, and Data Entry. As the rollout of the SCCATTS and SCUTTIES applications continues, staffing requirements will continue to grow to ensure both operations are successful for SC Traffic Records System. The TRCC Coordinator position was filled in August 2019.

Project Title	TRS Program Priority Rank 1	Lead Agency	405 c Request
Collision Report Revision	SCCATTS	SCDPS	\$10,000

Description of Problem: The current TR-310 report form has a number of fields used for statistical analysis. However, the form has not been through a major revision since 2001. The form is approximately 45.98% Model Minimum Uniform Crash Criteria (MMUCC) compliant and has potential to be enhanced with fields for data elements collected by other stakeholders using the form.

Solution: This project is to update the collision report form to increase MMUCC compliance and collect new data elements not made available on the current TR-310 Collision report. This project addresses TRS Goal #1: Improve collection and management of core Traffic Records Data Systems.

Section 405c Funds are requested for this project - Yes No

Core Traffic Records System Components Affected (Check all that apply):

Collision, Citation / Adjudication, Roadway, Injury Surveillance, Driver, Vehicle

Lead Agency: SCDPS
Project Lead: Brian Borough
Goal Completion Date: January 2024

Partner Agencies: SCDMV
Project Lead: Rosalind Jenkins

Total Budget: TBD

Funding Sources:
 405c (Traffic Records): \$10,000
 State funds: \$0
 Other Federal Funds: \$0

Performance Measure(s):

Timeliness Accuracy Completeness Uniformity Accessibility Data Integration

Project Goal: Through linkage of roadway elements and collision data, increase MMUCC compliance to 80% of data elements and 80% of data attributes by 2024. Improve the overall collection of crash related injury coding for collision reporting.

Project Status: In 2015 a committee was established to evaluate the current TR-310 collision form and make recommendations for a new form. This project has been on hold due to other projects needing immediate attention. Scheduled to be reinstated for 2022-2024 development.

Project Title	TRS Program Priority Rank 2	Lead Agency	405 c Request
Phoenix e-Citation Enhancements	Phoenix	SCDMV	\$90,000

Description of Problem:
 As the e-Citation project is fully implemented, there are major enhancements SCDMV will need to make within the Phoenix application to more effectively process the citations. These enhancements include the ability to process financial responsibility violations through the electronic ticket system, filter cleanup which will allow for user control of the filters, remove class edit for OOS license holders, and migrate SC drivers speeding, seatbelts, and miscellaneous tickets to a fully automated process.

Solution: Use SCUTTIES Business Application Manager as the business analyst and hire a .NET contractor for part time work as required to support this development. This contractor would be at 50% for this project initially and could ramp up to 100% for the duration of the development cycle. This project addresses TRS Goal #2: Improve traffic records data integration, access, and analysis.

Section 405c Funds are requested for this project - Yes No

Core Traffic Records System Components Affected (Check all that apply):
Collision, Citation / Adjudication, Roadway, Injury Surveillance, Driver, Vehicle

Lead Agency: SCDMV Project Lead: TBD Goal Completion Date: 2022	Partner Agencies: SCJB
Total Budget: \$90,000	Funding Sources: 405c (Traffic Records): \$90,000 State funds: \$0 Other Federal Funds: \$0

Performance Measure(s):
Timeliness Accuracy Completeness Uniformity Accessibility Data Integration

Project Goal: Enhance Phoenix to further automate the processing of e-Citations.

Project Status: The project is in development. An MOA and SOW have been approved by SCJB and SCDMV. Project scheduled to be completed by 2022.

Project Title	TRS Program Priority Rank 3	Lead Agency	405 c Request
Data Quality Improvements: Citations & Collisions	Phoenix	SCDMV	\$20,000

Description of Problem:
 After SCUTTIES was fully deployed, SCDMV had identified several issues related to the collected data and the data quality. Currently, this is requiring SCDMV's ticket triage unit, law enforcement and the courts to identify the issue(s). SCDMV will need to provide a developer and/or business analyst to determine the cause of the inconsistent data and present a solution.

Solution:
 Utilize SCUTTIES Business Application Manager as the business analyst and hire a .NET contractor for part time work as required to support this development to correct the data collection and quality issues. This contractor would be at 10% for this project.

Section 405c Funds are requested for this project - Yes No

Core Traffic Records System Components Affected (Check all that apply):
Collision, Citation / Adjudication, Roadway, Injury Surveillance, Driver, Vehicle

Lead Agency: SCDMV Project Lead: TBD Goal Completion Date: 2022	Partner Agencies:
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Total Budget: \$20,000	Funding Sources: 405c (Traffic Records): \$20,000 State funds: \$0 Other Federal Funds: \$0
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Performance Measure(s):
Timeliness Accuracy Completeness Uniformity Accessibility Data Integration

Project Goal:
 Maintain and improve the consistent quality of the citation, disposition, and collision data for the duration of the project.

Project Status: Project under development.

Project Title	TRS Program Priority Rank 4	Lead Agency	405 c Request
SCUTTIES e-Citation Enhancements/Data Quality	SCUTTIES	SCDMV	\$45,000

Description of Problem:
 Add additional edits for both citations and dispositions as they are required. General support for enhancements, additional vendor certification, and general problem solving.

Solution:
 Maintain employment of a .NET contractor for part time work as required to support SCUTTIES technical issues. This contractor would be at 50% SCUTTIES enhancements.

Section 405c Funds are requested for this project - Yes No

Core Traffic Records System Components Affected (Check all that apply):
Collision, Citation / Adjudication, Roadway, Injury Surveillance, Driver, Vehicle

Lead Agency: SCDMV Project Lead: TBD Goal Completion Date: 2022	Partner Agencies:
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Total Budget: \$45,000	Funding Sources: 405c (Traffic Records): \$45,000 State funds: \$0 Other Federal Funds: \$0
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Performance Measure(s):
Timeliness Accuracy Completeness Uniformity Accessibility Data Integration

Project Goal:
 Continue updates to SCUTTIES and provide general support and troubleshooting.

Project Status:
 An MOA and SOW have been approved by SCDPS and SCDMV. Project scheduled to be completed by 2022.

Project Title	TRS Program Priority Rank 5	Lead Agency	405 c Request
Automate Failure to Pay UTT Process	Phoenix	SCDMV	\$20,000

Description of Problem:

Currently all Non-Resident violator Compact (NRVC) violations are received by SCDMV from SCJB through a manual process. Due to the rate of noncompliance by violators, the system need to be automated to increase the efficiency of notifying the offender and home licensing State.

Solution:

This project will automate the Failure to Pay Traffic Ticket Process via web service interface allowing the data regarding unpaid traffic tickets to be exchanged between SCJB and SCDMV. Use SCUTTIES Business Application Manager as the business analyst and hire a .NET contractor for part-time work as required supporting this development. The contractor would be at 50% for the project initially and could ramp up to 100% for the duration of the development cycle. The project addresses TRS Goal #2: Improve Traffic Records Data Integration, Access, and Analysis

Section 405c Funds are requested for this project - Yes No

Core Traffic Records System Components Affected (Check all that apply):

Collision, Citation / Adjudication, Roadway, Injury Surveillance, Driver, Vehicle

Lead Agency: SCDMV

Project Lead: TBD

Goal Completion Date: 2024

Partner Agencies: SCJB

Total Budget: \$35,000

Funding Sources:

405c (Traffic Records): \$20,000

State funds: \$15,000

Other Federal Funds: \$0

Performance Measure(s):

Timeliness Accuracy Completeness Uniformity Accessibility Data Integration

Project Goal: Reduce the number of days to receive information on noncompliance from SCJB.

Project Status: The final process is in development. An MOA and SOW have been approved by SCJB and SCDMV. Project scheduled to be completed by 2024.

Project Title	TRS Program Priority Rank 6	Lead Agency	405 c Request
Pedestrian/Bicycle Facilities	Roadway and Crash Management	SCDOT	\$173,000
<p>Description of Problem: Currently, when SCDOT prepares to resurface roads in South Carolina, there is not an integrated system in place to alert the decision makers that a road may be in a local transportation organization’s Pedestrian/Bicycle Plan. These plans may include identifying corridors for bike lanes, for example, which is an important factor that should be considered when planning and budgeting for a resurfacing package. SCDOT’s Safety office also has no straightforward method to determine which roads have pedestrian or bicycle facilities (e.g., Bicycle Lanes) when performing crash analysis.</p> <p>Solution: The proposed solution is a multi-step process. Initially, SCDOT would like to develop an online tool that would allow local transportation planning organizations to spatially highlight routes that are identified in their approved plan. A tool is preferred because it will allow local agencies to upload information on their schedule, is easily updated, and will provide uniform data. SCDOT GIS staff can then use the information from the tool to consolidate multiple plans and locations into a statewide database. With this information SCDOT could then update its current resurfacing report to include an identifier for locations that have a corresponding approved local Pedestrian/Bicycle Plan. A software addition will also be added to SMS to track existing and planned ped/bike facilities.</p> <p style="text-align: right;">Section 405c Funds are requested for this project – <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>			
<p>Core Traffic Records System Components Affected (Check all that apply): <input type="checkbox"/> Collision, <input type="checkbox"/> Citation / Adjudication, <input checked="" type="checkbox"/> Roadway, <input type="checkbox"/> Injury Surveillance, <input type="checkbox"/> Driver, <input type="checkbox"/> Vehicle</p>			
<p>Lead Agency: SCDOT Project Lead: TBD Goal Completion Date: Sept. 2024</p>		<p>Partner Agencies: Metropolitan Planning Organizations (MPO)/Local transportation organizations</p>	
<p>Total Budget: \$173,000</p>		<p>Funding Sources: 405c (Traffic Records): \$173,000 State funds: \$0 Other Federal Funds: \$0</p>	
<p>Performance Measure(s): <input type="checkbox"/> Timeliness <input type="checkbox"/> Accuracy <input type="checkbox"/> Completeness <input checked="" type="checkbox"/> Uniformity <input type="checkbox"/> Accessibility <input checked="" type="checkbox"/> Data Integration</p> <p>Project Goal: Create a tool that will be used by MPOs to identify approved pedestrian/bicycle corridors, data from which can then be integrated into SCDOT’s pavement resurfacing report.</p>			
<p>Project Status: New proposed project in February 2020.</p>			

Project Title	TRS Program Priority Rank 7	Lead Agency	405 c Request
Field Deployment to L/E Agencies	SCCATTS	SCDPS	\$15,000

Description of Problem: Many local law enforcement agencies do not have a robust method for collecting data related to the traffic records forms. While using paper-based mediums, there are inaccuracies with the data collected along with issues of being able to report the information in a timely manner.

Solution: The state’s SCCATTS solution for e-Reporting gives law enforcement agencies the ability to submit collisions, citations and public contact/warnings electronically. Deployment by OHSJP Traffic Records training staff of the software and/or hardware to agencies will improve timeliness, accuracy, completeness, and integration of collision and citation data.

Tasks of the project include:

- outreach session
- software implementation
- training
- hardware deployment (optional)

This project addresses TRS Goal #1: Improve collection and management of core Traffic Records Data Systems.

Section 405c Funds are requested for this project - Yes No

Core Traffic Records System Components Affected (Check all that apply):

Collision, Citation / Adjudication, Roadway, Injury Surveillance, Driver, Vehicle

Lead Agency: SCDPS
Project Lead: Brian Borough
Goal Completion Date: On Going

Partner Agencies:

Total Budget: TBD

Funding Sources:
405c (Traffic Records): \$15,000
State funds: \$0
Other Federal Funds: \$0

Performance Measure(s):

Timeliness Accuracy Completeness Uniformity Accessibility Data Integration

Project Goal: Continue to deploy SCCATTS applications to agencies with ability to create electronic reports. Deploy hardware to agencies currently not able to submit electronically.

Project Status: SCCATTS has been deployed to 169 agencies across the state. SC now receives 45% of all collision reports electronically through SCCATTS. On average 45% of all citations are submitted to SCUTTIES electronically through the SCCATTS application.

Project Title	TRS Program Priority Rank 8	Lead Agency	405 c Request
Citation Reports	SCUTTIES	SCDMV	\$15,000

Description of Problem:

Currently, SCUTTIES offers a simplified solution for reporting. As we fully implement SCUTTIES, more statistical reporting will be required from the Legislature and other interested third parties.

If we are required to provide additional reporting prior to the data warehouse implementation, this will require development time from either a .NET Developer or a Database Administrator.

Solution:

Until such a time as these reports are requested by interested third parties we will expend our efforts toward building the data warehouse.

Section 405c Funds are requested for this project - Yes No

Core Traffic Records System Components Affected (Check all that apply):

Collision, Citation / Adjudication, Roadway, Injury Surveillance, Driver, Vehicle

Lead Agency: SCDMV

Project Lead: TBD

Goal Completion Date: 2022

Partner Agencies: State & Local Law Enforcement Agencies, SCDPS, SCJB.

Total Budget: \$15,000

Funding Sources:

405c (Traffic Records): \$15,000

State funds: \$0

Other Federal Funds: \$0

Performance Measure(s):

Timeliness Accuracy Completeness Uniformity Accessibility Data Integration

Project Goal: Add additional edits for both citations and dispositions as they are required. General support for enhancements, additional vendor certification, and general problem solving.

Project Status: Project under development

Project Title	TRS Program Priority Rank 9	Lead Agency	405 c Request
CMS-SCUTTIES Enhancements	Case Management System	SCJB	\$150,000

Description of Problem: SCJB developed and deployed an electronic citation import screen as part of CMS to record and transmit disposition data as part of SCDMV's SCUTTIES project for e-Citations. The application was deployed and is now in need of enhancements to improve the data quality collected and transmitted as part of the system.

Solution: The CMS-SCUTTIES electronic citation enhancement project will consist of three phases:

- Phase 1: **Completed** - Enhancements to the Summary Criminal Traffic Entry panel in the CMS application to retrieve and import citation data into the current court agency.
- Phase 2: **Completed** - SCJB will also develop a web portal for Municipal Courts that do not have CMS to enter dispositions and transmit dispositions to SCDMV.
- Phase 3 – **In Progress** - SCJB will enhance the ability of printing dockets to include printing of a PDF citation; SCJB will provide on-going maintenance for case disposition error reporting and program errors; SCJB will enhance CMS to have one entry screen for all citations

This project addresses TRS Goal #2: Improve traffic records data integration, access, and analysis.

Section 405c Funds are requested for this project - Yes No

Core Traffic Records System Components Affected (Check all that apply):

Collision, Citation / Adjudication, Roadway, Injury Surveillance, Driver, Vehicle

Lead Agency: SCJB
Project Lead: Teresa Gosnell
Goal Completion Date: Sept. 2023

Partner Agencies: SCDMV
Project Lead: TBD

Total Budget: \$150,000

Funding Sources:
 405c (Traffic Records): \$150,000
 State funds: \$0
 Other Federal Funds: \$0

Performance Measure(s):

Timeliness Accuracy Completeness Uniformity Accessibility Data Integration

Project Goal: To enhance processes in the interface between SCJB's CMS and SCDMV's SCUTTIES to improve data quality and information exchange.

Project Status: The system has been deployed and began full data integration in January 2018. Next steps are to enhance productivity and data quality of the data collected and exchanged.

Project Title	TRS Program Priority Rank 10	Lead Agency	405 c Request
Local Agency Data Collection/Road Location Coding	Roadway and Crash Management	SCDOT	\$50,000

Description of Problem: SCDOT has completed local agency data collection in all 46 counties. As a result, the majority of crashes that occur on local roads can now be accurately identified on the state’s roadway network. However, a process to keep the local road network up to date now needs to be identified and implemented as an ongoing project

Solution: SCDOT recently identified ESRI Roads and Highways as a replacement application for its current GIS software. Previous TRCC assisted projects provided an opportunity to collect road inventory data on our states’ locally owned roads. A new tool will need to be built to import this data into ESRI. This tool will also allow SCDOT to update local agency data as needed. This project will continue to improve the state’s roadway inventory field through a unified location-coding scheme for the state’s local roadways. Many county governments and Metropolitan Planning Organizations (MPOs) have already provided GIS data for their areas to SCDOT. SCDOT will continue to extract GIS data from these sources and import it into the Roadway Information System to enable better crash location reporting. This data is used in the mapping software currently furnished to SCDPS for use by law enforcement when locating collision scenes.

This project addresses TRS Goal #1: Improve collection and management of core Traffic Records Data Systems.

Section 405c Funds are requested for this project - Yes No

Core Traffic Records System Components Affected (Check all that apply):

Collision, Citation / Adjudication, Roadway, Injury Surveillance, Driver, Vehicle

Lead Agency: SCDOT
Project Lead: TBD
Goal Completion Date: Sept. 2024

Partner Agencies:

Total Budget: \$50,000

Funding Sources:
 405c (Traffic Records): \$50,000
 State funds: \$0
 Other Federal Funds: \$0

Performance Measure(s):

Timeliness Accuracy Completeness Uniformity Accessibility Data Integration

Project Goal: Maintain up to date local agency data collection in all 46 counties.

Project Status: To date, SCDOT has completed local agency data collection in all 46 counties. We anticipate that we will begin a process to keep this data updated in 2022.

Project Title	TRS Program Not Ranked	Lead Agency	405 c Request
EMS Patient Tracking System	ISS	SCDHEC	None

Description of Problem: Tracking patients from the scene of an incident creates an issue in accountability and prevents the potential to follow up or provide accurate information. Being able to account for all patients throughout the process ensures no person is missed and can provide information for all responders and families.

Solution: Through the development of a smartphone application, any registered user will be able to log in and scan a barcode to enter a patient. There will also be the ability to search the database by patient name, GPS, and any other requested method. This will assist in accountability and ensure no patient is missed. Also, it will give the opportunity for a law enforcement officer to track a patient that may have been transported from the collision scene prior to the officer's arrival. For example, EMS can log a patient from the scene. When Law Enforcement arrives, they will be able to search for the patient (by name on Driver's License) and see where the patient was transported. Upon arrival at the hospital, the hospital or EMS provider can log that the patient has arrived. If the patient is discharged, the hospital can log that as well. This project addresses TRS Goal #2: Improve traffic records data integration, access, and analysis.

Section 405c Funds are requested for this project - Yes No

Core Traffic Records System Components Affected (Check all that apply):

Collision, Citation / Adjudication, Roadway, Injury Surveillance, Driver, Vehicle

Lead Agency: SCDHEC Project Lead: Rich Wisniewski Goal Completion Date: Sept. 2023	Partner Agencies:	
Total Budget: TBD	Funding Sources: 405c (Traffic Records): State funds: Other Federal Funds:	\$0 \$0 \$0

Performance Measure(s):

Timeliness Accuracy Completeness Uniformity Accessibility Data Integration

Project Goal: To reduce the number of improper injury status codes on traffic collisions by 10% before October 2023.

Project Status: Under development. Original RFP has been updated with new criteria.

Project Title	TRS Program Not Ranked	Lead Agency	405 c Request
Court Ishmael Orders: Electronic Process	SCUTTIES	SCDMV	No
<p>Description of Problem: Currently Ishmael orders are received in paper format when a court makes a change to a previously disposed citation. Automating this process would be a joint effort between SCDMV and SCJB.</p> <p>Solution: Use SCUTTIES Business Application Manager as the business analyst and hire a .NET contractor for part time work as required to support this development. This contractor would be at 50% for this project initially and could ramp up to 100% for the duration of the development cycle.</p> <p style="text-align: right;">Section 405c Funds are requested for this project - <input type="checkbox"/>Yes <input checked="" type="checkbox"/>No</p>			
<p>Core Traffic Records System Components Affected (Check all that apply): <input type="checkbox"/>Collision, <input checked="" type="checkbox"/>Citation / Adjudication, <input type="checkbox"/>Roadway, <input type="checkbox"/>Injury Surveillance, <input checked="" type="checkbox"/>Driver, <input type="checkbox"/>Vehicle</p>			
<p>Lead Agency: SCDMV Project Lead: TBD Goal Completion Date: 2022</p>		<p>Partner Agencies: SCJB</p>	
<p>Total Budget: \$90,000</p>		<p>Funding Sources: 405c (Traffic Records): \$0 State funds: \$90,000 Other Federal Funds: \$0</p>	
<p>Performance Measure(s): <input type="checkbox"/>Timeliness <input type="checkbox"/>Accuracy <input type="checkbox"/>Completeness <input type="checkbox"/>Uniformity <input checked="" type="checkbox"/>Accessibility <input checked="" type="checkbox"/>Data Integration</p> <p>Project Goal: Automate the Ishmael process from courts to SCDMV by 2022</p>			
<p>Project Status: Project under development.</p>			

Project Title	TRS Program Not Ranked	Lead Agency	405 c Request
Roadway & Crash Management Program Enhancement/Update	Roadway and Crash Management	SCDOT	\$0

Description of Problem: While a current system exists for the management of South Carolina’s roadway inventory, the need for enhancements in the form of safety analysis capabilities is crucial. One of SCDOT’s key strategic goals is to improve safety along the state’s roadways and to develop and implement safety programs to achieve that goal. A more robust data-driven analysis approach would be an improvement to SCDOT’s roadway safety efforts. Additionally, when collision data are received from SCDPS, modifications may be made to allow for the exact placement of a collision on the state’s roadway line work. The current system lacks the ability to both save these modifications and to provide an avenue back to SCDPS to allow the official record to be updated. The current transmission of collision data is through an outdated text file transfer over FTP. This is not up to current IT standards and needs to be updated to a more secure and efficient web service method.

Solution: Develop a software solution, adjacent to SCDOT’s current roadway inventory system, which will: integrate traffic collision data to the roadway attributes to perform analysis using both crash criteria and roadway characteristics, address issues of data validation, identify and rank locations with the highest frequency of fatal and severe injury collisions, evaluate potential countermeasures, perform benefit/cost analysis, and project evaluation. Also to develop web services between SCDPS’s electronic collision reporting software (including SmartCOP and any future applications) and SCDOT

Section 405c Funds are requested for this project - Yes No

Core Traffic Records System Components Affected (Check all that apply):
Collision, Citation / Adjudication, Roadway, Injury Surveillance, Driver, Vehicle

Lead Agency: SCDOT Project Lead: Emily Thomas Goal Completion Date: March 2023	Partner Agencies:
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Total Budget: \$2,150,000	Funding Sources: 405c (Traffic Records): \$0 State funds: \$0 Other Federal Funds: \$2,000,000 Other Funds: \$150,000
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Performance Measure(s):
Timeliness Accuracy Completeness Uniformity Accessibility Data Integration

Project Goal: Develop new safety analyst application that will allow for a more robust system of traffic collision problem identification and solutions. Also to develop a web service for the transmission of collision data from SCDPS’s systems to SCDOT.

Project Status: Design documents were completed in October 2019. Next phase of system development is expected to be completed 2023

Project Title	TRS Program Not Ranked	Lead Agency	405 c Request
SCCATTS Software Replacement	SCCATTS	SCDPS	\$0

Description of Problem: The current SCCATTS Application for electronic Traffic Records report submission and data processing is the ReportBeam® product. This product, purchased through federal grant funds, is hosted by SCDPS OIT for South Carolina state and local law enforcement traffic records processes. It was purchased in 2009 and is aged and has security vulnerabilities. The product is used by law enforcement to produce and electronically submit citations, collisions and public contact/warning reports and/or data through SCDPS to the South Carolina Department of Motor Vehicles (SCDMV), South Carolina Judicial Branch (SCJB), and South Carolina Department of Transportation (SCDOT).

Solution: Begin the process to identify possible new solutions for SCCATTS applications currently hosted by SCDPS OHS and interfaced with SCDMV, SCJB and SCDOT.

Section 405c Funds are requested for this project - Yes No

Core Traffic Records System Components Affected (Check all that apply):
Collision, Citation / Adjudication, Roadway, Injury Surveillance, Driver, Vehicle

Lead Agency: SCDPS Project Lead: Brian Borough Goal Completion Date: January 2024	Partner Agencies:
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Total Budget: TBD	Funding Sources: 405c (Traffic Records): \$0 State funds: \$TBD Other Federal Funds: \$TBD Section 164 Funds: \$TBD
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Performance Measure(s):
Timeliness Accuracy Completeness Uniformity Accessibility Data Integration

Project Goal: Upgrade SCCATTS applications with software system(s) that are functional, affordable, maintainable, and meets security requirements

Project Status: The ReportBeam® developer Apteian (CentralSquare), has delivered an updated version of ReportBeam®. Then new version is being distributed to all ReportBeam® agencies to be installed on computers using ReportBeam®. An RFI for a new product was distributed and the responses were evaluated. An RFP has been published.

Project Title	TRS Program Not Ranked	Lead Agency	405 c Request
SCCATTS Enhancements/Maintenance/Reporting Equipment	SCCATTS	SCDPS	TBD

Description of Problem:

While the SCCATTS project has had a fairly large amount of success, enhancements are required that could both improve the system and integrate features that will enhance that application and data quality. On-going maintenance of the current system is also required as possible enhancements are pursued.

Solution: Create a project within the SCCATTS initiative’s portfolio that will provide upgrades for the Office of Highway Safety and Justice Programs to properly interface, input, extract, and report data to and from SCCATTS. This project will include, but will not be limited to:

- Enhance SCCATTS applications/features for changes and/or updates to forms and databases.
- Enhancing the Statewide Fatality Application
- Creating a new Traffic Records Reporting File using data from within SCCATTS
- Import of collision data from agencies not using the state solution
- Automation of the Traffic Collision Fact Book
- Updating the current Fatality Tracking Application
- Updating equipment infrastructure for data processing, storage and records.
- Enhanced e-Citation processing elements between SCCATTS and SCUTTIES.
- Enhanced e-Collision processing elements within SCCATTS and related applications.
- Purchase field reporting equipment for training and field deployment.

This project addresses TRS Goal #1: Improve collection and management of core Traffic Records Data Systems.

Section 405c Funds are requested for this project - Yes No

Core Traffic Records System Components Affected (Check all that apply):

Collision, Citation / Adjudication, Roadway, Injury Surveillance, Driver, Vehicle

Lead Agency: SCDPS
Project Lead: Brian Borough
Goal Completion Date: Ongoing

Partner Agencies:

Total Budget: \$TBD

Funding Sources:
405c (Traffic Records): \$TBD
Other Funds \$50,000

Performance Measure(s):

Timeliness Accuracy Completeness Uniformity Accessibility Data Integration

Project Goal: Continually upgrade components of SCCATTS and related TRS as requirements change through rollout of different applications within SCCATTS initiative. Currently exploring different storage options for SCCATTS data. Maintain current system until upgrades are completed.

Project Status: SCCATTS has been deployed to 169 agencies across the state. SC now receives 45% of all collision reports electronically through SCCATTS. Another 53% are submitted electronically through Highway Patrol’s SmartCOP application. On average 45% of all citations are submitted to SCUTTIES electronically through the SCCATTS application.

Project Title	TRS Program Not Ranked	Lead Agency	405 c Request
Data Quality Control and Enhancements	SmartCOP	SCDPS	None

Description of Problem:

The Officers/Troopers SCDPS Law Enforcement Divisions (Highway Patrol, State Transport and Bureau of Protective Services) were required to enter daily information multiple times into multiple programs. SCDPS needed a system that would combine all these programs into one and eliminate the need to duplicate information entry.

Solution:

In 2019, SCDPS chose SmartCOP for their RMS which would combine all previous programs into one. The program was fully deployed to the SCDPS Law Enforcement Divisions in January 2020 and now the process is to ensure the quality of the data entered into the system and to make any necessary enhancements to the system.

Section 405c Funds are requested for this project - Yes No

Core Traffic Records System Components Affected (Check all that apply):

Collision, Citation / Adjudication, Roadway, Injury Surveillance, Driver, Vehicle

Lead Agency: SCDPS

Project Lead: Regina Crolley

Goal Completion Date: 2024

Partner Agencies: SCJB

Total Budget: TBD

Funding Sources:

405c (Traffic Records): \$0
 State funds: TBD
 Other Federal Funds: \$0

Performance Measure(s):

Timeliness Accuracy Completeness Uniformity Accessibility Data Integration

Project Goal: To ensure quality data is being entered into the system and to make necessary enhancements to the program to keep it current.

Project Status: SmartCOP was fully deployed in January 2020 and is currently being used to submit e-Collisions, e-Citations and e-Public Contacts/Warnings.

Appendix D - 2009-2022 South Carolina TRS Completed Projects

Project/Program/Task Title	Agency	Year	Allocated Budget	Funding Source
SCCATTS Software Development	SCDPS	2009	\$1.6 million	406
Core TRS <input checked="" type="checkbox"/> Collision <input checked="" type="checkbox"/> Citation/Adjudication <input checked="" type="checkbox"/> Roadway <input checked="" type="checkbox"/> Injury Surveillance <input checked="" type="checkbox"/> Driver <input checked="" type="checkbox"/> Vehicle				
Measures <input checked="" type="checkbox"/> Timeliness <input checked="" type="checkbox"/> Accuracy <input checked="" type="checkbox"/> Completeness <input checked="" type="checkbox"/> Uniformity <input checked="" type="checkbox"/> Accessibility <input checked="" type="checkbox"/> Data Integration				
This project provided an e-Reporting solution for the state's law enforcement officers to prepare electronic collision reports, public contact/warning forms, and traffic citations.				

Project/Program/Task Title	Agency	Year	Allocated Budget	Funding Source
SCCATTS Barcode Registration	SCDMV	2010	\$75,000	408
Core TRS <input checked="" type="checkbox"/> Collision <input checked="" type="checkbox"/> Citation/Adjudication <input type="checkbox"/> Roadway <input type="checkbox"/> Injury Surveillance <input checked="" type="checkbox"/> Driver <input type="checkbox"/> Vehicle				
Measures <input checked="" type="checkbox"/> Timeliness <input checked="" type="checkbox"/> Accuracy <input checked="" type="checkbox"/> Completeness <input checked="" type="checkbox"/> Uniformity <input type="checkbox"/> Accessibility <input type="checkbox"/> Data Integration				
This project produced a new SCDMV registration with a barcode for scanning of vehicle data into electronic reports by law enforcement.				

Project/Program/Task Title	Agency	Year	Allocated Budget	Funding Source
Paper Collision Report Revision	SCDPS	2011	\$0	Agency Resources
Core TRS <input checked="" type="checkbox"/> Collision <input type="checkbox"/> Citation/Adjudication <input checked="" type="checkbox"/> Roadway <input checked="" type="checkbox"/> Injury Surveillance <input checked="" type="checkbox"/> Driver <input checked="" type="checkbox"/> Vehicle				
Measures <input type="checkbox"/> Timeliness <input type="checkbox"/> Accuracy <input type="checkbox"/> Completeness <input checked="" type="checkbox"/> Uniformity <input type="checkbox"/> Accessibility <input checked="" type="checkbox"/> Data Integration				
The state's paper collision report was revised to match the new data design/data fields introduced with the electronic version.				

Project/Program/Task Title	Agency	Year	Allocated Budget	Funding Source
SCCATTS Equipment (SCHP)	SCDPS	2011	\$4.5 million	408/Other
Core TRS <input checked="" type="checkbox"/> Collision <input checked="" type="checkbox"/> Citation/Adjudication <input checked="" type="checkbox"/> Roadway <input checked="" type="checkbox"/> Injury Surveillance <input checked="" type="checkbox"/> Driver <input checked="" type="checkbox"/> Vehicle				
Measures <input checked="" type="checkbox"/> Timeliness <input checked="" type="checkbox"/> Accuracy <input checked="" type="checkbox"/> Completeness <input checked="" type="checkbox"/> Uniformity <input checked="" type="checkbox"/> Accessibility <input checked="" type="checkbox"/> Data Integration				
This project purchased, installed, and trained SCHP Troopers with laptops, printers, scanners, and associated mounting hardware for the SCCATTS e-Reporting application. (832 Units)				

Project/Program/Task Title	Agency	Year	Allocated Budget	Funding Source
TR-310 Collision Manual Update	SCDPS	2011	\$0	Agency Resources
Core TRS <input checked="" type="checkbox"/> Collision <input type="checkbox"/> Citation/Adjudication <input checked="" type="checkbox"/> Roadway <input checked="" type="checkbox"/> Injury Surveillance <input checked="" type="checkbox"/> Driver <input checked="" type="checkbox"/> Vehicle				
Measures <input type="checkbox"/> Timeliness <input checked="" type="checkbox"/> Accuracy <input checked="" type="checkbox"/> Completeness <input checked="" type="checkbox"/> Uniformity <input type="checkbox"/> Accessibility <input type="checkbox"/> Data Integration				
The OHSJP updated the collision manual for the new fields and data elements now collected through the SCCATTS e-Reporting application.				

Project/Program/Task Title	Agency	Year	Allocated Budget	Funding Source
SCCATTS Collision Interface	SCDMV	2012	\$85,000	408
Core TRS <input checked="" type="checkbox"/> Collision <input type="checkbox"/> Citation/Adjudication <input type="checkbox"/> Roadway <input checked="" type="checkbox"/> Injury Surveillance <input checked="" type="checkbox"/> Driver <input checked="" type="checkbox"/> Vehicle				
Measures <input checked="" type="checkbox"/> Timeliness <input checked="" type="checkbox"/> Accuracy <input checked="" type="checkbox"/> Completeness <input checked="" type="checkbox"/> Uniformity <input checked="" type="checkbox"/> Accessibility <input checked="" type="checkbox"/> Data Integration				
This major project provided an electronic interface between SCDPS and SCDMV to provide data transfer/integration of collision data submitted through the SCCATTS application.				

Project/Program/Task Title	Agency	Year	Allocated Budget	Funding Source
TRCC Coordinator	SCDPS	2012	Salary	405c/Other
Core TRS <input checked="" type="checkbox"/> Collision <input checked="" type="checkbox"/> Citation/Adjudication <input checked="" type="checkbox"/> Roadway <input checked="" type="checkbox"/> Injury Surveillance <input checked="" type="checkbox"/> Driver <input checked="" type="checkbox"/> Vehicle				
Measures <input type="checkbox"/> Timeliness <input type="checkbox"/> Accuracy <input checked="" type="checkbox"/> Completeness <input checked="" type="checkbox"/> Uniformity <input checked="" type="checkbox"/> Accessibility <input checked="" type="checkbox"/> Data Integration				
The project appointed a TRCC coordinator as recommended in the <i>2012 TRS Assessment</i> . The TRCC Coordinator is housed in the SCDPS-Office of Highway Safety and Justice Programs (OHSJP).				

Project/Program/Task Title	Agency	Year	Allocated Budget	Funding Source
SCCATTS Training (Initial) HP/Local	SCDPS	2012	\$0	Agency Resources
Core TRS <input checked="" type="checkbox"/> Collision <input type="checkbox"/> Citation/Adjudication <input checked="" type="checkbox"/> Roadway <input checked="" type="checkbox"/> Injury Surveillance <input checked="" type="checkbox"/> Driver <input type="checkbox"/> Vehicle				
Measures <input type="checkbox"/> Timeliness <input checked="" type="checkbox"/> Accuracy <input type="checkbox"/> Completeness <input checked="" type="checkbox"/> Uniformity <input type="checkbox"/> Accessibility <input type="checkbox"/> Data Integration				
This multiyear year project (2009-2012) provided training for SCHP and local law enforcement officers using the SCCATTS application. The project continues when new agencies join the SCCATTS program.				

Project/Program/Task Title	Agency	Year	Allocated Budget	Funding Source
UTT Form Revision	SCJB	2012	\$0	Agency Resources
Core TRS <input type="checkbox"/> Collision <input checked="" type="checkbox"/> Citation/Adjudication <input type="checkbox"/> Roadway <input type="checkbox"/> Injury Surveillance <input checked="" type="checkbox"/> Driver <input type="checkbox"/> Vehicle				
Measures <input checked="" type="checkbox"/> Timeliness <input checked="" type="checkbox"/> Accuracy <input checked="" type="checkbox"/> Completeness <input checked="" type="checkbox"/> Uniformity <input type="checkbox"/> Accessibility <input checked="" type="checkbox"/> Data Integration				
This project redesigned the state's traffic ticket to prepare for e-Reporting and decrease the possibility for citation number duplication. A new form was approved by the SC Attorney General in 2012.				

Project/Program/Task Title	Agency	Year	Allocated Budget	Funding Source
Fast Fars Entry Form	SCDPS	2013	\$0	Agency Resources
Core TRS <input checked="" type="checkbox"/> Collision <input type="checkbox"/> Citation/Adjudication <input checked="" type="checkbox"/> Roadway <input checked="" type="checkbox"/> Injury Surveillance <input checked="" type="checkbox"/> Driver <input checked="" type="checkbox"/> Vehicle				
Measures <input checked="" type="checkbox"/> Timeliness <input checked="" type="checkbox"/> Accuracy <input checked="" type="checkbox"/> Completeness <input checked="" type="checkbox"/> Uniformity <input type="checkbox"/> Accessibility <input type="checkbox"/> Data Integration				
The Fast Fars Entry Form was developed for law enforcement agencies to utilize in reporting of fatal collision information. This online form provides basic data needed for FARS.				

Project/Program/Task Title	Agency	Year	Allocated Budget	Funding Source
SCCATTS Equipment (Local)	SCDPS	2010-13	\$2.7 million	406/408/405c/Others
Core TRS <input checked="" type="checkbox"/> Collision <input checked="" type="checkbox"/> Citation/Adjudication <input checked="" type="checkbox"/> Roadway <input checked="" type="checkbox"/> Injury Surveillance <input checked="" type="checkbox"/> Driver <input checked="" type="checkbox"/> Vehicle				
Measures <input checked="" type="checkbox"/> Timeliness <input checked="" type="checkbox"/> Accuracy <input checked="" type="checkbox"/> Completeness <input checked="" type="checkbox"/> Uniformity <input checked="" type="checkbox"/> Accessibility <input checked="" type="checkbox"/> Data Integration				
The SCDPS and SCDOT joined together to fund the purchase, distribution, and training in the use of laptops, printers, scanners, and associated mounting hardware for the SCCATTS e-Reporting application to local law enforcement agencies (500+ Units). This project continues as funding is available.				

Project/Program/Task Title	Agency	Year	Allocated Budget	Funding Source
Traffic Records Data Analyst	SCDPS	2013	Salary	405c/Other
Core TRS <input checked="" type="checkbox"/> Collision <input checked="" type="checkbox"/> Citation/Adjudication <input checked="" type="checkbox"/> Roadway <input checked="" type="checkbox"/> Injury Surveillance <input checked="" type="checkbox"/> Driver <input checked="" type="checkbox"/> Vehicle				
Measures <input checked="" type="checkbox"/> Timeliness <input checked="" type="checkbox"/> Accuracy <input checked="" type="checkbox"/> Completeness <input checked="" type="checkbox"/> Uniformity <input checked="" type="checkbox"/> Accessibility <input checked="" type="checkbox"/> Data Integration				
The OHSJP hired a TRS Data Analyst to ensure data quality of traffic records submitted. This position was appointed in response to a recommendation in the <i>2012 TRS Assessment</i> .				

Project/Program/Task Title	Agency	Year	Allocated Budget	Funding Source
Collision Fact Book Automation	SCDPS	2014	\$0	Agency Resources
Core TRS <input checked="" type="checkbox"/> Collision <input type="checkbox"/> Citation/Adjudication <input checked="" type="checkbox"/> Roadway <input checked="" type="checkbox"/> Injury Surveillance <input checked="" type="checkbox"/> Driver <input checked="" type="checkbox"/> Vehicle				
Measures <input type="checkbox"/> Timeliness <input checked="" type="checkbox"/> Accuracy <input checked="" type="checkbox"/> Completeness <input checked="" type="checkbox"/> Uniformity <input type="checkbox"/> Accessibility <input type="checkbox"/> Data Integration				
The statistical section within the SCDPS-Office of Highway Safety and Justice programs developed automated applications to assist in preparation of the annual <i>SC Collision Fact Book</i> .				

Project/Program/Task Title	Agency	Year	Allocated Budget	Funding Source
Historical Collision Data Export	SCDPS	2014	\$0	Agency Resources
Core TRS <input checked="" type="checkbox"/> Collision <input type="checkbox"/> Citation/Adjudication <input checked="" type="checkbox"/> Roadway <input checked="" type="checkbox"/> Injury Surveillance <input checked="" type="checkbox"/> Driver <input checked="" type="checkbox"/> Vehicle				
Measures <input type="checkbox"/> Timeliness <input checked="" type="checkbox"/> Accuracy <input checked="" type="checkbox"/> Completeness <input type="checkbox"/> Uniformity <input type="checkbox"/> Accessibility <input checked="" type="checkbox"/> Data Integration				
The SCDPS-Office of Highway Safety and Justice and Office of Information Technology programs developed a data export of historical collision data from repositories. This program assists the Traffic Records Data Analyst and SCDPS statistician in reviewing/preparing records for use by all stakeholders.				

Project/Program/Task Title	Agency	Year	Allocated Budget	Funding Source
SCCATTS e-Public Contact Deployment	SCDPS	2014	2009 Fund	406
Core TRS <input type="checkbox"/> Collision <input type="checkbox"/> Citation/Adjudication <input type="checkbox"/> Roadway <input type="checkbox"/> Injury Surveillance <input checked="" type="checkbox"/> Driver <input checked="" type="checkbox"/> Vehicle				
Measures <input checked="" type="checkbox"/> Timeliness <input checked="" type="checkbox"/> Accuracy <input checked="" type="checkbox"/> Completeness <input checked="" type="checkbox"/> Uniformity <input checked="" type="checkbox"/> Accessibility <input type="checkbox"/> Data Integration				
In the second major phase of the SCCATTS application, the Public Contact/Warning form was deployed for e-Reporting. It was released first to the SCHP in Nov 2013 and all SCCATTS users in March 2014.				

Project/Program/Task Title	Agency	Year	Allocated Budget	Funding Source
Fast FARS Enhancements	SCDPS	2015	\$0	Agency Resources
Core TRS <input checked="" type="checkbox"/> Collision <input type="checkbox"/> Citation/Adjudication <input type="checkbox"/> Roadway <input checked="" type="checkbox"/> Injury Surveillance <input checked="" type="checkbox"/> Driver <input checked="" type="checkbox"/> Vehicle				
Measures <input checked="" type="checkbox"/> Timeliness <input checked="" type="checkbox"/> Accuracy <input checked="" type="checkbox"/> Completeness <input type="checkbox"/> Uniformity <input checked="" type="checkbox"/> Accessibility <input type="checkbox"/> Data Integration				
The SCDPS revised the current application to include fields used by the State's Families of Highway Fatalities (FHF) Victims Coordinator. Several existing fields were updated for clarification.				

Project/Program/Task Title	Agency	Year	Allocated Budget	Funding Source
FR-10 Paper Form Numbering	SCDMV	2015	\$0	Agency Resources
Core TRS <input checked="" type="checkbox"/> Collision <input type="checkbox"/> Citation/Adjudication <input type="checkbox"/> Roadway <input type="checkbox"/> Injury Surveillance <input checked="" type="checkbox"/> Driver <input checked="" type="checkbox"/> Vehicle				
Measures <input type="checkbox"/> Timeliness <input checked="" type="checkbox"/> Accuracy <input type="checkbox"/> Completeness <input type="checkbox"/> Uniformity <input type="checkbox"/> Accessibility <input checked="" type="checkbox"/> Data Integration				
The SCDMV enhanced the Phoenix System's ability to accept newly formatted paper FR-10 audit numbers containing additional characters. This will decrease the duplication of numbers received on manually prepared forms.				

Project/Program/Task Title	Agency	Year	Allocated Budget	Funding Source
Geo Code Collision Data	SCDPS/DOT	2015	\$0	Agency Resources
Core TRS <input checked="" type="checkbox"/> Collision <input type="checkbox"/> Citation/Adjudication <input type="checkbox"/> Roadway <input checked="" type="checkbox"/> Injury Surveillance <input checked="" type="checkbox"/> Driver <input checked="" type="checkbox"/> Vehicle				
Measures <input type="checkbox"/> Timeliness <input type="checkbox"/> Accuracy <input type="checkbox"/> Completeness <input checked="" type="checkbox"/> Uniformity <input type="checkbox"/> Accessibility <input checked="" type="checkbox"/> Data Integration				
The SCDOT-Traffic Safety Office and the SCDPS-Office of Information Technology reviewed and refined GPS location collision data for 2011-2014 to be utilized in GIS analytical programs. This program was developed to continue annually for use with GPS/GIS collision data collected through SCCATTS.				

Project/Program/Task Title	Agency	Year	Allocated Budget	Funding Source
NEMSIS Upgrade	SCDHEC	2015	\$100,000	State Budget
Core TRS <input checked="" type="checkbox"/> Collision <input type="checkbox"/> Citation/Adjudication <input type="checkbox"/> Roadway <input checked="" type="checkbox"/> Injury Surveillance <input checked="" type="checkbox"/> Driver <input checked="" type="checkbox"/> Vehicle				
Measures <input checked="" type="checkbox"/> Timeliness <input checked="" type="checkbox"/> Accuracy <input checked="" type="checkbox"/> Completeness <input checked="" type="checkbox"/> Uniformity <input checked="" type="checkbox"/> Accessibility <input checked="" type="checkbox"/> Data Integration				
The National Emergency Medical Services Information System was updated to version 3. This update allowed for the capture of additional records needed for Injury Surveillance applications.				

Project/Program/Task Title	Agency	Year	Allocated Budget	Funding Source
Photo Log Roadway Viewer	SCDOT	2015	\$150,000	Other Funds
Core TRS <input checked="" type="checkbox"/> Collision <input type="checkbox"/> Citation/Adjudication <input checked="" type="checkbox"/> Roadway <input type="checkbox"/> Injury Surveillance <input type="checkbox"/> Driver <input type="checkbox"/> Vehicle				
Measures <input type="checkbox"/> Timeliness <input checked="" type="checkbox"/> Accuracy <input type="checkbox"/> Completeness <input type="checkbox"/> Uniformity <input type="checkbox"/> Accessibility <input checked="" type="checkbox"/> Data Integration				
The ITMS Photo Log Viewer is a web application that allows stakeholders accessibility to the Roadway Inventory Management System image database.				

Project/Program/Task Title	Agency	Year	Allocated Budget	Funding Source
Public Contact Data Sharing	SCDPS	2015	\$30,000	State Budget
Core TRS <input type="checkbox"/> Collision <input type="checkbox"/> Citation/Adjudication <input type="checkbox"/> Roadway <input type="checkbox"/> Injury Surveillance <input checked="" type="checkbox"/> Driver <input checked="" type="checkbox"/> Vehicle				
Measures <input type="checkbox"/> Timeliness <input type="checkbox"/> Accuracy <input type="checkbox"/> Completeness <input type="checkbox"/> Uniformity <input type="checkbox"/> Accessibility <input checked="" type="checkbox"/> Data Integration				
The application provides transfer of Public Contact/Warning data collected through SCCATTS into the state's Public Contact Reports application, required by state statute. Law Enforcement agencies must report 100% of their Public Contact data through SCCATTS to use this application.				

Project/Program/Task Title	Agency	Year	Allocated Budget	Funding Source
SCHP Air Cards	SCDPS	2015	\$400,000	State Budget
Core TRS <input checked="" type="checkbox"/> Collision <input checked="" type="checkbox"/> Citation/Adjudication <input checked="" type="checkbox"/> Roadway <input checked="" type="checkbox"/> Injury Surveillance <input checked="" type="checkbox"/> Driver <input checked="" type="checkbox"/> Vehicle				
Measures <input checked="" type="checkbox"/> Timeliness <input checked="" type="checkbox"/> Accuracy <input checked="" type="checkbox"/> Completeness <input checked="" type="checkbox"/> Uniformity <input checked="" type="checkbox"/> Accessibility <input checked="" type="checkbox"/> Data Integration				
Through State appropriated funds, the SCHP was able to purchase, train and distribute wireless connectivity devices to all field enforcement troopers. These devices will enhance the ability to submit e-Reports through the SCCATTS application.				

Project/Program/Task Title	Agency	Year	Allocated Budget	Funding Source
UTT Paper Ticket Enhancement	SCDMV	2015	\$85,000	405c
Core TRS <input type="checkbox"/> Collision <input checked="" type="checkbox"/> Citation/Adjudication <input type="checkbox"/> Roadway <input type="checkbox"/> Injury Surveillance <input checked="" type="checkbox"/> Driver <input checked="" type="checkbox"/> Vehicle				
Measures <input checked="" type="checkbox"/> Timeliness <input checked="" type="checkbox"/> Accuracy <input checked="" type="checkbox"/> Completeness <input checked="" type="checkbox"/> Uniformity <input checked="" type="checkbox"/> Accessibility <input checked="" type="checkbox"/> Data Integration				
The SCDMV updated its Phoenix System to conform to the new traffic ticket design and numbering scheme for handwritten forms submitted for records. A second phase of this project will address updating the system for e-Reporting of those forms.				

Project/Program/Task Title	Agency	Year	Allocated Budget	Funding Source
Posted Speed Limit	SCDPS	2016		405c
Core TRS <input checked="" type="checkbox"/> Collision <input checked="" type="checkbox"/> Citation/Adjudication <input type="checkbox"/> Roadway <input type="checkbox"/> Injury Surveillance <input type="checkbox"/> Driver <input type="checkbox"/> Vehicle				
Measures <input checked="" type="checkbox"/> Timeliness <input checked="" type="checkbox"/> Accuracy <input checked="" type="checkbox"/> Completeness <input checked="" type="checkbox"/> Uniformity <input checked="" type="checkbox"/> Accessibility <input checked="" type="checkbox"/> Data Integration				
This project was designed to capture posted speed limit data for inclusion into SCDOT RIMS. Speed limit information is currently used by both SCDOT and SCDPS to evaluate speed-related collisions and analyze safety improvements on state roadways. This information can be made available to local law enforcement for planning.				

Project/Program/Task Title	Agency	Year	Allocated Budget	Funding Source
Mobile Computer Client	SCHP	2016	State Appropriated	State Appropriated
Core TRS <input type="checkbox"/> Collision <input type="checkbox"/> Citation/Adjudication <input type="checkbox"/> Roadway <input type="checkbox"/> Injury Surveillance <input checked="" type="checkbox"/> Driver <input checked="" type="checkbox"/> Vehicle				
Measures <input type="checkbox"/> Timeliness <input checked="" type="checkbox"/> Accuracy <input checked="" type="checkbox"/> Completeness <input checked="" type="checkbox"/> Uniformity <input checked="" type="checkbox"/> Accessibility <input checked="" type="checkbox"/> Data Integration				
The Highway Patrol received funding through the state appropriated budget for this project and recurring costs associated with implementation of the program. This project was dependent on the "Air Card" project completed in 2014. Implementation of this project allows for the enhancement of Computer Aided Dispatch (CAD) systems, RMS and Automatic Vehicle Locator (AVL) programs. It will also allow for potential data integration between Highway Patrol reporting systems and the state's Traffic Reporting Systems components.				

Project/Program/Task Title	Agency	Year	Allocated Budget	Funding Source
Electronic Traffic Ticket Enhancements to Phoenix Sys	SCDMV	2016	\$28,000	405c/State
Core TRS <input type="checkbox"/> Collision <input checked="" type="checkbox"/> Citation/Adjudication <input type="checkbox"/> Roadway <input type="checkbox"/> Injury Surveillance <input checked="" type="checkbox"/> Driver <input checked="" type="checkbox"/> Vehicle				
Measures <input checked="" type="checkbox"/> Timeliness <input checked="" type="checkbox"/> Accuracy <input checked="" type="checkbox"/> Completeness <input checked="" type="checkbox"/> Uniformity <input checked="" type="checkbox"/> Accessibility <input checked="" type="checkbox"/> Data Integration				
This project enhanced the Phoenix System to conform to the new Uniform Traffic Ticket (UTT) format. These enhancements allowed SCDMV to modify the existing web service with the Judicial System, create a PDF facsimile of the traffic ticket, and store a facsimile of the traffic ticket into a document management system.				

Project/Program/Task Title	Agency	Year	Allocated Budget	Funding Source
Collision Report Form Transfer	SCDOT	2016	None	State
Core TRS <input checked="" type="checkbox"/> Collision <input type="checkbox"/> Citation/Adjudication <input checked="" type="checkbox"/> Roadway <input type="checkbox"/> Injury Surveillance <input type="checkbox"/> Driver <input type="checkbox"/> Vehicle				
Measures <input checked="" type="checkbox"/> Timeliness <input checked="" type="checkbox"/> Accuracy <input type="checkbox"/> Completeness <input checked="" type="checkbox"/> Uniformity <input checked="" type="checkbox"/> Accessibility <input checked="" type="checkbox"/> Data Integration				
The information contained on the state's collision report form plays an integral role in the identification and analysis of roadway locations selected for improvement under this program. SCDMV is the current repository for the state's crash reports and provides copies of the reports to SCDOT. This project developed an automated transfer process for a pdf copy of report to SCDOT utilizing SCDPS's SCCATTS system.				

Project/Program/Task Title	Agency	Year	Allocated Budget	Funding Source
L/E Training Equipment [SCCJA]	SCCJA	2017	\$140,000	405c
Core TRS <input checked="" type="checkbox"/> Collision <input checked="" type="checkbox"/> Citation/Adjudication <input checked="" type="checkbox"/> Roadway <input type="checkbox"/> Injury Surveillance <input type="checkbox"/> Driver <input type="checkbox"/> Vehicle				
Measures <input checked="" type="checkbox"/> Timeliness <input checked="" type="checkbox"/> Accuracy <input checked="" type="checkbox"/> Completeness <input checked="" type="checkbox"/> Uniformity <input checked="" type="checkbox"/> Accessibility <input checked="" type="checkbox"/> Data Integration				
Phase I of this project has been completed. The establishment of an e-Reporting training program for new officers with the SC Criminal Justice Academy (SCCJA) basic training was a major recommendation from the 2012 SC Traffic Records Assessment. The SCCJA purchase laptops and established a training curriculum for basic officers in April 2017.				

Project/Program/Task Title	Agency	Year	Allocated Budget	Funding Source
SCCATTS Enhancements (SmartNumber)	SCDPS	2017	\$28,962.50	405c
Core TRS <input type="checkbox"/> Collision <input checked="" type="checkbox"/> Citation/Adjudication <input type="checkbox"/> Roadway <input type="checkbox"/> Injury Surveillance <input checked="" type="checkbox"/> Driver <input type="checkbox"/> Vehicle				
Measures <input checked="" type="checkbox"/> Timeliness <input checked="" type="checkbox"/> Accuracy <input checked="" type="checkbox"/> Completeness <input checked="" type="checkbox"/> Uniformity <input checked="" type="checkbox"/> Accessibility <input checked="" type="checkbox"/> Data Integration				
SmartNumber application was purchased and installed in Report Beam to enhance e-Citation Number tracking for SCDPS Troopers and Officers. This system automates the e-Citation numbering process in SCCATTS for auditing and citation number tracking.				

Project/Program/Task Title	Agency	Year	Allocated Budget	Funding Source
SCUTTIES	SCDMV/SCJB	2018	\$990,000	405c
Core TRS <input type="checkbox"/> Collision <input checked="" type="checkbox"/> Citation/Adjudication <input type="checkbox"/> Roadway <input type="checkbox"/> Injury Surveillance <input checked="" type="checkbox"/> Driver <input type="checkbox"/> Vehicle				
Measures <input checked="" type="checkbox"/> Timeliness <input checked="" type="checkbox"/> Accuracy <input checked="" type="checkbox"/> Completeness <input checked="" type="checkbox"/> Uniformity <input checked="" type="checkbox"/> Accessibility <input checked="" type="checkbox"/> Data Integration				
This was a joint project between SCDMV, SCJB, and SCDPS to ensure that law enforcement could submit citation data to SCDMV and SCJB through integrated systems. The solution developed the South Carolina Uniform Traffic Ticket Information Exchange System (SCUTTIES). This system collected Uniform Traffic Ticket (UTT) citation data issued by law enforcement. The data collected through several state and local systems was integrated with the SCJB's Case Management System (CMS). The courts' records system can receive and send data to a central citation/adjudication database. CMS is now able to accept data from the SCUTTIES database, and post disposition information back to it. A translation among multiple law enforcement Record Management System (RMS) providers using XML and the NIEM standards was required.				

Project/Program/Task Title	Agency	Year	Allocated Budget	Funding Source
SCUTTIES Business Manager	SCDMV	2019	\$0	Other
Core TRS <input type="checkbox"/> Collision <input checked="" type="checkbox"/> Citation/Adjudication <input type="checkbox"/> Roadway <input type="checkbox"/> Injury Surveillance <input checked="" type="checkbox"/> Driver <input type="checkbox"/> Vehicle				
Measures <input checked="" type="checkbox"/> Timeliness <input checked="" type="checkbox"/> Accuracy <input checked="" type="checkbox"/> Completeness <input checked="" type="checkbox"/> Uniformity <input checked="" type="checkbox"/> Accessibility <input checked="" type="checkbox"/> Data Integration				
The SCUTTIES Business Application Manager has been hired and is in place.				

Project/Program/Task Title	Agency	Year	Allocated Budget	Funding Source
Roadway Shoulder Width Data	SCDOT	2019	\$0	Other
Core TRS <input type="checkbox"/> Collision <input checked="" type="checkbox"/> Citation/Adjudication <input type="checkbox"/> Roadway <input type="checkbox"/> Injury Surveillance <input checked="" type="checkbox"/> Driver <input type="checkbox"/> Vehicle				
Measures <input checked="" type="checkbox"/> Timeliness <input checked="" type="checkbox"/> Accuracy <input checked="" type="checkbox"/> Completeness <input checked="" type="checkbox"/> Uniformity <input checked="" type="checkbox"/> Accessibility <input checked="" type="checkbox"/> Data Integration				
Shoulder width and type (e.g., Paved, or Earth) information are important data elements when reviewing crash data. While RIMS contains this information, RIMS data was originally collected to satisfy the Federal Highway Administration's Highway Performance Monitoring System (HPMS), and, therefore, is not reliably in the format needed for analyzing crashes.				

Project/Program/Task Title	Agency	Year	Allocated Budget	Funding Source
L/E Equipment	SCDPS	2019	\$150,000	405c
Core TRS <input type="checkbox"/> Collision <input checked="" type="checkbox"/> Citation/Adjudication <input type="checkbox"/> Roadway <input type="checkbox"/> Injury Surveillance <input checked="" type="checkbox"/> Driver <input type="checkbox"/> Vehicle				
Measures <input checked="" type="checkbox"/> Timeliness <input checked="" type="checkbox"/> Accuracy <input checked="" type="checkbox"/> Completeness <input checked="" type="checkbox"/> Uniformity <input checked="" type="checkbox"/> Accessibility <input checked="" type="checkbox"/> Data Integration				
OHSJP purchased law enforcement hardware to assist with the collection of traffic records data at the point of incident. In 2017-2018 FFY with the use of 405c and other funds OHSJP was able to purchase 75 Bar-Code Readers for local law enforcement agencies and 50 laptop computers for the Highway Patrol's new troopers of Basic Class 103 utilizing the SCCATTS program.				

Project/Program/Task Title	Agency	Year	Allocated Budget	Funding Source
Horizontal Curve Identification	SCDOT	2020	\$0	Other
Core TRS <input checked="" type="checkbox"/> Collision <input type="checkbox"/> Citation/Adjudication <input checked="" type="checkbox"/> Roadway <input type="checkbox"/> Injury Surveillance <input type="checkbox"/> Driver <input checked="" type="checkbox"/> Vehicle				
Measures <input checked="" type="checkbox"/> Timeliness <input checked="" type="checkbox"/> Accuracy <input checked="" type="checkbox"/> Completeness <input checked="" type="checkbox"/> Uniformity <input checked="" type="checkbox"/> Accessibility <input checked="" type="checkbox"/> Data Integration				
The Horizontal Curve Roadway Identification has been completed and the data collected.				

Project/Program/Task Title	Agency	Year	Allocated Budget	Funding Source
SCUTTIES-Citation Database	SCDMV/SCJB	2021	\$990,000	405c
Core TRS <input checked="" type="checkbox"/> Collision <input checked="" type="checkbox"/> Citation/Adjudication <input type="checkbox"/> Roadway <input type="checkbox"/> Injury Surveillance <input checked="" type="checkbox"/> Driver <input checked="" type="checkbox"/> Vehicle				
Measures <input checked="" type="checkbox"/> Timeliness <input checked="" type="checkbox"/> Accuracy <input checked="" type="checkbox"/> Completeness <input checked="" type="checkbox"/> Uniformity <input checked="" type="checkbox"/> Accessibility <input checked="" type="checkbox"/> Data Integration				
SCJB's CMS is now able to accept data from SCUTTIES and post disposition information back.				

Project/Program/Task Title	Agency	Year	Allocated Budget	Funding Source
Intersections w/Traffic Signals	SCDOT	2021	\$100,000	No
Core TRS <input checked="" type="checkbox"/> Collision <input type="checkbox"/> Citation/Adjudication <input checked="" type="checkbox"/> Roadway <input type="checkbox"/> Injury Surveillance <input type="checkbox"/> Driver <input checked="" type="checkbox"/> Vehicle				
Measures <input checked="" type="checkbox"/> Timeliness <input checked="" type="checkbox"/> Accuracy <input checked="" type="checkbox"/> Completeness <input checked="" type="checkbox"/> Uniformity <input checked="" type="checkbox"/> Accessibility <input checked="" type="checkbox"/> Data Integration				
The data is being captured by a different program that will be integrated with the crash report data to get information that is more accurate.				

Project/Program/Task Title	Agency	Year	Allocated Budget	Funding Source
Traffic Records Dashboard	TRCC	2021	\$0	No
Core TRS <input checked="" type="checkbox"/> Collision <input checked="" type="checkbox"/> Citation/Adjudication <input checked="" type="checkbox"/> Roadway <input checked="" type="checkbox"/> Injury Surveillance <input checked="" type="checkbox"/> Driver <input checked="" type="checkbox"/> Vehicle				
Measures <input checked="" type="checkbox"/> Timeliness <input checked="" type="checkbox"/> Accuracy <input checked="" type="checkbox"/> Completeness <input checked="" type="checkbox"/> Uniformity <input checked="" type="checkbox"/> Accessibility <input checked="" type="checkbox"/> Data Integration				
The Traffic Records Dashboard project has been suspended due to resource issues and logistical concerns.				

Project/Program/Task Title	Agency	Year	Allocated Budget	Funding Source
R/U Roadway Surface Type	SCDOT	2021	\$10,000	No
Core TRS <input type="checkbox"/> Collision <input type="checkbox"/> Citation/Adjudication <input checked="" type="checkbox"/> Roadway <input type="checkbox"/> Injury Surveillance <input type="checkbox"/> Driver <input checked="" type="checkbox"/> Vehicle				
Measures <input checked="" type="checkbox"/> Timeliness <input checked="" type="checkbox"/> Accuracy <input checked="" type="checkbox"/> Completeness <input checked="" type="checkbox"/> Uniformity <input checked="" type="checkbox"/> Accessibility <input checked="" type="checkbox"/> Data Integration				
The SCDOT online application has been completed and deployed.				

Project/Program/Task Title	Agency	Year	Allocated Budget	405c Funding
Online Collision Report Sales	SCDMV	2021	\$25,000	Yes
Core TRS <input checked="" type="checkbox"/> Collision <input type="checkbox"/> Citation/Adjudication <input type="checkbox"/> Roadway <input type="checkbox"/> Injury Surveillance <input checked="" type="checkbox"/> Driver <input checked="" type="checkbox"/> Vehicle				
Measures <input checked="" type="checkbox"/> Timeliness <input checked="" type="checkbox"/> Accuracy <input checked="" type="checkbox"/> Completeness <input checked="" type="checkbox"/> Uniformity <input checked="" type="checkbox"/> Accessibility <input checked="" type="checkbox"/> Data Integration				
SCDMV has developed and implemented an online crash report sales tool.				

Project/Program/Task Title	Agency	Year	Allocated Budget	405c Funding
PDF Citation	SCJB	2021	\$0	Yes
Core TRS <input type="checkbox"/> Collision <input checked="" type="checkbox"/> Citation/Adjudication <input type="checkbox"/> Roadway <input type="checkbox"/> Injury Surveillance <input checked="" type="checkbox"/> Driver <input checked="" type="checkbox"/> Vehicle				
Measures <input checked="" type="checkbox"/> Timeliness <input checked="" type="checkbox"/> Accuracy <input checked="" type="checkbox"/> Completeness <input checked="" type="checkbox"/> Uniformity <input checked="" type="checkbox"/> Accessibility <input checked="" type="checkbox"/> Data Integration				
SCJB is combining this with another project currently in the plan.				

Appendix E: Model Inventory of Roadway Elements

Table 1. MIRE FDE for All Public Roads with AADT ≥ 400 Vehicles per Day.

FDE (MIRE Number)^	Definition
Roadway Segment	
Segment Identifier (12)	Unique segment identifier.
Route Number (8) ⁰	Signed numeric value for the roadway segment.
Route/Street Name (9) ⁰	The route or street name, where different from route number.
Federal-aid/ Route Type (21)*	Federal-aid/National Highway System (NHS) route type.
Rural/Urban Designation (20)*	The rural or urban designation based on Census urban boundary and population.
Surface Type (23)	The surface type of the segment.
Begin Point Segment Descriptor (10)	The location of the starting point of the roadway segment.
End Point Segment Descriptor (11)	The location of the ending point of the roadway segment.
Segment Length (13)	The length of the segment.
Direction of Inventory (18)	Direction of inventory if divided roads are inventoried in each direction.

Functional Class (19)*	The functional class of the segment.	
Median Type (54)	The type of median present on the segment.	
Access Control (22)†	The degree of access control.	
One/Two-Way Operations (91)*	Indication of whether the segment operates as a one- or two-way roadway.	
Number of Through Lanes (31)*	The total number of through lanes on the segment. This excludes turn lanes and auxiliary lanes.	
Average Annual Daily Traffic (AADT) (79)*	The average number of vehicles passing through a segment from both directions of the mainline route for all days of a specified year.	
AADT Year (80)	Year of AADT.	
Type of Government Ownership (4)*	Type of governmental ownership.	
Intersection		
Unique Junction Identifier (120)	A unique junction identifier.	
Location Identifier for Road 1 Crossing Point (122)	Location of the center of the junction on the first intersecting route (e.g. route-milepost).	
Location Identifier for Road 2 Crossing Point (123)	Location of the center of the junction on the second intersecting route (e.g. route-milepost). Not applicable if intersecting route is not an inventoried road (i.e., a railroad or bicycle path).	
Intersection/Junction Geometry (126)	The type of geometric configuration that best describes the intersection/junction.	

FDE (MIRE Number)^	Definition
Intersection/Junction Traffic Control (131)	Traffic control present at intersection/junction.
AADT (79) [for Each Intersecting Road]	The AADT on the approach leg of the intersection/junction.
AADT Year (80) [for Each Intersecting Road]	The year of the AADT on the approach leg of the intersection/junction
Unique Approach Identifier (139)	A unique identifier for each approach of an intersection.
Interchange/Ramp	
Unique Interchange Identifier (178)	A unique identifier for each interchange.
Location Identifier for Roadway at Beginning Ramp Terminal (197)	Location on the roadway at the beginning ramp terminal (e.g., route-milepost for that roadway) if the ramp connects with a roadway at that point.
Location Identifier for Roadway at Ending Ramp Terminal (201)	Location on the roadway at the ending ramp terminal (e.g. route-milepost for that roadway) if the ramp connects with a roadway at that point.
Ramp Length (187)	Length of ramp.

Roadway Type at Beginning Ramp Terminal (195)	A ramp is described by a beginning and ending ramp terminal in the direction of ramp traffic flow or the direction of inventory. This element describes the type of roadway intersecting with the ramp at the beginning terminal.
Roadway Type at Ending Ramp Terminal (199)	A ramp is described by a beginning and ending ramp terminal in the direction of inventory. This element describes the type of roadway intersecting with the ramp at the ending terminal.
Interchange Type (182)	Type of interchange.
Ramp AADT (191)*	AAADT on ramp.
Year of Ramp AADT (192)	Year of AADT on ramp.
Functional Class (19)*	The functional class of the segment.
Type of Government Ownership (4)*	Type of governmental ownership.

^ Model Inventory of Roadway Elements – MIRE Version 1.0 (1).

* HPMS full extent elements required on all Federal-aid highways and ramps located within grade-separated interchanges, i.e., NHS and all functional systems excluding rural minor collectors and locals.

° HPMS element required on all NHS, Interstate, Freeway & Expressways, Principal Arterials, and Minor Arterials.

† HPMS element required on all NHS, Interstate, Freeway & Expressways, and Principal Arterials

Appendix F: Acronyms

AAMVA	American Association of Motor Vehicle Administrators
AADT	Average Annual Daily Traffic
AVL	Automatic Vehicle Location
BAC	Blood Alcohol Content
BPS	South Carolina Bureau of Protective Services
CAD	Computer Aided Dispatch
CDLIS	Commercial Driver's License Information System
CFR	Code of Federal Regulation
CMS	Case Management System
CMV	Commercial Motor Vehicle
CODES	Crash Outcome Data Evaluation System
CRSS	Crash Report Sampling System
DUI	Driving Under Influence
EMS	Emergency Medical Services
EMSPIC	Emergency Medical Services Performance Improvement Center
FARS	Fatality Analysis Reporting System
FDE	Fundamental Data Elements
FFY	Federal Fiscal Year
FHF	South Carolina Families of Highway Fatalities
FMCSA	Federal Motor Carrier Safety Administration
FR-10	Financial Responsibility Form
GIS	Geographic Information System
GJXDM	Global Justice XML Data Model
GPS	Global Positioning System
HPMS	Highway Performance Monitoring System
HSIP	Highway Safety Improvement Program
IEPD	Interface Exchange Packet Documentation
IJA	Infrastructure Investment and Jobs Act
ISS	Injury Surveillance System
ITIMS	Integrated Transportation Information Management System

LADC	Local Agency Data Collection
LE	Law Enforcement
LEN	Law Enforcement Network
MCSIA	Motor Carrier Safety Improvement Act of 1999
MCT	Mobile Computer Terminals
MIRE	Model Inventory of Roadway Elements
MMUCC	Model Minimum Uniform Crash Criteria
MPOs	Metropolitan Planning Organizations
MVR	Motor Vehicle Record
NEMSIS	National Emergency Medical Services Information System
NHTSA	National Highway Traffic Safety Administration
NIEM	National Information Exchange Model
NMVTIS	National Motor Vehicle Title Information System
NRVC	Non-Resident Violators Compact
OEMS	Office of Emergency Medical Services
OHSJP	Office of Highway Safety and Justice Programs
OIT	Office of Information Technology (SCDPS)
ORS	South Carolina Office of Research and Statistics
PCR	Patient Care Report
PDF	Portable Document Format
PreMIS	Prehospital Management Information System
PMO	Project Management Office
RFAO	SC Research and Fiscal Affairs Office
RFP	Request for Proposal
RIMS	Roadway Information Management System
RMS	Records Management System
SCCATTS	South Carolina Collision and Ticket Tracking System
SCDHEC	South Carolina Department of Health and Environmental Control
SCDMV	South Carolina Department of Motor Vehicles
SCDOT	South Carolina Department of Transportation
SCDPS	South Carolina Department of Public Safety

SCHP	South Carolina Highway Patrol
SCCJA	South Carolina Criminal Justice Academy
SCJB	South Carolina Judicial Branch
SCLEN	South Carolina Law Enforcement Network
SCUTTIES	South Carolina Uniform Traffic Ticket Information Exchange System
SHSP	Strategic Highway Safety Plan
SLED	South Carolina Law Enforcement Division
SPTRSI	Strategic Plan for Traffic Records System Improvements
STP	South Carolina State Transport Police
STRAP	State Traffic Records Assessment Program
TBS	Truck & Bus Supplement Form
TR-310	Traffic Records (Collision Report Form)
TRA	Traffic Records Assessment
TRCC	Traffic Records Coordinating Committee
TRS	Traffic Records System
TRSP	Traffic Records Strategic Plan
TZ	Target Zero
USDOT	United States Department of Transportation
USRAP	United States Road Assessment Program
UTT	Uniform Traffic Ticket
VIN	Vehicle Identification Number
XML	eXtensible Markup Language

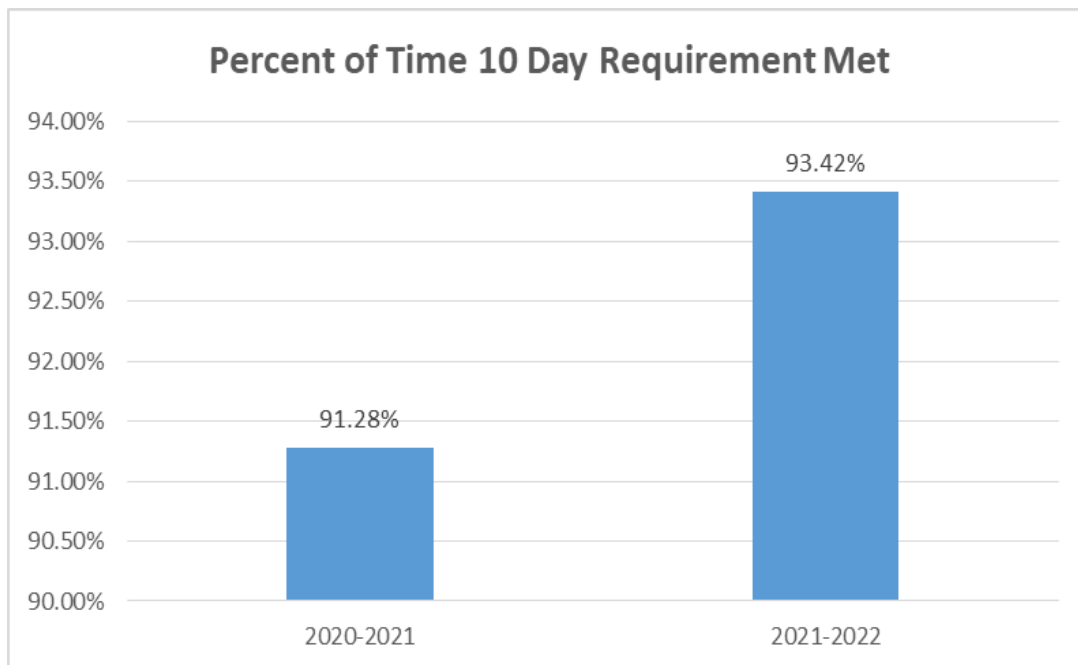
Section 405 FY 2022 Interim Progress Report – SOUTH CAROLINA

State: South Carolina Report Date: 03/31/2022 Submitted by: Wilson Matthews

Regional Reviewer:

System to be Impacted	Adjudication
Performance Area(s) to be Impacted	Timeliness
Performance Measure used to track Improvement(s)	<p>Narrative Description of the Measure</p> <p>This measure identifies the percentage of time that a CDL holder’s disposition reaches their home state DMV within 10 days. When the process began, the state was only meeting the 10 day FMCSA reporting requirement 8% of the time. Since the deployment of the South Carolina Uniform Traffic Ticket Information Exchange System (SCUTTIES), the rate of compliance has increased to 93.42%. The target goal for the reporting requirement is 90% of the time.</p>
Relevant Project(s) in the State’s Strategic Plan	<p>Title, number and strategic Plan page reference for each Traffic Records System improvement project to which this performance measure relates</p> <p>2022-05 Traffic Records Strategic Plan (TRSP): Project Title “SCUTTIES e-Citation Enhancements/Data Quality” Appendix C.</p>
Improvement(s) Achieved or Anticipated	<p>Narrative of the Improvement(s)</p> <ul style="list-style-type: none"> • From April 1, 2020 to March 31, 2021, the SCDMV sent 2,030 dispositions to CDL holders’ home state DMV. Of that number, 1,853 were within the 10 day FMCSA reporting requirement. Dispositions sent during this time period met the reporting requirement 91.28% of the time. • From April 1, 2021 to March 31, 2022, the SCDMV sent 2,931 dispositions to CDL holders’ home state DMV. Of that number, 2,738 were within the 10 day FMCSA reporting requirement. Dispositions sent during this time period met the reporting requirement 93.42% of the time. This is a 2.14% increase compared to the previous reporting period.
Specification of how the Measure is calculated / estimated	<p>Narrative Description of Calculation / Estimation Method</p> <p>The State of South Carolina began deployment of its e-Citation application in the South Carolina Collision and Ticket Tracking System (SCCATTS) in June 2015. The “Citation Data Interface between SCDPS, SCJD, and SCDMV” was a project of the 2015 through 2019 TRSP targeting the development of a joint citation database which would include the electronic transfer of citation disposition data. The state went fully electronic with the citation interface on January 1, 2018. The original project was retired and the CDL timeliness portion has been embedded in the current 2020-2022 TRSP project. The state tracked and calculated the collection of disposition data submitted by the South Carolina Judicial Branch (SCJB) through the SCDMV to the violator’s home state DMV, in order to meet the 10 day reporting requirement. The state is now</p>

	meeting the FMCSA standard an average of 93.36% of the time. The goal to be at or above 90% for four continuous months by 2020 has been met.	
Date and Baseline Value for the Measure	<u>Baseline Period</u> April 1, 2020 – March 31, 2021	<u>Percentage of time the ten day Federal mandate was met.</u> 91.28%
Date and Current Value for the Measure	<u>Performance Period</u> April 1, 2021 – March 31, 2022	<u>Percentage of time the ten day Federal mandate was met.</u> 93.42%
Regional Reviewer’s Conclusion	Check one <input type="checkbox"/> Measurable performance improvement <i>has</i> been documented <input type="checkbox"/> Measurable performance improvement has <i>not</i> been documented <input type="checkbox"/> Not sure	
If “has not” or “not sure”: What remedial guidance have you given the State?		



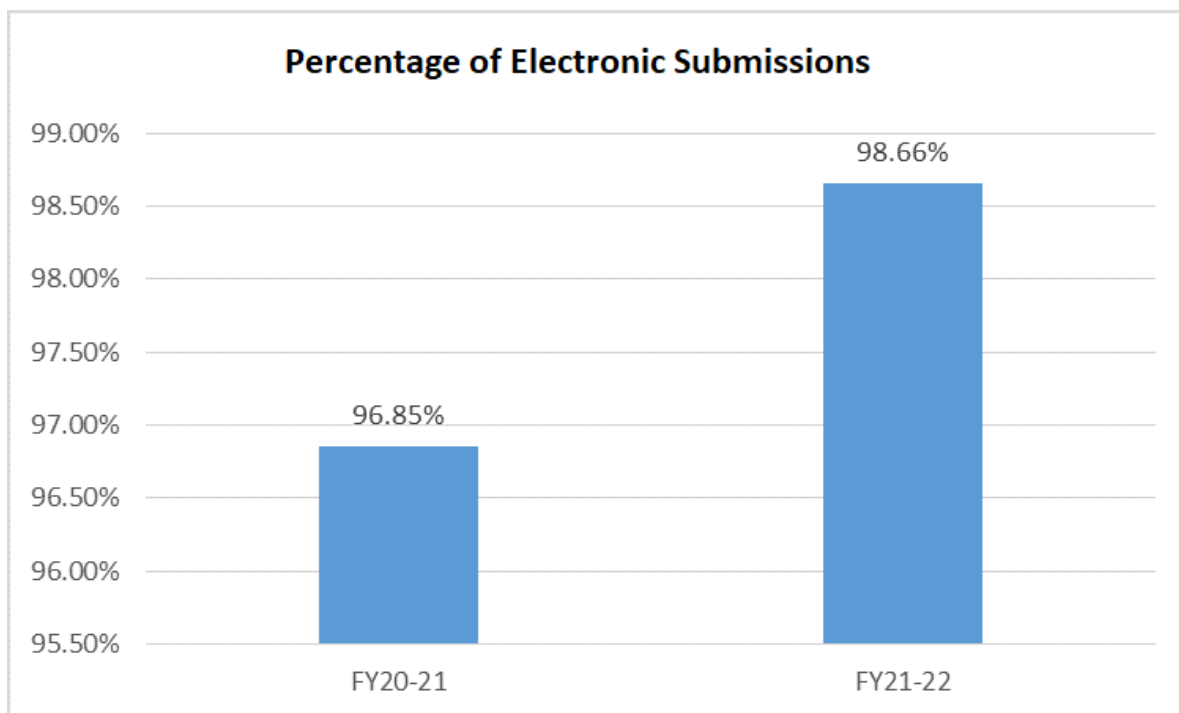
Section 405 FY 2022 Interim Progress Report – SOUTH CAROLINA

State: South Carolina Report Date: 03/31/2022 Submitted by: Wilson Matthews

Regional Reviewer:

System to be Impacted	Crash	
Performance Area(s) to be Impacted	Timeliness	
Performance Measure used to track Improvement(s)	<p>Narrative Description of the Measure</p> <p>This measure identifies the percentage of collision reports submitted electronically to the SCDMV. Electronic reports contain more accurate data than paper reports; additionally, electronic reports are received by the database in a timelier manner. A paper report can take a month or more to be received by the SCDMV, whereas an electronic report can be received by the SCDMV in a matter of minutes.</p>	
Relevant Project(s) in the State’s Strategic Plan	<p>Title, number and strategic Plan page reference for each Traffic Records System improvement project to which this performance measure relates</p> <p>2022-2024 Traffic Records Strategic Plan (TRSP): Project Title “Field Deployment to Law Enforcement Agencies” Appendix C.</p>	
Improvement(s) Achieved or Anticipated	<p>Narrative of the Improvement(s)</p> <ul style="list-style-type: none"> • From April 1, 2020 to March 31, 2021, there were 162,514 collision reports submitted electronically. These electronic reports accounted for 96.85% of all collision reports submitted. • From April 1, 2021 to March 31, 2022, there were 165,504 collision reports submitted electronically. These electronic reports accounted for 98.66% of all collision reports submitted, an increase of 1.81%. 	
Specification of how the Measure is calculated / estimated	<p>Narrative Description of Calculation / Estimation Method</p> <p>The State of South Carolina began deployment of its e-Crash application in SCCATTS in June 2005. The “Field Deployment to Law Enforcement Agencies” is a project in the 2022-2024 TRSP. The state’s SCCATTS solution for e-Reporting gives law enforcement agencies the ability to submit collisions, citations and public contact/warnings electronically. Deployment by OHSJP Traffic Records training staff of the software and/or hardware to agencies will improve timeliness, accuracy, completeness, and integration of collision and citation data.</p>	
Date and Baseline Value for the Measure	<p><u>Baseline Period</u></p> <p>April 1, 2020 – March 31, 2021</p>	<p><u>Number and Percentage of reports submitted electronically.</u></p> <p>162,514 96.85%</p>

Date and Current Value for the Measure	<p style="text-align: center;"><u>Performance Period</u></p> <p style="text-align: center;">April 1, 2021 – March 31, 2022</p> <p style="text-align: center;"><u>Percentage and number of reports submitted electronically</u></p> <p style="text-align: center;">1675,504 98.66%</p>
Regional Reviewer's Conclusion	<p>Check one</p> <p><input type="checkbox"/> Measurable performance improvement <i>has</i> been documented</p> <p><input type="checkbox"/> Measurable performance improvement has <i>not</i> been documented</p> <p><input checked="" type="checkbox"/> Not sure</p>
If “has not” or “not sure”: What remedial guidance have you given the State?	



405(d) IMPAIRED DRIVING COUNTERMEASURES GRANT

Impaired driving assurances

Impaired driving qualification: **Mid-Range State**

ASSURANCE: The State shall use the funds awarded under 23 U.S.C. 405(d)(1) only for the implementation and enforcement of programs authorized in 23 C.F.R. 1300.23(j).

ASSURANCE: The lead State agency responsible for impaired driving programs shall maintain its aggregate expenditures for impaired driving programs at or above the average level of such expenditures in fiscal years 2014 and 2015.

Impaired driving program assessment

Date of the last NHTSA-facilitated assessment of the State's impaired driving program conducted:

Date of Last NHTSA Assessment: **11/1/2019**

Authority to operate

Direct copy of the section of the statewide impaired driving plan that describes the authority and basis for the operation of the Statewide impaired driving task force, including the process used to develop and approve the plan and date of approval.

Authority and Basis of Operation

The state of South Carolina has an impaired driving task force known as the South Carolina Impaired Driving Prevention Council (SCIDPC), which was formed in August 2004 based on a recommendation resulting from an Impaired Driving Assessment conducted in the state in 2002 by a team of NHTSA experts led by Judge Mike Witte of the State of Indiana. The SCIDPC is a multi-agency, multi-disciplinary task force, made up of representatives from law enforcement, the criminal justice system (prosecution, adjudication, and probation), driver licensing, treatment and rehabilitation, the ignition interlock program, data and traffic records, public health, and communication. The Council has sought to utilize a variety of approaches in attacking the DUI problem in the state.

The SCIDPC is composed of representatives from various agencies, and each member agency/organization brings different perspectives and experiences to the task force.

The essential purpose of the SCIDPC is to provide leadership and guidance for citizens seeking to reduce the number of DUI-related collisions, injuries, and fatalities in the state. The SCIDPC assists in the drafting and review of the Impaired Driving Countermeasures Plan. Prior to the SCIDPC meeting, the Impaired Driving Countermeasures Program Coordinator sends the relevant sections of the plan to the Chairs and Co-Chairs to update with information resulting from the

committee's work. OHSJP staff compiles the information into a draft and disseminates the draft to the SCIDPC for review and comment. During the SCIDPC meeting, OHSJP staff review the statutory requirements and the key areas of the IDPC plan. Changes resulting from any discussion of the plan are made to the draft. After all concerns and questions are addressed, the Chair, following parliamentary procedure, (Roberts Rules of Order) requests the Council's approval of the plan. The meeting is recorded and minutes are drafted by an OHSJP staff person who serves as the secretary. The SC Impaired Driving Prevention Council approved the 2023 Impaired Driving Countermeasures Plan on June 14, 2022.

In FFY 2023, the OHSJP will continue to work to ensure that the SCIDPC and its membership remain viable, and utilize the previously submitted and approved strategic plan, approved by the SCIDPC on June 14, 2022. The SCIDPC and the OHSJP will also continue to diligently work together to ensure that impaired driving countermeasures remain a top priority for the State of South Carolina.

Key Stakeholders

First	Last	Title	Organization
Douglas	Lax	Compliance Associate	SC Trucking Association
Brad	Hutto	Senator	SC Senate
Carolyn	Fisher	Safety & Operations Engineer	Federal Highway Administration
J. J.	Gentry	Senator	SC Senate/Senate Judiciary Committee
Steven	Burritt	Regional Executive Director (SC & NC)	Mothers Against Drunk Driving (MADD) SC Office
Walter	Leverette	Summary Court Representative	SC Court Administration
Matthew	Buchanan	General Counsel	SC Dept. of Probation, Parole and Pardon Services
Dick	Jenkins	Retired	Retired from SC Dept. of Transportation (SCDOT)
Shirley	Rivers	Deputy Director/Procedures & Compliance	SC Dept. of Motor Vehicles (SCDMV)
Brandy	Duncan	General Counsel	SCDMV

Emily	Thomas	Highway Safety Data and Research Manager	SCDOT Highway Safety Office
Richard	Podmore	Director of Safety & Information	SC Department of Education – Office of Transportation
Bob	McCurdy	Senior Staff Attorney	SC Court Administration
Jarrod	Bruder (Vice-Chair)	Executive Director	SC Sheriff’s Assoc.
Mark	Keel	Chief	SC Law Enforcement Division (SLED)
Robert G.	Woods, IV	Director of South Carolina Department of Public Safety	SC Dept. of Public Safety (SCDPS)
Phil	Riley	Director of Office of Highway Safety and Justice Programs (OHSJP), SCDPS	SCDPS, Office of Highway Safety and Justice Programs (OHSJP)
Joi	Brunson	Grants Administration Manager	SCDPS, OHSJP
William	Kelly	Special Programs Manager	SCDPS, OHSJP
Shawnee	Garrick Goodman	Highway Safety Grant Program Manager	SCDPS, OHSJP
Greg	Griggs	Law Enforcement Support Services Program Manager	SCDPS, OHSJP
Rachel	Urconis	Public Affairs Coordinator	SCDPS, OHSJP
Jasmine	Simmons	Highway Safety Planning and Evaluation Coordinator	SCDPS, OHSJP
Sabrina	Culp	Impaired Driving Countermeasures Program Coordinator	SCDPS, OHSJP
Eddie	Moore	Law Enforcement Liaison	SCDPS, OHSJP
Col. Dean	Dill	Commander	SCDPS, State Transport Police

Lisa	Catalanotto	Director	SC Commission on Prosecution Coordination
Sara Lee	Drawdy	Traffic Safety Resource Prosecutor	SC Commission on Prosecution Coordination
Mattison	Gamble	State Judicial Outreach Liaison	South Carolina Judicial Branch Court Administration
Sabrina	Gast	York County Coroner	President of the SC Coroner's Association York County
Laura	Aldinger	Executive Director	Behavioral Health Services Association (BHSA)
Melissa	Reck	Training & Development Coordinator	SC National Safety Council
Maria	Bates	Region 2 Representative for BHSA	Hazel Pittman Center
Crystal	Gordon	Prevention Consultant, Prevention and Intervention Services	SC Dept. of Alcohol and Other Drug Abuse Services (SC DAODAS)
Gayle	Aycock	President and CEO of LRADAC/Vice-President of BHSA	Lexington/Richland Alcohol and Drug Abuse Center (LRADAC), BHSA
Michelle	Nienhius	Manager of Prevention Services	SC DAODAS
Lee	Dutton	Chief of Staff	SC DAODAS
Col. C.N.	Williamson	Commander	SCDPS, SC Highway Patrol
Michael	George	AET Liaison	SC DAODAS
Joe	Lumpkin	Former Vice-Chairman of the SCIDPC	Retired
David	Stumbo	8 th Circuit Solicitor	8 th Circuit Solicitor's Office

Crystal	Salley	Victim Advocate	SCDPS, Families of Highway Fatalities
Karl	Bitzky	Rates Analyst	SC Dept. of Insurance
Lt. Jeremy	Messinger	Traffic Safety Unit Supervisor	South Carolina Criminal Justice Academy (SCCJA)
Jack	Johnson	DRE Coordinator, Impaired Driving Countermeasures Training Coordinator	SCCJA
Terre	Marshall	Deputy Director of Health Services	SC Department of Corrections
Kenya	Mingo	Corporate Compliance/Program Development Officer	SC Primary Health Care Association
Carlean	Glover	Federal Program Manager	US Motor Carriers/Federal Motor Carrier Safety Administration
Laura	Hudson	Executive Director	South Carolina Crime Victims' Council
Tiffany	Wright	Public Relations Manager	AAA Carolinas
Lara	Peck	Injury Prevention Coordinator	Prisma Health Richland Hospital
Christine	Christopherson	Court Education Administrator	SC Court Administration
Debbie	Curtis	Deputy Director	SC Attorney General's Office
Ashley	Bodiford	Region 2 Capacity Coach	LRADAC
Lt. Dustin	Smith	Supervisor, Toxicology Department	SLED
Lt. Debbie	Banks	Implied Consent Department Forensic Sciences Division	SLED
Special Agent Randy	Brown	Implied Consent Department Forensic Sciences Division	SLED

Mark	Childress	Director, Ignition Interlock Device Program	SCDPPPS
Aimee	Hourigan	Director of Substance Abuse Prevention & Education, Office of the Dean of Students	University of South Carolina

Date that the Statewide impaired driving plan was approved by the State's task force.

Date impaired driving plan approved by task force: **6/14/2022**

Strategic plan details

State will submit updates to a Statewide impaired driving plan that was previously submitted under 23 C.F.R. 1300.23(f)(1). If the State is relying on a previously submitted plan, the State must provide updates to its Statewide impaired driving plan that meet the requirements of 23 C.F.R. 1300.23(e)(1) and updates to its assessment review and spending plan that meet the requirements of 23 C.F.R. 1300.23(f)(1).

Indicate either new or updated submission: **The state is using a new plan, approved by the State’s task force on 6/14/2022.**

Page number(s) from your impaired driving strategic plan that is based on the most recent version of Highway Safety Program Guideline No. 8 - Impaired Driving, which at a minimum covers the following:

- Communication program: **97**
- Criminal justice system: **60**
- Program evaluation & data: **105**
- Prevention: **47**
- Alcohol & other drug misuse, including screening, treatment, assessment & rehabilitation: **100**

STATE OF SOUTH CAROLINA
2023 IMPAIRED DRIVING
COUNTERMEASURES PLAN



Office of Highway Safety and Justice Programs

June 14, 2022

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Acronyms Used in this Document

AAA – American Automobile Association
ABC – Alcoholic Beverage Control
ACEP – American College of Emergency Physicians
ADSAP – Alcohol and Drug Safety Action Programs
AET – Alcohol Enforcement Teams
AOD – Alcohol and Other Drug Abuse Authorities
A-RIDE – Advanced Roadside Impaired Driving Enforcement
BAC – Blood Alcohol Concentration
BHSA – Behavioral Health Services Association
CAST – Community Action for a Safer Tomorrow
CMS – Case Management System
CROs – Community Relations Officers
CSAP – Center for Substance Abuse Prevention
DAODAS – South Carolina Department of Alcohol and Other Drug Abuse Services
DDACTS – Data Driven Approaches to Crime and Traffic Safety
DECP – South Carolina Drug Evaluation and Classification Program
DITEP – Drug Impairment Training for Educational Professionals
DRE – Drug Recognition Expert
DSS – South Carolina Department of Social Services
DUAC – Driving with an Unlawful Alcohol Concentration
DUI – Driving Under the Influence
ECHO – Empowering Communities for Healthy Outcomes
FAST Act – Fixing America’s Surface Transportation Act
FFY – Federal Fiscal Year
FHF – Families of Highway Fatalities
FHWA – Federal Highway Administration
FMCSA – Federal Motor Carrier Safety Administration
GDL – Graduated Driver License
HSIP – Highway Safety Improvement Plan
HSP – Highway Safety Plan
IDCTC – Impaired Driving Countermeasures Training Coordinator
IID – Ignition Interlock Device
ISS – Injury Surveillance System
LEL – Law Enforcement Liaisons
LEN – South Carolina Law Enforcement Network
LESS – Law Enforcement Support Services
MCMIS – Motor Carrier Management Information Systems
NETS – Network of Employers for Traffic Safety
NHTSA – National Highway Traffic Safety Administration
OHSJP – Office of Highway Safety and Justice Programs
OMVH – Office of Motor Vehicles Hearing
OOH – Out-of-Home
PBIS – Positive Behavior Interventions and Supports
PCPA – Primary Care Physician Association

PIOT – Public Information, Outreach and Training
PIRE – Pacific Institute for Research and Evaluation
PREP – Palmetto Retailer Education Program
RMS – Records Management System
SALTS – Safe and Legal Traffic Stops
SAMHSA – Substance Abuse and Mental Health Services Administration’s
SANTA – (Sober All Night Totally Awsome) Designated Driver
SARS – Statistical Analysis and Research Section
SBIRT – Brief Intervention and Referral to Treatment
SCAGO – South Carolina Attorney General’s Office
SCCA – South Carolina Coroners’ Association
SCCATTS – South Carolina Collision and Ticket Tracking System
SCCJA – South Carolina Criminal Justice Academy
SCCPC – South Carolina Commission on Prosecution Coordination
SCDC – South Carolina Department of Corrections
SCDHEC – South Carolina Department of Health and Environmental Control
SCDHHS – South Carolina Department of Health and Human Services
SCDMV – South Carolina Department of Motor Vehicles
SCDOE – South Carolina Department of Education
SCDOI – South Carolina Department of Insurance
SCDOR – South Carolina Department of Revenue
SCDOT – South Carolina Department of Transportation
SCDPPPS – South Carolina Department of Probation, Parole and Pardon Services
SCDPS – South Carolina Department of Public Safety
SCHP – South Carolina Highway Patrol
SCIDPC – South Carolina Impaired Driving Prevention Council
SCJB – South Carolina Judicial Branch
SCLEOA – South Carolina Law Enforcement Officers’ Association
SCMADD – South Carolina Mothers Against Drunk Driving
SCPSCC – South Carolina Public Safety Coordinating Council
SCRLA – South Carolina Restaurant and Lodging Association
SCSA – South Carolina Sheriffs’ Association
SCSCI – South Carolina School Climate Initiative
SCSCJA – South Carolina Summary Court Judges’ Association
SCTA – South Carolina Trucking Association
SCUTTIES – South Carolina Uniform Traffic Ticket Information Exchange System
SCVAN – South Carolina Victims Assistance Network
SES – Strategic Evaluation States
SFST – Standardized Field Sobriety Tests
SFY – State Fiscal Year
SHSP – Strategic Highway Safety Plan
SIG – State Incentive Grant
SIT – Safety Improvement Team
SLED – South Carolina State Law Enforcement Division
SOS – Sober or Slammer Campaign
SOVA – State Office of Victim Assistance

SPFSIG – Strategic Prevention Framework State Incentive Grant
STP – State Transport Police
STRAP – State Traffic Records Assessment Program
TRA – Traffic Records Assessment
TRS – Traffic Records System
TSRP – Traffic Safety Resource Prosecutor
UDAG – Underage Drinking Action Group
UTT – Uniform Traffic Ticket
YRBS – South Carolina Youth Risk Behavior Survey

Introduction

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

The state of South Carolina has traditionally ranked as one of the top states in the nation for impaired-driving-related fatalities. Beginning in 2006, the state received and the unit administered approximately \$3.0 million in federal funding for highway safety programs. Since this time, the total has increased to approximately \$10.4 million. Forty (40) percent of the Section 402 funds must be distributed to local political subdivisions. The funds are intended to provide seed money to catalyze innovative programs and leverage other state, local, and private resources. On December 4, 2015, the Fixing America's Surface Transportation Act (FAST Act) was signed into law, which authorized \$305 billion over fiscal years 2016 through 2020 and an additional \$13.6 billion through the end of fiscal year 2021 for highway and motor vehicle safety, public transportation, motor carrier safety, hazardous materials safety, rail, research, technology, and statistics programs. On November 21, 2021, the Infrastructure Investment and Jobs Act (also known as the Bipartisan Infrastructure Law), was signed into law. The Act authorized \$550 billion over fiscal years 2022 through 2026 for new spending on the nation's infrastructure, including roads, bridges, and mass transit. The Infrastructure Investment and Jobs Act requires the Highway Safety Plan (HSP) to provide for a data-driven traffic safety enforcement program to prevent traffic violations, collisions, and collision fatalities and injuries in areas of the state most at risk for such incidents.

For Federal Fiscal Year (FFY) 2023, the state will follow the provisions of the legislation for the Infrastructure Investment and Jobs Act. The Infrastructure Investment and Jobs Act follows much of the same guidance of the FAST Act and MAP-21 legislation; states that have an average impaired driving fatality rate per 100 million VMT of 0.60 or more are considered "high-range" states for impaired driving-related fatalities. Per a communication from the National Highway Traffic Safety Administration (NHTSA) Regional Operations and Program Delivery Office of Grants Management and Operations, NHTSA is using data from 2018-2020 to determine the range classification for Section 405 Impaired Driving Grants. According to this data, South Carolina's average VMT alcohol-impaired driving fatality rate for this time period was approximately 0.53, which classifies the state as *mid-range*.

Infrastructure Investment and Jobs Act legislation has continued the mandate that high-range states are required to conduct a NHTSA-facilitated impaired driving assessment and convene a statewide impaired driving task force to develop an impaired driving plan for the state. For FFY 2023, South Carolina has met each of the requirements to qualify for funding as a “mid-range” state for alcohol-impaired driving fatalities. South Carolina conducted a NHTSA-facilitated Impaired Driving Assessment on October 28-November 1, 2019. The Assessment was held at the Courtyard by Marriott Columbia Downtown at USC in Columbia, South Carolina and was led by Judge Linda Chezem of Mooresville, Indiana. The recommendations from the 2019 Impaired Driving Assessment are addressed in a separate section of this document and will continue to be utilized to formulate strategies to improve impaired driving countermeasures in the state of South Carolina.

This Impaired Driving Countermeasures Plan was presented to the SC Impaired Driving Prevention Council for review and was approved at its June 14, 2022 meeting.

In addition, the state of South Carolina included significant impaired driving countermeasures strategies as part of its FFY 2023 Highway Safety Plan, also submitted to NHTSA by no later than July 1, 2022.

Impaired Driving Statistical Overview: Collisions, Injuries, and Fatalities

The state of South Carolina is committed to reducing the occurrence of alcohol-impaired driving and the resulting traffic collisions, injuries, and fatalities. The state has experienced significant reductions in alcohol-impaired driving traffic fatalities in recent years. The most recent Fatality Analysis Reporting System (FARS) data provided by NHTSA indicates that 315 people died on South Carolina roadways in 2020 as a result of alcohol-impaired driving collisions (see **Table 5**). This raw number translates into a VMT alcohol-impaired driving fatality rate (traffic fatalities per 100 million vehicle miles traveled) for the state of 0.59, higher than the national rate of 0.40.

Table 5, compiled by the SARS from the available NHTSA-FARS datasets using final 2016 to 2020 data, shows that in 2016, there were 343 alcohol-impaired driving fatalities in South Carolina. This number was trending downwards but rose to 315 in 2020. The 315 alcohol-impaired driving fatalities in 2020 represent a 3.79% increase from the 2016-2019 average, and an 8.16% decrease from the 2016 total (343). The VMT-based alcohol-impaired traffic fatality rate for 2020 of 0.59 is an 8.76% increase from the prior four-year average and a 6.35% decrease when compared to the 2016 rate (0.63). South Carolina’s alcohol-impaired population-based fatality rate followed a pattern similar to the VMT rate, with the 2020 rate (6.15 deaths per 100,000 population) representing a 2.29% increase compared to the 2016-2019 average and an 11.13% decrease compared to the rate in 2016. Although alcohol-impaired driving fatalities for the year 2020 have declined in comparison to 2016, the 2020 figure represents a 14.13% increase above the 2019 figure (276).

Table 5. South Carolina Alcohol-Impaired Driving Fatalities							
	2016	2017	2018	2019	2020	% Change: 2016 vs. 2020	% Change: 2020 vs. prior 4-yr Avg.
Total Fatalities	343	305	290	276	315	-8.16%	3.79%
VMT Rate**	0.63	0.55	0.51	0.48	0.59	-6.35%	8.76%
Pop Rate***	6.92	6.07	5.70	5.36	6.15	-11.13%	2.29%
Pct. Of Total	33.63%	30.84%	27.99%	27.44%	29.61%	-4.02%	-0.37%

NHTSA NCSA FARS: 2016-2019 Final File and 2020 Annual Report File (ARF)
 2020 VMT & VMT Rate provided by South Carolina Department of Transportation
 Population provided by U.S. Bureau of Census
 **Rate per 100 million vehicle miles
 ***Rate per 100,000 population

Statistical data **Table 1** for calendar year (CY) 2020 shows that 1,064 people were killed in South Carolina traffic collisions. In the period from 2016 through 2020, there were 5,115 motor vehicle-related fatalities in South Carolina. This resulted in an average of 1,023 traffic fatalities per year over the five-year period. Over this period, annual traffic fatalities fluctuated around the five-year average, beginning with 1,020 in 2016 and ending with 1,064 in 2020. The 2020 figure represents a 5.06% increase, compared to the average of the prior four years (1,013 fatalities), and a 4.31% increase compared to 2016 (1,020). Total fatalities decreased from 1,020 in 2016 to 989 in 2017 (the lowest number of traffic fatalities in the five-year period), before increasing in 2018 and decreasing slightly in 2019 before reaching the highest of the five-year period in 2020 (1,064).

Table 1. South Carolina Basic Data							
	2016	2017	2018	2019	2020	% Change: 2016 vs. 2020	% Change: 2020 vs. prior 4-yr Avg.
Total Fatalities	1,020	989	1,036	1,006	1,064	4.31%	5.06%
VMT*	54.40	55.50	56.84	57.94	53.82	-1.07%	-4.18%
VMT Rate**	1.87	1.78	1.82	1.74	1.98	5.88%	9.85%
Population	4,957,968	5,021,268	5,084,156	5,148,714	5,118,425	3.24%	1.29%
Pop Rate***	20.57	19.70	20.38	19.54	20.79	1.07%	3.70%

NHTSA NCSA FARS: 2016-2019 Final File and 2020 Annual Report File (ARF)
 2020 VMT & VMT Rate provided by South Carolina Department of Transportation
 Population provided by U.S. Bureau of Census
 *Vehicle Miles of Travel (billions)
 **Rate per 100 million vehicle miles
 ***Rate per 100,000 population

Table 15 indicates that nationwide, alcohol-impaired traffic fatalities increased by 9.04% in 2020 compared to the average of the four prior years, and the VMT-based and population-based fatality rates increased by 20.30% and 7.15%, respectively. Nationally, the alcohol-impaired VMT-based fatality rate increased by 14.29% in 2020 compared to 2016, and the percent of alcohol-impaired fatalities increased by 1.84% compared to the 2016 percentage (29.01%). All indices (total fatalities, VMT rate, population-based fatality rate, and percent of total) increased nationally but declined statewide when compared to 2016.

Over the five-year period, 2016-2020, the average alcohol-impaired driving VMT rate in South Carolina (0.55 traffic deaths per 100 million VMT, see **Table 5**) was more than double that of the nation (0.35). Over the entire five-year period, the average alcohol-impaired driving population-based fatality rate in South Carolina (6.04 deaths per 100,000 residents, see **Table 5**) was much higher than the average for the nation (3.33 deaths per 100,000 residents, see **Table 15**).

Table 5 indicates that South Carolina’s proportion of impaired-driving deaths fell 4.02% in 2020 compared to the 2016 proportion (33.63%) and decreased by 0.37% in 2020 (29.61%) when compared to the average of the previous four years (29.98%). Though the state has much work to do to improve the problem of alcohol-impaired driving, the downward trend is encouraging.

Table 15. Nationwide Alcohol-Impaired Driving Fatalities							
	2016	2017	2018	2019	2020	% Change: 2016 vs. 2020	% Change: 2020 vs. prior 4-yr Avg.
Total Fatalities	10,967	10,880	10,710	10,196	11,654	6.26%	9.04%
VMT Rate**	0.35	0.34	0.33	0.31	0.40	14.29%	20.30%
Pop Rate***	3.40	3.35	3.28	3.11	3.52	3.53%	7.15%
Pct. Of Total	29.01%	29.03%	29.08%	28.05%	30.85%	1.84%	2.06%

NHTSA NCSA FARS: 2016-2019 Final File and 2020 Annual Report File (ARF)
 2020 VMT & VMT Rate provided by South Carolina Department of Transportation
 Population provided by U.S. Bureau of Census
 **Rate per 100 million vehicle miles
 ***Rate per 100,000 population

As shown in **Figure 18**, the percentage of fatalities in South Carolina that involved alcohol-impaired driving was above that of the nation from 2016 to 2017. However, in 2018, 27.99% of all fatalities in South Carolina were alcohol-impaired driving fatalities, which was 3.75% lower than the nationwide percentage during that same year. Also, in 2019, 27.44% of all fatalities in South Carolina were alcohol-impaired driving fatalities, which was 2.17% lower than the nationwide percentage during that same year, and in 2020, the percentage of alcohol-impaired driving fatalities in South Carolina was approximately 4.02% lower than the nationwide percentage.

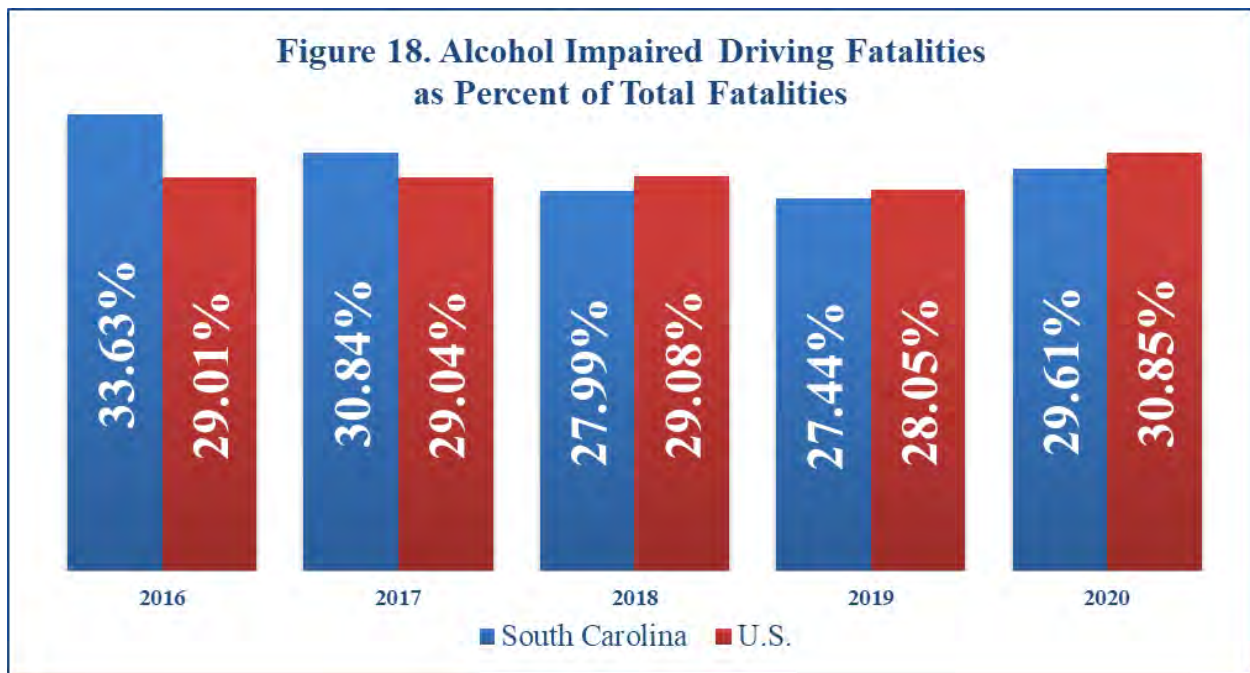
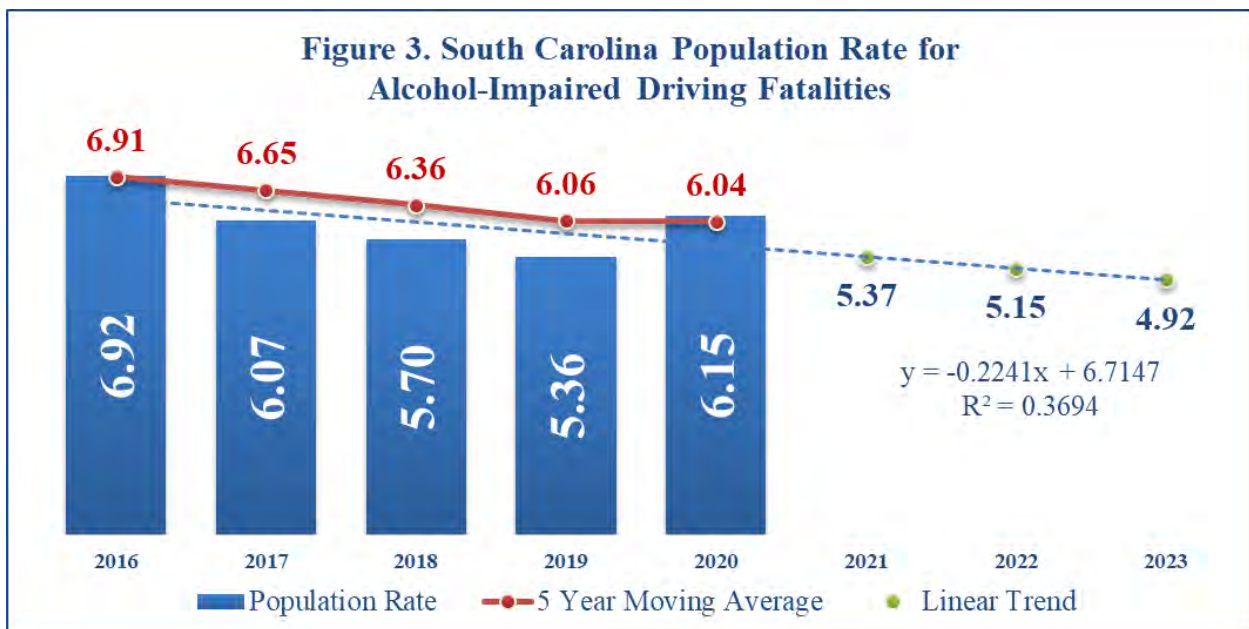
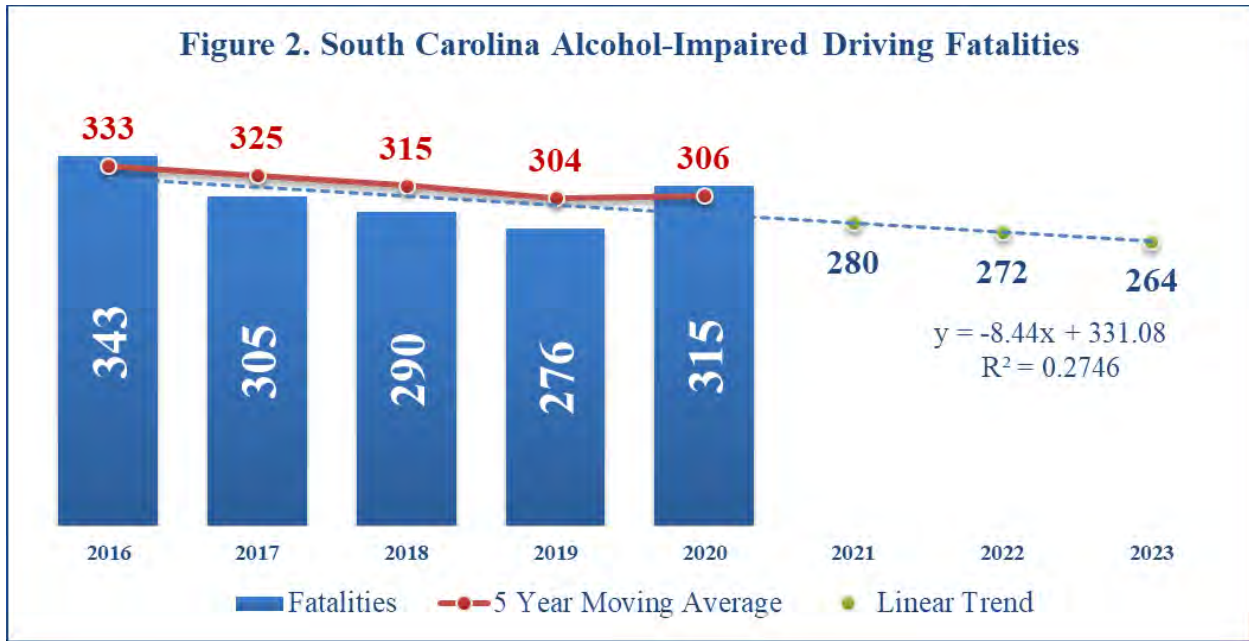


Figure 2 and **Figure 3** are based on NHTSA’s FARS data and display graphically the downward trends in South Carolina from 2016-2019 in terms of two key indices of alcohol-impaired driving fatality data: alcohol-impaired driving fatalities and the population-based alcohol-impaired driving fatality rate. However, in 2020, data shows an increase in both alcohol-impaired driving fatalities (+14.13%) and the population-based alcohol-impaired driving fatality rate (+14.74%). Though the state has much work to do to improve the problem of alcohol-impaired driving, the downward trends from 2016-2019 are encouraging.



Alcohol-Impaired Driving Fatalities: Counties

Table 16 shows the alcohol-impaired driving fatalities by county for South Carolina. According to NHTSA’s FARS data, from 2016 to 2020, the five counties with the most alcohol-impaired driving fatalities were Charleston (113); Greenville (104); Horry (99); Richland (99) and Spartanburg (85). Of these five counties, two showed a decrease in the number of 2020 traffic fatalities when compared to the respective prior four-year average: Charleston (-14.07%) and Horry (-6.62%). The remaining three experienced increases in the number of 2020 traffic fatalities when compared to the respective prior four-year average: Greenville (0.12%); Richland (5.85%);

and Spartanburg (37.56%). Throughout the five-year period 2016-2020, the counties with the highest percentages of alcohol-impaired driving fatalities as compared to the total traffic fatalities were Barnwell (50.00%); Lee (46.67%); Williamsburg (43.08%); Fairfield (37.10%); and Richland (35.87%).

Table 16. Alcohol-Impaired Driving Fatalities by County									
Alcohol-Impaired Driving (A-I) Fatalities*									
County	2016	2017	2018	2019	2020	Total A-I Fatalities	Total Fatalities	% A-I	% Change: 2020 vs. prior 4-yr Avg.
Abbeville	1	0	0	1	2	5	21	23.81%	252.0%
Aiken	13	6	7	7	3	36	163	22.09%	-67.37%
Allendale	0	1	2	2	1	6	18	33.33%	-16.67%
Anderson	14	16	10	7	16	63	231	27.27%	33.90%
Bamberg	1	0	2	0	2	5	18	27.78%	135.3%
Barnwell	3	4	1	1	2	10	20	50.00%	2.56%
Beaufort	9	8	5	2	5	27	113	23.89%	-21.05%
Berkeley	13	12	13	5	15	58	194	29.90%	40.47%
Calhoun	3	2	2	0	0	7	31	22.58%	-82.86%
Charleston	19	19	29	26	20	113	340	33.24%	-14.07%
Cherokee	1	7	3	5	4	20	70	28.57%	10.00%
Chester	8	7	3	1	3	22	63	34.92%	-29.03%
Chesterfield	3	4	3	5	4	19	61	31.15%	-11.95%
Clarendon	6	5	4	3	3	20	79	25.32%	-40.23%
Colleton	8	5	5	6	16	39	118	33.05%	171.9%
Darlington	9	4	8	4	4	30	97	30.93%	-33.60%
Dillon	6	2	1	1	3	13	52	25.00%	26.53%
Dorchester	7	7	2	7	8	31	112	27.68%	38.53%
Edgefield	1	0	4	0	3	8	28	28.57%	178.3%
Fairfield	5	3	5	3	7	23	62	37.10%	63.41%
Florence	10	15	12	14	7	57	173	32.95%	-46.83%
Georgetown	0	3	4	4	2	13	60	21.67%	-21.43%
Greenville	25	21	19	18	21	104	393	26.46%	0.12%
Greenwood	3	5	4	1	4	17	68	25.00%	13.85%
Hampton	0	0	0	2	5	7	28	25.00%	833.3%
Horry	19	17	18	26	19	99	349	28.37%	-6.62%
Jasper	7	3	3	7	3	23	81	28.40%	-32.65%
Kershaw	8	5	2	4	5	23	87	26.44%	3.23%
Lancaster	5	4	4	3	4	20	80	25.00%	-14.63%
Laurens	9	11	14	6	5	45	128	35.16%	-45.18%
Lee	3	3	4	2	2	14	30	46.67%	-31.15%
Lexington	20	21	14	12	18	84	254	33.07%	6.95%
McCormick	2	0	0	3	0	5	16	31.25%	-100.0%
Marion	3	1	1	2	3	10	48	20.83%	109.5%
Marlboro	1	1	1	1	2	5	48	10.42%	145.2%
Newberry	4	3	1	1	5	14	43	32.56%	128.6%
Oconee	4	6	5	7	2	24	76	31.58%	-59.07%
Orangeburg	11	12	13	13	12	60	178	33.71%	4.20%
Pickens	3	8	4	5	8	27	101	26.73%	76.84%
Richland	25	16	21	17	21	99	276	35.87%	5.85%
Saluda	1	1	0	1	2	5	19	26.32%	150.0%
Spartanburg	17	13	18	15	22	85	304	27.96%	37.56%
Sumter	10	6	7	7	5	35	100	35.00%	-28.38%
Union	2	2	1	3	1	9	32	28.13%	-48.72%
Williamsburg	11	4	5	5	3	28	65	43.08%	-58.40%
York	11	13	9	15	14	62	185	33.51%	19.83%
Totals	343	305	290	276	315	1529	5115	29.89%	3.79%

NHTSA NCSA FARS: 2016-2019 Final File and 2020 Annual Report File (ARF)

Different county pictures emerge when looking at population-based alcohol-impaired traffic fatality rates in South Carolina. The population-based traffic fatality rates by county are shown in **Table 17**, which shows that the counties with the highest population-based fatality rates in 2020 were Colleton (41.45); Fairfield (33.42); Hampton (26.94); Bamberg (15.03); and Orangeburg (14.25). Many of these counties are much smaller in population than the average SC County, and it should be noted that the counties' population-based fatality rates can vary drastically from year to year as **Table 17** shows. Thus, counties with the highest rates in 2020 may have had a much smaller rate in prior years. As a result, caution should be exercised when using this data to frame and inform strategies.

Table 17. Alcohol-Impaired Driving Fatalities by County: Rate per 100,000 Population					
	2016	2017	2018	2019	2020
Abbeville	4.06	0.00	0.00	4.08	8.23
Aiken	7.78	3.56	4.13	4.10	1.78
Allendale	0.00	11.10	22.41	23.02	12.44
Anderson	7.16	8.07	4.99	3.46	7.85
Bamberg	6.91	0.00	14.01	0.00	15.03
Barnwell	13.89	18.73	4.73	4.79	9.71
Beaufort	4.91	4.29	2.65	1.04	2.67
Berkeley	6.23	5.59	5.88	2.19	6.53
Calhoun	20.35	13.61	13.73	0.00	0.00
Charleston	4.79	4.73	7.14	6.32	4.90
Cherokee	1.76	12.30	5.26	8.73	7.12
Chester	24.77	21.67	9.29	3.10	9.29
Chesterfield	6.50	8.70	6.54	10.95	9.24
Clarendon	17.51	14.70	11.85	8.89	9.63
Colleton	21.29	13.31	13.27	15.92	41.45
Darlington	13.38	5.97	11.98	6.00	6.36
Dillon	19.53	6.56	3.27	3.28	10.60
Dorchester	4.48	4.40	1.24	4.30	4.95
Edgefield	3.76	0.00	14.74	0.00	11.69
Fairfield	22.09	13.28	22.35	13.42	33.42
Florence	7.22	10.83	8.68	10.12	5.11
Georgetown	0.00	4.85	6.43	6.38	3.15
Greenville	5.01	4.14	3.69	3.44	4.00
Greenwood	4.27	7.09	5.67	1.41	5.77
Hampton	0.00	0.00	0.00	10.40	26.94
Horry	5.92	5.11	5.23	7.34	5.41
Jasper	24.92	10.52	10.29	23.28	10.42
Kershaw	12.44	7.67	3.04	6.01	7.64
Lancaster	5.57	4.33	4.21	3.06	4.17
Laurens	13.51	16.46	20.93	8.89	7.40
Lee	17.14	17.25	23.13	11.88	12.10
Lexington	6.99	7.23	4.76	4.02	6.12
McCormick	20.89	0.00	0.00	31.70	0.00
Marion	9.45	3.20	3.22	6.52	10.28
Marlboro	3.71	3.75	3.79	3.83	7.50
Newberry	10.54	7.82	2.60	2.60	13.26
Oconee	5.23	7.75	6.39	8.80	2.54
Orangeburg	12.44	13.69	14.94	15.09	14.25
Pickens	2.44	6.48	3.19	3.94	6.09
Richland	6.11	3.89	5.07	4.09	5.05
Saluda	4.95	4.93	0.00	4.88	10.60
Spartanburg	5.65	4.24	5.73	4.69	6.71
Sumter	9.34	5.64	6.58	6.56	4.74
Union	7.23	7.30	3.66	10.98	3.67

Table 17. Alcohol-Impaired Driving Fatalities by County: Rate per 100,000 Population					
	2016	2017	2018	2019	2020
Williamsburg	34.47	12.81	16.34	16.46	9.67
York	4.27	4.88	3.29	5.34	4.96
County Average	9.80	7.66	7.62	7.51	8.92
Table 17. Alcohol-Impaired Driving Fatalities by County: Rate per 100,000 Population					
	2016	2017	2018	2019	2020
Abbeville	4.06	0.00	0.00	4.08	8.23
Aiken	7.78	3.56	4.13	4.10	1.78
Allendale	0.00	11.10	22.41	23.02	12.44
Anderson	7.16	8.07	4.99	3.46	7.85
Bamberg	6.91	0.00	14.01	0.00	15.03
Barnwell	13.89	18.73	4.73	4.79	9.71
Beaufort	4.91	4.29	2.65	1.04	2.67
Berkeley	6.23	5.59	5.88	2.19	6.53
Calhoun	20.35	13.61	13.73	0.00	0.00
Charleston	4.79	4.73	7.14	6.32	4.90
Cherokee	1.76	12.30	5.26	8.73	7.12
Chester	24.77	21.67	9.29	3.10	9.29
Chesterfield	6.50	8.70	6.54	10.95	9.24
Clarendon	17.51	14.70	11.85	8.89	9.63
Colleton	21.29	13.31	13.27	15.92	41.45
Darlington	13.38	5.97	11.98	6.00	6.36
Dillon	19.53	6.56	3.27	3.28	10.60
Dorchester	4.48	4.40	1.24	4.30	4.95
Edgefield	3.76	0.00	14.74	0.00	11.69
Fairfield	22.09	13.28	22.35	13.42	33.42
Florence	7.22	10.83	8.68	10.12	5.11
Georgetown	0.00	4.85	6.43	6.38	3.15
Greenville	5.01	4.14	3.69	3.44	4.00
Greenwood	4.27	7.09	5.67	1.41	5.77
Hampton	0.00	0.00	0.00	10.40	26.94
Horry	5.92	5.11	5.23	7.34	5.41
Jasper	24.92	10.52	10.29	23.28	10.42
Kershaw	12.44	7.67	3.04	6.01	7.64
Lancaster	5.57	4.33	4.21	3.06	4.17
Laurens	13.51	16.46	20.93	8.89	7.40
Lee	17.14	17.25	23.13	11.88	12.10
Lexington	6.99	7.23	4.76	4.02	6.12
McCormick	20.89	0.00	0.00	31.70	0.00
Marion	9.45	3.20	3.22	6.52	10.28
Marlboro	3.71	3.75	3.79	3.83	7.50
Newberry	10.54	7.82	2.60	2.60	13.26
Oconee	5.23	7.75	6.39	8.80	2.54
Orangeburg	12.44	13.69	14.94	15.09	14.25
Pickens	2.44	6.48	3.19	3.94	6.09
Richland	6.11	3.89	5.07	4.09	5.05
Saluda	4.95	4.93	0.00	4.88	10.60
Spartanburg	5.65	4.24	5.73	4.69	6.71
Sumter	9.34	5.64	6.58	6.56	4.74
Union	7.23	7.30	3.66	10.98	3.67
Williamsburg	34.47	12.81	16.34	16.46	9.67
York	4.27	4.88	3.29	5.34	4.96
County Average	9.80	7.66	7.62	7.51	8.92

NHTSA NCSA FARS: 2016-2019 Final File and 2020 Annual Report File (ARF)

Traffic Injuries

According to state data, from 2016 to 2020, a total of 286,913 people were injured in motor-vehicle collisions in South Carolina. Of the 286,913 injuries, 19,359 or 6.75%, were impaired driving-related (State data cannot separate alcohol- and drug-impaired driving). **Figure S-5** displays graphically the comparison between total injuries and impaired driving-related injuries in the state from 2016 to 2020.

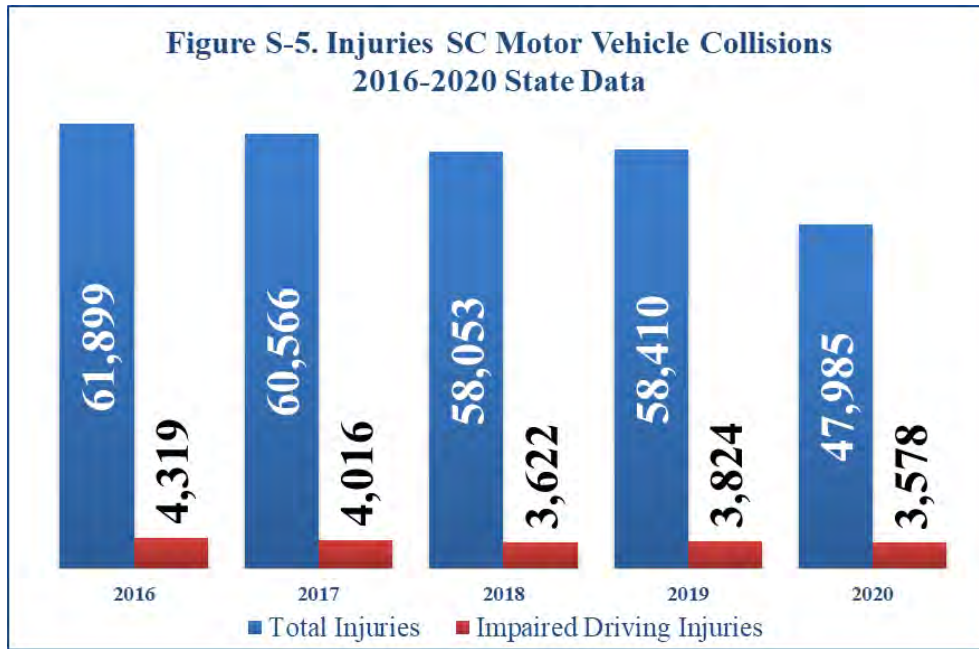
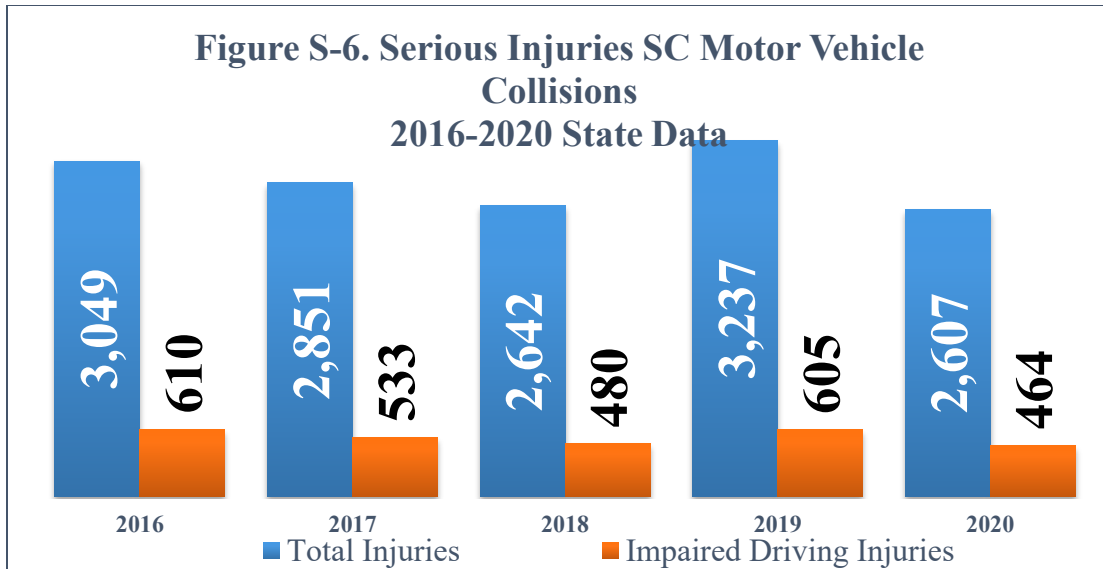


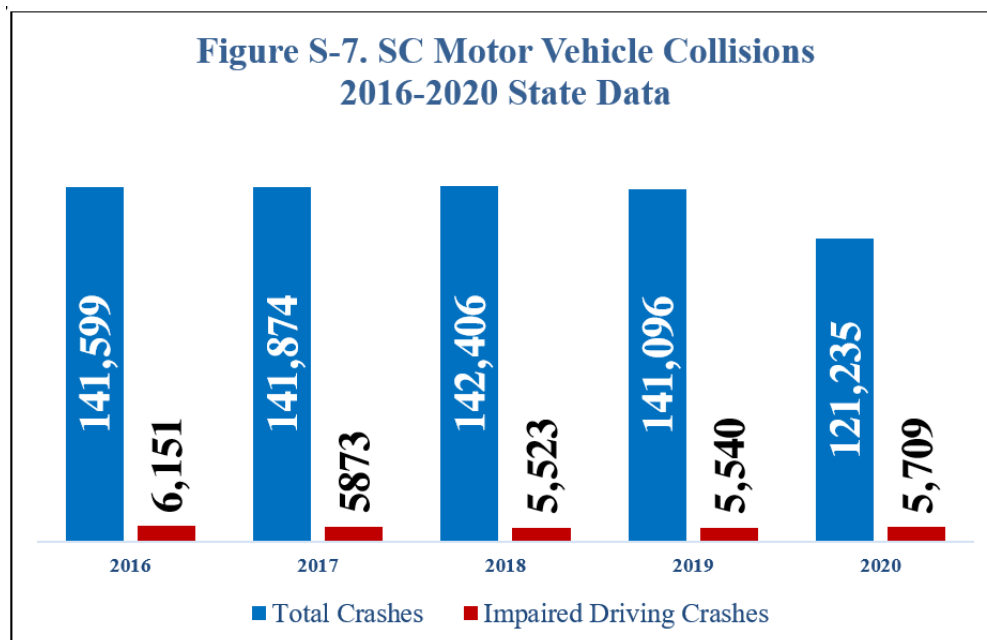
Figure S-6 compares total serious traffic-related injuries in SC from 2016 to 2020 to serious injuries resulting from impaired-driving collisions. From 2016 to 2020, SC experienced a total of 14,386 serious traffic-related injuries. Of these 14,386 serious injuries, 2,692, or 18.71%, were impaired driving-related. The state experienced a decrease (23.93%) in 2020 in impaired-driving-related serious injuries (464), compared to the number of impaired-driving-related serious injuries in 2016 (610); the state also experienced a 16.70% decrease in 2020 compared to the average of the four-year period 2016-2019 (557 serious injuries).



Traffic Crashes

Impaired-Driving Collisions

According to state data, over the five-year period 2016-2020, South Carolina experienced 28,796 impaired-driving collisions. During the same period, there was decrease (7.19%) in the number of impaired-driving collisions, from 6,151 in 2016 to 5,709 in 2020 (**Figure S-7**). The 2020 figure of 5,709 impaired-driving-related collisions was 1.09% lower than the average number of impaired-driving-related collisions for the years 2016-2019 (5,772).



Drivers Involved in Impaired-Driving-related Collisions

Drivers in the 25-29 year old age group made up the largest age group among all drivers (28,861) that contributed to an impaired-driving collision from 2016-2020, totaling 4,690 drivers. Of the 4,690 drivers, 271, or 5.78%, were involved in a fatal impaired-driving collision. The second highest group of drivers that contributed to an impaired-driving collision was the 20-24 year old age group (4,381 drivers). Of the 4,381 drivers, 209, or 4.77%, were involved in a fatal impaired-driving collision. This age group was followed by drivers aged 30-34, totaling 3,979 drivers that contributed to an impaired-driving collision and 209, or 5.25%, of whom were involved in a fatal impaired-driving collision (**Tables S-1 and S-2**).

During the period 2016-2020, 79.67% of the drivers that contributed to an impaired-driving collision were male, 20.15% were female, and 0.19% were gender unknown (**Table S-3**). In regards to ethnicity, Caucasians were the leading group of drivers that contributed to an impaired-driving crash, constituting 59.89% of the total drivers (**Table S-4**). African Americans were the next highest group, with 35.15%, followed by Hispanic drivers, who accounted for 3.78% of the total drivers that contributed to an impaired-driving crash (0.68%, 0.25%, 0.19%, and 0.06% represent Other, Alaskan Native/American Indian ethnicities, unknown, and Multi-Racial respectively).

Age Group	2016	2017	2018	2019	2020	Total
Under 15	1	1	0	3	1	6
15-19	235	246	208	190	230	1,109
20-24	990	930	801	798	862	4,381
25-29	1,036	956	911	895	892	4,690
30-34	805	819	741	768	846	3,979
35-39	664	643	649	654	659	3,269
40-44	549	539	504	522	543	2,657
45-49	509	482	490	457	446	2,384
50-54	485	441	390	380	389	2,085
55-59	422	375	364	371	371	1,903
60-64	228	216	236	232	237	1,149
65-69	137	118	136	139	117	647
70+	77	81	83	93	100	434
Unknown	38	36	34	41	19	168
Total	6,176	5,883	5,547	5,543	5,712	28,861

NHTSA NCSA FARS: 2016-2019 Final File and 2020 Annual Report File (ARF)

Age Group	2016	2017	2018	2019	2020	Total
Under 15	0	1	0	1	1	3
15-19	17	11	13	13	20	74
20-24	43	52	40	38	36	209
25-29	60	48	46	50	67	271
30-34	37	53	46	35	38	209
35-39	32	39	34	34	44	183
40-44	24	29	26	31	35	145
45-49	31	33	23	26	28	141

Age Group	2016	2017	2018	2019	2020	Total
50-54	26	25	23	20	21	115
55-59	16	15	23	22	22	98
60-64	16	13	13	12	15	69
65-69	10	13	7	8	12	50
70+	5	9	8	10	11	43
Unknown	0	0	2	1	0	3
Total	317	341	304	301	350	1,613

NHTSA NCSA FARS: 2016-2019 Final File and 2020 Annual Report File (ARF)

Gender	2016	2017	2018	2019	2020	Total
Female	61	65	66	76	57	325
Male	256	276	236	224	293	1,285
Unknown	0	0	2	1	0	3
Total	317	341	304	301	350	1,613

NHTSA NCSA FARS: 2016-2019 Final File and 2020 Annual Report File (ARF)

Ethnicity	2016	2017	2018	2019	2020	Total
Caucasian	198	217	167	173	211	966
African American	108	104	125	111	119	567
Hispanic	8	18	7	13	15	61
Other	3	2	0	3	3	11
Alaskan Native/American Indian	0	0	3	0	1	4
Unknown	0	0	2	1	0	3
Multi-Racial	0	0	0	0	1	1
Total	317	341	304	301	350	1,613

NHTSA NCSA FARS: 2016-2019 Final File and 2020 Annual Report File (ARF)

Alcohol-Impaired Driving Fatalities: BAC Percentages

As shown in **Table 18**, from 2016 through 2020, the percentage of fatalities in South Carolina in which the highest BAC in the crash was 0.08 or above was approximately 29.77%, and approximately only 5.36% of the known BAC test results were in the 0.01 to 0.07 range. Additional analysis shows about 20.77% of these fatal collisions involved a driver whose BAC was double that of the legal limit or greater at the time of the collision.

Highest BAC	Number of Fatal Collisions
0.00	3,065
0.01-0.07	253
0.08-0.14	425
0.15-0.21	564

Table 18. Fatalities by Highest BAC in Crash	
Highest BAC	Number of Fatal Collisions
0.22-0.28	302
0.29-0.35	85
0.36+	30
Total**	4,723

Table 18. Fatalities by Highest BAC in Crash	
Highest BAC	Number of Fatal Collisions
0.00	3,065
0.01-0.07	253
0.08-0.14	425
0.15-0.21	564
0.22-0.28	302
0.29-0.35	85
0.36+	30
Total**	4,723

NHTSA NCSA FARS: 2016-2019 Final File and 2020 Annual Report File (ARF)
 **Pieces may not sum to total due to rounding from imputation method.

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

As shown in **Table 19**, the three months with the greatest number of alcohol-impairment-related fatal collisions in South Carolina during the 2016-2020 period were May (135 collisions, 9.63% of the total), July (126 collisions, 8.96% of total), and October (126 collisions, 8.96% of total). Nationwide, the three months with the greatest percentage of such collisions were July (9.56%), August (9.32%), and September (9.20%).

During the timeframe 2016-2020, alcohol-impairment-related fatal collisions were more common on Fridays, Saturdays, and Sundays for South Carolina and the US as a whole. In South Carolina, the most alcohol-impairment-related fatal collisions occurred on Saturdays (345 collisions, 24.56% of total), followed by Sundays (291 collisions, 20.68%), and then Fridays (198 collisions, 14.09%). The same pattern was observed for the nation. Nationally, 22.13% of alcohol-impairment-related fatal collisions occurred on Saturdays, 20.74% on Sundays, and 15.07% on Fridays.

During the 2016-2020 period, alcohol-impairment-related fatal collisions were much more common after 6 p.m. and before 3 a.m. for South Carolina and the US as a whole. In South Carolina, the most alcohol-impairment-related fatal collisions occurred between 9 p.m. to midnight (333 collisions, 23.67%), midnight and 3 a.m. (298 collisions, 21.18%), followed by 6 p.m. to 9 p.m. (277 collisions, 19.67%). Nationwide the pattern was similar; a total of 21.95% of alcohol-impairment-related fatal collisions occurred between 9 p.m. to midnight, 21.74% between midnight and 3 a.m., and 18.81% between 6 p.m. and 9 p.m. In South Carolina, 88.06% of alcohol-impairment-related fatal collisions occurred between the hours of 3 p.m. and 6 a.m.

Table 19. Alcohol-Impairment Related Fatal Crashes* by Month, Day of Week, and Time of Day: Totals 2016-2020				
	South Carolina N= 1,406		U.S. N= 49,436	
	N	%	N	%
MONTH				

Table 19. Alcohol-Impairment Related Fatal Crashes* by Month, Day of Week, and Time of Day: Totals 2016-2020				
	South Carolina N= 1,406		U.S. N= 49,436	
	N	%	N	%
January	110	7.83%	3,422	6.92%
February	104	7.40%	3,295	6.67%
March	115	8.15%	3,708	7.50%
April	106	7.57%	3,765	7.62%
May	135	9.63%	4,306	8.71%
June	121	8.58%	4,521	9.15%
July	126	8.96%	4,726	9.56%
August	124	8.84%	4,609	9.32%
September	116	8.25%	4,550	9.20%
October	126	8.96%	4,429	8.96%
November	117	8.30%	4,088	8.27%
December	106	7.55%	4,016	8.12%
DAY OF WEEK				
Sunday	291	20.68%	10,252	20.74%
Monday	124	8.82%	5,339	10.80%
Tuesday	125	8.87%	4,854	9.82%
Wednesday	150	10.69%	5,112	10.34%
Thursday	173	12.29%	5,490	11.10%
Friday	198	14.09%	7,452	15.07%
Saturday	345	24.56%	10,938	22.13%
TIME OF DAY				
0:00am-2:59am	298	21.18%	10,750	21.74%
3:00am-5:59am	168	11.98%	5,665	11.46%
6:00am-8:59am	65	4.62%	2,286	4.62%
9:00am-11:59am	37	2.60%	1,577	3.19%
12:00pm-2:59pm	66	4.72%	2,832	5.73%
3:00pm-5:59pm	163	11.56%	5,631	11.39%
6:00pm-8:59pm	277	19.67%	9,300	18.81%
9:00pm-11:59pm	333	23.67%	10,849	21.95%
Unknown Hours			548	1.11%

NHTSA NCSA FARS: 2016-2019 Final File and 2020 Annual Report File (ARF)

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

Alcohol-Impaired Fatalities: Route Category

As shown in **Table 20**, during 2016-2020, over half (64.15 %) of impaired driving-related fatalities in SC occurred on State Highways, followed by U.S. Highways (20.94%), Interstates (9.29%), and County Roads (5.55%). Other and Local Street-Township routes had the least number of impaired driving-related fatalities with 0.07%, and 0.00% of the total number of fatalities, respectively.

Table 20. Alcohol-Impaired Driving Fatalities by Route Category: Totals 2016-2020		
Route Category	Number of Fatalities	Percentage of Total
Interstate	142	9.29%
U.S. Highway	320	20.94%
State Highway	981	64.15%
County Road	85	5.55%
Local Street - Township	0	0.00%

Route Category	Number of Fatalities	Percentage of Total
Other	1	0.07%
Total	1,529	100.0%

NHTSA NCSA FARS: 2016-2019 Final File and 2020 Annual Report File (ARF)

Alcohol-Impaired Fatal and Serious Injury Collisions

The Office of Highway Safety and Justice Programs’ (OHSJP) Statistical Analysis and Research Section (SARS) also reviewed the counties with the highest reported frequencies of fatal and serious injury DUI-related collisions in South Carolina from 2016 to 2020. Combining DUI-related “fatal and serious injury” data is another way that the OHSJP analyzed the impaired-driving problem in the state. As shown in **Table S-5**, during the five-year time frame 2016-2020, the counties identified as experiencing the most DUI-related fatal and severe-injury collisions were Greenville (330), Lexington (221), Horry (217), Spartanburg (215), Charleston (194), Richland (192), Anderson (186), York (160), Berkeley (126), Florence (103), Aiken (100), Orangeburg (97), Beaufort (90), Laurens (88), Dorchester (83), Oconee (77), Sumter (76), Lancaster (73), Colleton (72), and Pickens (72). The five priority counties (Charleston, Greenville, Horry, Richland and Spartanburg) identified in **Table 16** are all among the highlighted counties in **Table S-5**:

County	2016	2017	2018	2019	2020	2016-2020	% DUI 2016-2020
Greenville	88	71	63	55	53	330	22.66%
Lexington	52	49	49	36	35	221	28.44%
Horry	40	52	31	53	41	217	17.56%
Spartanburg	50	28	41	47	49	215	21.18%
Charleston	31	46	38	45	34	194	13.63%
Richland	47	31	38	36	40	192	21.33%
Anderson	36	54	33	31	32	186	23.22%
York	29	26	31	40	34	160	23.05%
Berkeley	27	29	23	24	23	126	23.08%
Florence	19	20	22	25	17	103	21.02%
Aiken	27	20	23	17	13	100	23.09%
Orangeburg	18	15	17	21	26	97	19.21%
Beaufort	17	24	17	12	20	90	20.00%
Laurens	17	20	18	18	15	88	26.35%
Dorchester	16	19	8	19	21	83	23.65%
Oconee	8	17	12	20	20	77	26.10%
Sumter	16	13	10	16	21	76	22.22%
Lancaster	20	16	9	14	14	73	23.55%
Colleton	11	12	11	12	26	72	27.38%
Pickens	14	13	10	20	15	72	20.81%
Cherokee	15	16	8	12	15	66	25.88%
Kershaw	17	16	13	12	8	66	26.51%
Darlington	17	12	10	18	6	63	27.27%
Greenwood	9	11	11	12	11	54	23.38%
Chesterfield	12	10	8	11	9	50	26.60%
Jasper	12	5	6	15	7	45	19.74%
Clarendon	9	9	4	14	7	43	26.06%

Table S-5. All Fatal and Serious Injury Alcohol and/or Drug Collisions, State Data 2016-2020							
County	2016	2017	2018	2019	2020	2016-2020	% DUI 2016-2020
Chester	10	10	10	5	5	40	21.62%
Abbeville	4	13	3	7	5	32	36.78%
Georgetown	5	10	8	5	4	32	12.50%
Lee	5	4	9	6	6	30	34.09%
Williamsburg	6	7	6	7	4	30	15.71%
Fairfield	7	5	6	5	6	29	20.71%
Newberry	10	4	4	0	9	27	18.88%
Union	6	4	8	4	5	27	23.68%
Edgefield	5	3	2	6	9	25	32.89%
Dillon	2	6	2	4	3	17	13.71%
Marion	2	4	2	6	3	17	15.32%
Saluda	5	4	1	4	2	16	27.12%
Barnwell	4	3	3	3	2	15	20.00%
Hampton	1	2	6	2	4	15	15.31%
Marlboro	2	0	2	5	5	14	13.33%
Calhoun	2	2	3	2	1	10	12.66%
Bamberg	3	1	3	1	1	9	14.06%
Allendale	1	2	1	2	2	8	17.02%
McCormick	2	1	0	3	2	8	25.00%
Total	756	739	643	732	690	3,560	21.46%

I. Program Management and Strategic Planning

The management of the Highway Safety Program in South Carolina is based on strong leadership, sound policy development, program management, strategic planning, and an effective communications program. Since the issue of impaired driving is such a challenge in the state, specific attention is directed to this area of major concern. The state utilizes evidence-based practices in its problem identification methods to determine where and when to place its resources in order to impact the state's traffic safety problems, with a priority given to impaired driving issues. The state's plan for impacting impaired driving is data-driven and focused on geographic areas that are most at-risk for impaired driving problems. The staff of OHSJP carefully manages and monitors campaign initiatives and subgrantee projects, including impaired driving countermeasures projects.

• Task Forces or Commissions

SC Impaired Driving Prevention Council - The state of South Carolina has an impaired driving task force known as the South Carolina Impaired Driving Prevention Council (SCIDPC), which was formed in August 2004 based on a recommendation resulting from an Impaired Driving Assessment conducted in the state in 2002 by a team of NHTSA experts led by Judge Mike Witte of the State of Indiana. The SCIDPC is a multi-agency, multi-disciplinary task force, made up of representatives from law enforcement, the criminal justice system (prosecution, adjudication, and probation), driver licensing, treatment and rehabilitation, the ignition interlock program, data and traffic records, public health, and communication. The Council has sought to utilize a variety of approaches in attacking the DUI problem in the state.

The SCIDPC is composed of representatives from the following agencies (please note primary agency function(s) indicated by each listed agency):

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

Each member agency/organization brings different perspectives and experiences to the task force.

The essential purpose of the SCIDPC is to provide leadership and guidance for citizens seeking to reduce the number of DUI-related collisions, injuries, and fatalities in the state. **Attachment 1** contains a list of current SCIDPC members, and **Attachment 2** contains the SCIDPC’s charter. The SCIDPC was instrumental in getting the state’s DUI law strengthened in 2009 and provided

on-going support for the legislation that makes the Ignition Interlock Device (IID) mandatory for offenders with a blood alcohol concentration (BAC) of 0.15 or above convicted of a first-offense DUI in South Carolina. South Carolina's previous Governor, Nikki R. Haley, signed the bill on April 14, 2014. The amended IID law is referred to as "Emma's Law", and it took effect on October 1, 2014. The SCIDPC continues to make progress in addressing impaired driving issues in South Carolina. The SCIDPC actively advocated for the DUI video legislation to be amended, so as not to allow the offender stepping out of the video briefly to be the sole reason for dismissal of a case. The SCIDPC is still working to address the legislation which limits law enforcement to one BAC test at the time of a DUI arrest, advocating against the legalization of the Medical Marijuana Program Act, and supporting Alli's Law: Responsible Alcoholic Beverage Server Training Act. Alli's Law would mandate alcohol server training beyond the current requirement, which specifies mandated training after a serving violation.

The OHSJP will continue to work to ensure that the SCIDPC and its membership remain viable. The SCIDPC and the OHSJP will also continue to diligently work together to ensure that impaired driving countermeasures remain a top priority for the state of South Carolina. The SCIDPC continues to assist in the drafting and review of the Impaired Driving Countermeasures Plan and convened on June 14, 2022, to review and approve the state's FFY 2023 Impaired Driving Countermeasures Plan.

Underage Drinking Action Group - In addition to participating in the efforts of the SCIDPC, DAODAS is responsible for the administration of the state's Underage Drinking Action Group (UDAG). UDAG is dedicated to the reduction of underage drinking in the state and is composed of a multi-disciplinary team of stakeholders. Participants hail from the following agencies and groups: the SCDPS, DAODAS, the SC Department of Social Services (DSS), the SC DOT, MADD SC, the University of South Carolina, Clemson University, Pacific Institute for Research and Evaluation, SCDOE, the College of Charleston, SLED, and the SC Petroleum Marketers. The UDAG has launched a successful campaign to ensure that parents in the state are aware of the liabilities associated with social hosting and the legal implications of providing alcohol to minors in any context. The campaign, which has utilized television, radio, and billboard advertising, is known as *Parents Who Host Lose the Most*. The UDAG has also funded an enforcement initiative known as *Out of Their Hands*, a program which enlists the support of Alcohol Enforcement Teams (AET) from local law enforcement agencies in each of the state's sixteen judicial circuits to enforce underage drinking laws, enact party dispersal enforcement activity, and conduct compliance checks of retail establishments serving alcohol.

- **Strategic Planning**

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

this coordination. The countermeasure strategies identified in this plan are performance-based and were developed with significant input from the SARS, which is housed within the OHSJP.

Strategic planning is a measured process conducted by the state of South Carolina, which contains a well-defined cycle and several distinct phases. A diagram of the Highway Safety Planning Cycle represents the calendar-based description of the process. A discussion of the phases of strategic planning follows after the diagram.

Highway Safety Planning Process and Development



Phase 1

The FFY 2023 Problem Identification process began in September 2021 with a statewide statistical overview by the OHSJP Statistical Research and Analysis Section (SARS), to provide a picture of the highway safety problems in general in the state of South Carolina. The overview included an identification of problem or priority counties in the state regarding traffic safety issues and concerns and was presented to OHSJP Management staff and Law Enforcement Liaisons. A general discussion of major problem areas and identification of priority areas for funding followed. The analysis was based on traffic data trends showing all counties in the state of South Carolina in six statistical categories regarding fatal and severe-injury crashes (number DUI-related, percentage DUI-related, number speed-related, percentage speed-related, number alcohol- and/or speed-related, and percentage alcohol- and/or speed-related). Priority areas for highway safety initiatives for FFY 2023 were tentatively adopted as Impaired Driving Countermeasures; Occupant Protection; Education/Outreach; Police Traffic Services/Speed Enforcement; and Traffic Records (Statewide Emphasis). During this meeting, crash data for the previous three calendar years was provided by the SARS staff of the OHSJP.

The following list of areas for FFY 2023 was established after data analysis and evaluation.

Priority Emphasis Funding Areas:

Impaired Driving Countermeasures: The enforcement, adjudication, education, and systematic improvements necessary to affect impaired driving. This includes programs focusing on youth alcohol traffic safety issues.

Police Traffic Services/Speed Enforcement: The development or enhancement of traffic enforcement programs necessary to directly affect traffic crashes, fatalities, and injuries. Speeding programs are a priority; however, these programs should also include attention to DUI enforcement and occupant protection. Priority will be given to projects with integrated enforcement strategies to effectively combat impaired driving and other aggressive driving behaviors, such as speeding. Components of grant proposals may also include efforts to educate and improve the driving skills, attitudes, and behaviors of young drivers, 20 or younger.

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

Traffic Records (Statewide Emphasis): The continued development and implementation of a statewide program (the South Carolina Collision and Ticket Tracking System or SCCATTS) designed to enhance the collection, analysis and dissemination of collision data, increasing the capability for identifying and alleviating highway safety problems.

Other Potential Funding Areas: Other potential areas of funding were accepted and considered.

Phase 2

Following the September 2021 Problem Identification meeting, OHSJP management staff met on several occasions to determine funding priorities (programmatic and geographic) and develop a

plan for project development for FFY 2023. During these meetings, OHSJP staff identified areas of the state where highway safety problems exist that are void of grant-funded projects or other efforts to reduce crashes and fatalities. The project development plan included, based on an estimate of federal funds being available in FFY 2023, soliciting quality grant applications from entities in those geographic areas where the greatest highway safety problems exist and for the types of projects that are likely to have the most impact.

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

The OHSJP staff recommended that proposals for the following types of projects receive priority attention for FFY 2023 Highway Safety funding:

- DUI and speeding enforcement projects focusing the traffic enforcement efforts of local and state jurisdictions, as well as multijurisdictional projects, on the apprehension of impaired drivers and those exceeding speed limits in the state of South Carolina. These types of projects provide support for the statewide *Sober or Slammer!* campaign, which is South Carolina's version of the national *Drive Sober or Get Pulled Over* campaign. These types of projects must also have components that include Law Enforcement Network participation and participation in statewide sustained impaired driving enforcement initiatives.
- Projects to continue funding for special DUI prosecutors to attack the problem of DUI recidivism and increase the conviction rate of DUI offenders in judicial circuits in which there have been difficulties in obtaining DUI convictions and in which there exists a backlog of DUI cases.
- Projects to educate young drivers, ages 20 or younger, as to how alcohol impairs driving ability and the consequences of driving while impaired. Proposals will also be entertained for training projects for the state's judiciary and prosecutors, which provide education on how driving ability is impaired at various blood alcohol levels. Law enforcement projects should also include guidelines for conducting public safety checkpoints, the use of horizontal gaze nystagmus as a field sobriety test, the use of passive alcohol sensors for the presence of ambient alcohol during traffic stops, and DUI-sentencing alternatives.
- Extensive formalized training on traffic safety issues for law enforcement officers statewide.

- Projects to establish or strengthen traffic enforcement units within local law enforcement agencies. Such projects must include, at a minimum, a comprehensive enforcement effort, including DUI enforcement, speed enforcement, and occupant protection enforcement. Such projects must also include Law Enforcement Network participation and participation in all components of statewide mobilization enforcement initiatives (occupant protection, impaired driving, speed enforcement, etc.).
- Projects to continue the automation of the state's collision and uniform traffic citation report forms.
- Statewide enforcement campaigns combining education, media, diversity outreach, and enforcement components to improve occupant restraint usage by South Carolina citizens and visitors and to attack the ever growing impaired driving problem in the state.
- A project to maintain a Traffic Safety Resource Prosecutor in the state of South Carolina to provide training on the prosecution of traffic safety violations, predominantly DUI, occurring in the state of South Carolina and to assist in the actual prosecution of traffic safety violations statewide.
- A project to maintain a Judicial Outreach Liaison in the state of South Carolina to share information and to provide education to judges and other court personnel, predominantly on DUI and DUAC cases, occurring in the state of South Carolina.
- Projects to educate parents on the proper use of child safety seats and to promote the proper use of safety belts among all age groups. Projects targeting the usage of safety belts by young drivers and male drivers, ages 15-34.
- Projects addressing the safe operation of motorcycles, encouraging voluntary compliance with helmet laws, promoting rider education, and dealing with impaired riding issues.

Phase 3

With the completion of the Problem Identification process, staff developed the FFY 2023 Highway Safety Funding Guidelines, which for the first time in many years included overtime enforcement projects. This document set guidelines for the submission of grant applications for highway safety funding in accordance with the priorities established through the problem identification process and basic federal requirements of the Section 402 program. Under the performance-based process, the guidelines stipulated, "Equipment-only applications will not be considered for funding." It also stipulated, "Applicants who do not demonstrate a traffic safety problem/need will not be considered for funding." In order to place funding where the problems exist, the guidelines further specified that "Priority consideration will be given to applicants proposing major alcohol countermeasures, occupant protection, non-motorized safety, speed enforcement, and traffic records programs within the counties identified previously as having the highest numbers and percentages of alcohol- and/or speed-related traffic collisions, deaths, and injuries during the last three years."

The guidelines (1) described the highway safety problems identified by highway safety staff; (2) discussed the types of projects desired and for which priority would be given, based on the problem identification process; (3) described allowable and unallowable activities/program costs; (4) discussed the areas eligible for funding; (5) provided the criteria by which applications would be reviewed and evaluated; (6) included a checklist for completion of the grant application; (7) discussed the responsibilities of funded applicants; (8) provided specific requirements for various types of applications submitted under the various program areas; and (9) provided frequently asked questions with the answers.

Solicitation Process

Once the guidelines were completed, an electronic flyer was sent to approximately 450 recipients, including state and local law enforcement agencies, state agencies, Project Directors of current grant projects, coroners, and Safe Kids coalitions within the state on December 30, 2021. The flyer informed recipients of the grant opportunity and invited them to attend the Grant Solicitation Workshop. It also referred recipients to the OHSJP's website at <https://scdps.sc.gov/ohsjp>, which contained instructions for the preparation of the grant application document. The application deadline was Friday, February 25, 2022 at 11:59 p.m. Applicants were provided names and telephone numbers of highway safety staff to contact for assistance.

Workshops for Potential Applicants

A virtual Grant Solicitation Workshop was held via WebEx on January 19, 2022, with approximately 115 participants. During the workshop, participants were provided with a description of the various program areas eligible for funding; an explanation of allowable costs; a description of the types of projects for which priority consideration would be given; a description of the criteria by which applications would be reviewed; specific instructions on the proper completion of the grant application; and a presentation on how to write a winning grant proposal. Participants were informed that samples of completed grant applications for impaired driving and speed enforcement (overtime and straight-time) projects, as well as Special DUI Prosecutor (housed in law enforcement agencies and solicitor's offices) projects would be available on the SCDPS website to assist in the preparation of their applications.

Phase 4

The next phase of the planning process involved the review of submitted project applications. The deadline for Highway Safety grant applications for FFY 2023 funding was Friday, February 25, 2022, at 11:59 p.m. Grant applications moved through a multi-stage review process. The first stage of the review process involved the Highway Safety Grant Program Manager, Highway Safety Planning and Evaluation Coordinator, OP/PTS Program Coordinator, and the Impaired Driving Countermeasures (IDC) Program Coordinator. The second stage of the review process involved additional meetings to discuss the grant applications in detail. All applications for continued and new highway safety activities received were reviewed at both stages in accordance with the review criteria listed below:

1. The degree to which the proposal addressed a nationally- or state-identified problem area. Primary consideration was granted to those projects, which addressed major impaired

driving countermeasures, occupant protection, speed enforcement, and traffic records programs within the counties identified previously as having the highest numbers and percentages of alcohol and/or speed-related traffic collisions, deaths, and injuries during the last three years.

2. The extent to which the proposal met the published criteria within the specific emphasis area.
3. The degree to which the subgrantee identified, analyzed, and comprehended the local or state problems. **Applicants that did not demonstrate a traffic safety problem/need were not recommended for funding.**
4. The extent to which the proposal sought to provide a realistic and comprehensive approach toward problem solution, including documenting coordination with local and state agencies necessary for successful implementation.
5. The assignment of specific and measurable objectives with performance indicators capable of assessing project activity.
6. The extent to which the estimated cost justified the anticipated results.
7. The ability of the proposed efforts to generate additional identifiable highway safety activity in the program area.
8. The ability of the applicant to successfully implement the project based on the experience of the agency in implementing similar projects; and the capability of the agency to provide necessary administrative support to the project. For agencies that were awarded during previous physical years, the quality of work and the responsiveness to grant requirements demonstrated in past funding years; current or past grant performance; results of past monitoring visits; and the timeliness and thoroughness of required reports.

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

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

The second stage of the grant review process was based on discussions among the Director of the OHSJP, Grants Administration Manager, Business Manager, Highway Safety Grants Accounting Manager, and Highway Safety Grant Program Manager, to reach a general consensus on each of

the grant applications. Upon the conclusion of the two stages of staffing meetings, the third portion of the review process began. Each project was further reviewed and evaluated to ensure that all projects recommended for funding met the established criteria and the final recommendation would reflect the best use of grant funds to address the identified highway safety issue.

Once recommendations are established, the OHSJP staff develops a Summaries and Recommendations document to present for review and approval to the South Carolina Public Safety Coordinating Council (SCPSCC) pursuant to Section 23-6-520, South Carolina Code of Laws, 1976, as amended. This legislatively-mandated body is composed of the Director of the SCDPS, the Governor's Designee, the Chief of the State Law Enforcement Division (SLED), the SC Attorney General, two members of the State General Assembly (a member of the House of Representatives and a member of the Senate), one county sheriff, a local police chief, a victim, and a victims representative. The members of the Council are appointed by the Governor of South Carolina, with the exception of the victim position, which is appointed by the Attorney General. This body has final authority regarding the funding of OHSJP projects in the state of South Carolina. After approval by the Council (which occurred May 23, 2022 for FFY 2023 projects), Highway safety staff finalized program area plans. Upon receipt of funding notification by NHTSA and based on funding amounts/availability, grant awards for the funding period of October 1- September 30 will be issued in September to those applicants approved through this process.

Other Key Planning Components

While the above planning process took place, OHSJP staff began the process of developing two other key aspects of the overall strategic planning process, performance measures, and the state's annual Highway Safety Plan (HSP).

South Carolina Highway Safety Performance Measures

Listed in **Table 14** are South Carolina's Highway Safety Plan Performance Measures for FFY 2023, which are consistent with the performance measures developed by USDOT in collaboration with the Governors Highway Safety Association and include the addition of a performance measure relative to bicyclist fatalities. South Carolina has also added a state-specific performance measure relative to moped operator traffic fatalities. The table contains data points used to determine appropriate targets for success outlined in the HSP. Data-driven targets for each performance measure have been established and placed in the corresponding program area within the HSP document. These performance targets allow the OHSJP to track the state's progress toward meeting each target from a specific baseline.

Process for Setting Targets in the HSP

When setting targets in the HSP for the core performance measures, the SARS performed an extensive analysis of the data related to each measure. South Carolina utilized an eight-data-point graphical analysis with a five-year rolling average for all but one of the performance measures. The exception was the seatbelt use rate performance measure, which utilizes a year-to-year analysis. For all the measures, after the data points were plotted and the graphs were created, a

trend line was added that could be used to predict future values. Trend lines were reviewed using linear and non-linear equations with R-squared (best fit measure) values, the feasibility of the predicted trend values, and the 2020 preliminary data. Also, an analysis was conducted on the feasibility of getting the five-year average down given the upward trend of some measures and the recent high fatality values of the past few years.

The statisticians then performed additional data analyses, often examining the data from each year to determine the percent change from year to year. If, for example, the five-year moving average displayed a general downward trend for the total number of fatalities, but an examination of the fatality count by year revealed a significant increase in fatalities from 2015 to 2016 and 2016 to 2020 (preliminary data), the target value from the trend line equation may have proven unfeasible. When this occurred, the statisticians, after consultation with other OHSJP staff, would adjust the target value based on additional data analyses and examination of Highway Safety projects, proposed countermeasures, and other factors unique to South Carolina which could impact the possibility of reaching a lofty target based solely on trend line data. Unique factors examined include vehicle miles traveled, population changes, economic impact, legislative roadblocks, cultural dynamics, and policy issues. South Carolina used a variety of models as part of its trend analyses. Graphical models such as linear, logarithmic, and polynomial were used to determine a best fit, often depending on the normality of data for each performance measure. For example, a linear trend for the total number of fatalities may not have been the best fit due to the large and often unpredictable fluctuation in this figure from year to year.

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

NHTSA/FHWA Common Core Measures		2009-2013	2010-2014	2011-2015	2012-2016	2013-2017	2014-2018	2015-2019	2016-2020	2019-2023 Goal
C-1	Traffic Fatalities	832	818	852	890	916	969	1,006	1,023	1,119
C-2	Serious Injuries	3,367	3,315	3,241	3,199	3,089	2,965	2,974	2,877	2,868
C-3	Fatalities/VMT	1.70	1.66	1.71	1.75	1.75	1.80	1.82	1.84	1.940
NHTSA Core Measures		2009-2013	2010-2014	2011-2015	2012-2016	2013-2017	2014-2018	2015-2019	2016-2020	2023 Goal
C-3R	Fatalities/VMT - Rural	3.00	2.78	2.73	2.63	2.54	2.54	2.57	2.74	2.73
C-3U	Fatalities/VMT - Urban	0.48	0.66	0.80	0.97	1.08	1.19	1.20	1.09	1.00
C-4	Unrestrained Passenger Vehicle Occupants	301	280	279	291	290	307	312	325	324
C-5	Alcohol Impaired Driving Fatalities	345	336	327	333	325	315	304	306	305
C-6	Speed Related Fatalities	306	300	316	339	358	387	417	443	442
C-7	MC Fatalities	127	129	146	157	157	156	162	152	151
C-8	Unhelmeted MC Fatalities	93	96	107	114	113	112	116	108	107
C-9	Driver Age 20 or Younger Inv in Fatal Crashes	114	112	114	114	113	121	116	117	116
C-10	Pedestrian Fatalities	103	107	113	119	126	139	150	163	162

Additional State Measures

C-11	Bicyclist Fatalities	14	14	15	17	17	19	21	21	20
C-12	Moped Fatalities	25	28	32	36	34	35	35	30	29

A-1	Number Seatbelt Citations*	239,429	231,485	214,720	194,784	173,756	152,712	138,258	115,337	no goal required
A-2	Number Impaired Driving Arrests*	25,137	24,906	23,902	22,740	21,476	20,847	19,867	18,581	no goal required
A-3	Number Speeding Citations*	427,708	411,676	400,246	392,538	382,033	366,297	353,059	314,971	no goal required

* During grant-funded enforcement activities

Annual Tracking		2013	2014	2015	2016	2017	2018	2019	2020	2023 Goal
B-1	Observed Seatbelt Use	91.7%	90.0%	91.6%	93.9%	92.3%	89.7%	90.3%	90.3%	90.4%

The performance measures and targets are individually referenced by program area throughout South Carolina’s FFY 2023 HSP. Each countermeasure strategy and project South Carolina plans to implement to reach the performance targets utilizing Section 402 and Section 405 funding streams during the FFY 2023 grant year is described. The systematic data collection and analysis used in the project selection process supports the successful implementation of an evidence-based traffic safety enforcement program in this state. The performance measures that are common to South Carolina’s HSP, SHSP, and Highway Safety Improvement Plan (HSIP) are the number of traffic fatalities, number of serious traffic injuries, and the traffic fatality rate. FHWA and SCDOT are responsible for the development of the HSIP. The SCDPS, SCDOT, FHWA and other local, state, and federal agencies and safety advocates collaborated on the creation of the SHSP. The state’s HSP, though developed by the OHSJP, reflects multiple partnerships among a variety of federal, state, and local agencies. The number of traffic fatalities, the number of serious traffic injuries, and the traffic fatality rate performance measures are mutually identified in each plan

(HSP, HSIP and SHSP) with evidence-based targets within emphasis areas that were developed through extensive data analysis.

FFY 2023 Highway Safety Plan

The OHSJP produces an annual HSP which serves as a programmatic roadmap for educational and highway safety enforcement initiatives implemented throughout the fiscal year with Section 402 and 405 funds received from NHTSA. The HSP outlines the strategic approach South Carolina will take to address traffic-related collisions and fatalities during FFY 2023 through data-driven, evidence-based performance measures and practices.

On July 6, 2012, the Moving Ahead for Progress in the 21st Century Act (MAP-21) was signed into law, substantially restructuring highway safety grant programs administered by NHTSA. MAP-21 required the HSP to provide for a data-driven traffic safety enforcement program to prevent traffic violations, crashes, and crash fatalities and injuries in areas of the state most at risk for such incidents. An amendment to Section 402(b) mandated the coordination of the HSP data collection and information systems with the state's SHSP. The overall purpose was to promote a unified approach to comprehensive transportation and safety planning and program efficiency with other SCDOT agencies to align state performance targets where common measurements exist, such as fatalities and serious injuries.

On December 4, 2015, President Obama signed into law the Fixing America's Surface Transportation (FAST) Act (Pub. L. No. 114-94). This was the first federal law in over a decade to provide long-term funding certainty for surface transportation infrastructure planning and investment. The FAST Act authorized \$305 billion over fiscal years 2016 through 2020 and an additional \$13.6 billion through the end of fiscal year 2021 for highway and motor vehicle safety, public transportation, motor carrier safety, hazardous materials safety, rail, research, technology, and statistics programs. On November 21, 2021, the Infrastructure Investment and Jobs Act (also known as the Bipartisan Infrastructure Law), was signed into law. The Act authorized \$550 billion over fiscal years 2022 through 2026 for new spending on the nation's infrastructure, including roads, bridges, and mass transit. The Infrastructure Investment and Jobs Act requires the Highway Safety Plan (HSP) to provide for a data-driven traffic safety enforcement program to prevent traffic violations, collisions, and collision fatalities and injuries in areas of the state most at risk for such incidents.

Funding of eligible projects is based on nationally-established priority areas and others, which with additional justification and approval from NHTSA, may be deemed as state-identified "priority areas." Priority areas for FFY 2023 include impaired driving countermeasures, police traffic services (speed enforcement), adjudication/prosecution, occupant protection, education/outreach, and traffic records (statewide).

The FFY 2023 HSP gives basic information about the state, including demographic information and highway safety-specific statistical information for the state relative to traffic fatalities over a period of time (2016 to 2020), which represents the most recent available final data from the state and national levels. The basic state information includes data on the state's highway safety planning process, as well as how the state went about utilizing data and performance measures to establish appropriate goals for traffic safety improvement. The HSP presents information and data

about the key emphasis areas identified as critical in improving highway safety in South Carolina. The HSP also includes Section 405 grant application documents for impaired driving countermeasures, occupant protection, state traffic safety information system improvements, and motorcycle safety.

The HSP is also coordinated with the state's SHSP. When the transportation reauthorization bill SAFETEA-LU required states to have an SHSP in place by October 1, 2007, or risk losing federal funds, South Carolina was already well on its way toward developing its SHSP, entitled *The Roadmap to Safety*, which served as the state's SHSP until more recent legislation, in the form of MAP-21, established new requirements for states to update their SHSPs. The FAST Act, signed into law on December 4, 2015, and reauthorized in 2018, and more recently the Infrastructure Investment and Jobs Act, signed on November 21, 2021, largely maintains MAP-21 program structures and funding shares between highways and transit. South Carolina completed the latest update of its SHSP in December 2020. The updated plan, titled "2020–2024 South Carolina Strategic Highway Safety Plan" was developed in consultation and coordination with federal, state, and local safety partners with the goal of eliminating traffic fatalities and reducing serious traffic-related injuries. The most recent SHSP covers a four-year period (2020-2024) and will be evaluated annually.

The SHSP is located https://scdps.sc.gov/sites/scdps/files/Documents/accountability/BR1_SC_SHSP_Dec20-LoRes.pdf

The Emphasis Areas for the SHSP, *Target Zero*, have been identified using a data-driven process and include performance measures such as the number and rate of fatalities and serious injuries. The twelve (12) emphasis areas serving as the primary focus of the 2020-2024 SHSP are arranged by Infrastructure, High-Risk Behaviors, or Vulnerable Roadway Users: Roadway Departure (Infrastructure), Intersections (Infrastructure), Impaired Driving (High-Risk Behaviors), Unrestrained (High-Risk Behaviors), Speeding (High-Risk Behaviors), Distracted Driving (High-Risk Behaviors), Young Drivers (Vulnerable Roadway Users), Mature Drivers (Vulnerable Roadway Users), Pedestrians (Vulnerable Roadway Users), Motorcycles/Mopeds (Vulnerable Roadway Users), Bicycles (Vulnerable Roadway Users), and Work Zones (Vulnerable Roadway Users). In an effort to coordinate the SHSP with the HSP, the OHSJP was involved in many of the SHSP steering committee meetings. Data analyses performed by the SHSP Manager for the purpose of identifying the emphasis areas for the updated SHSP were also utilized in the setting of performance measures and targets in the FFY 2023 HSP. The state views the coordination of the HSP with the SHSP as an effort to build a unified state approach to highway safety.

In the *Countermeasures That Work: A Highway Safety Countermeasure Guide for State Highway Safety Offices, Tenth Edition, 2020* (CTW 2020) document produced by the National Highway Traffic Safety Administration (NHTSA), the importance of impaired driving countermeasures is emphasized, and significant strategies to reduce impaired driving (pp.1-6 to 1-7) and appropriate countermeasures to bring about alcohol and drug-impaired driving reductions (pp. 1-10 to 1-83) are outlined. The four basic strategies identified to reduce impaired driving are Deterrence (to include laws; Enforcement; Prosecution and Adjudication; and DWI Offender Treatment, Monitoring, and Control); Prevention; Communications and Outreach; and Alcohol and Drug Treatment (pp.1-6 to 1-7).

Of the four impaired driving countermeasures strategies identified, the state of South Carolina will continue to effectively implement *Deterrence* of high quality in the areas of Enforcement, with law enforcement agencies across the state utilizing high-visibility enforcement activities (CTW, 2020, pp.1-25 to 1-30 and pp. 1-35 to 1-36); Prosecution with the continued funding of the state's Traffic Safety Resource Prosecutor (page 1-39 to 1-40), Special DUI Prosecutors housed in Solicitor's Offices and law enforcement agencies, and a paralegal who performs duties in SC Highway Patrol Troop 6; and Adjudication, with the continued Court Monitoring Program (pp.1-43), as well as the state's Judicial Outreach Liaison program (page 1-40).

In FFY 2016, the OHSJP implemented the MADD SC Court Monitoring Program to provide data on how DUI cases are disposed of and report on hearing activities. It is believed that court monitoring programs help increase DUI arrests, decrease plea agreements, and increase guilty pleas (CTW, 2020, p. 1-43). In terms of legislation, South Carolina enacted an amended DUI law in February 2009. Though South Carolina's DUI law was strengthened, it remains problematic for a number of reasons and likely does not function in the state at the deterrence level outlined by the document. However, the state has made strides in harshening penalties for impaired driving and for breath test refusals associated with DUI arrests.

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

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

Another strategy that South Carolina will continue to utilize to reduce impaired driving is *Communication and Outreach*. Each year a statewide high-visibility enforcement and education initiative is utilized (*Sober or Slammer!* campaign, modeled after and conducted with the national *Drive Sober or Get Pulled Over.* campaign), which combines enforcement, education, media, and

diversity outreach components to attempt to reduce impaired driving collisions, injuries, and fatalities in the state. Participation of state and local law enforcement agencies throughout every judicial circuit in the state is encouraged. With the decline in the number of alcohol-impaired traffic fatalities in the state, communication and outreach strategies have proven to be highly effective for South Carolina (CTW, 2020, pp. 1-57, and 1-60 to 1-61).

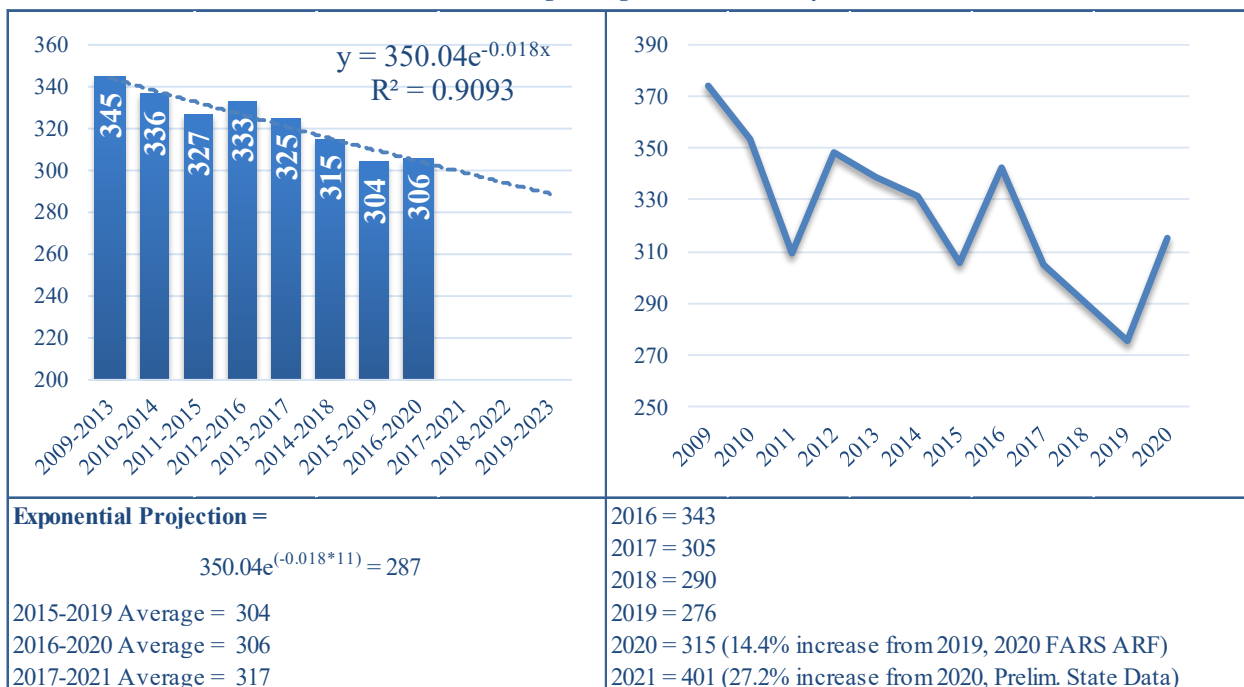
During FFY 2014, the state of South Carolina began a Pilot DUI Court in two judicial circuits—the Twelfth Judicial Circuit which includes Florence and Marion Counties, and the Fifth Judicial Circuit which includes Kershaw and Richland Counties—which combine adjudication strategies with *Alcohol Treatment*. In FFY 2015 - FFY 2017, the OHSJP provided grant funding for the continuation of both DUI Courts in South Carolina, which provided for the monitoring and treatment of offenders convicted of DUI. The overall goal of a DUI Court program is to see a reduction in recidivism and a change in behavior for those who complete the program (CTW, 2020, pp. 1-37 to 1-39). While OHSJP funding for these projects ceased at the end of FFY 2017, both the Fifth and Twelfth Judicial Circuit DUI Courts are still operational.

South Carolina’s FFY 2023 Highway Safety Plan sets a target, an activity measure, goals and objectives relative to impaired driving countermeasures. Strategies based on these outcome measures will be provided after various appropriate segments of the Impaired Driving Countermeasures Plan.

Performance Target (C-5)

To decrease alcohol-impaired driving fatalities by 0.3% from the 2016-2020 baseline average of 306 to 305 for 2023.

Figure C-5: South Carolina Alcohol-Impaired Driving Fatalities
5 Year Moving Average with Trend Analysis

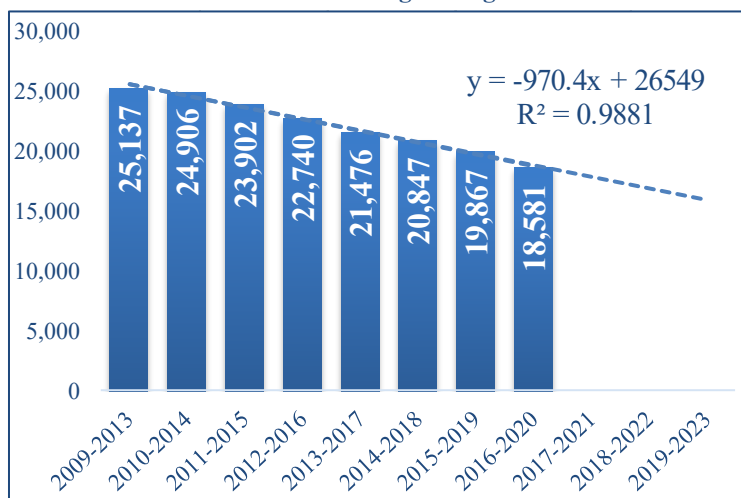


In Figure C-5 an exponential trend analysis projects South Carolina will experience a five-year average of 287 alcohol-impaired driving fatalities for 2019-2023. Preliminary state data compiled by the OHSJP’s Statistical Analysis & Research Section indicate there were 401 alcohol-impaired driving fatalities in 2021, an increase of 27.2% from 315 in 2020. Based on state preliminary data and state projections, OHSJP will set an annual goal of 305 alcohol-impaired driving fatalities for 2023.

Activity Measure A-2

Activity Measure A-2 deals with the number of impaired driving arrests made by states over time. Figure A-2 demonstrates that DUI arrests in the state of South Carolina have been trending downwards since the 2009-2013 data point. According to NHTSA, there is no target required for this activity measure for the FFY 2023 HSP. Thus, Figure A-2 is presented as demonstration of enforcement activity over the last few years relative to this type of citation.

Figure A-2: South Carolina Number of Impaired Driving Arrests
5 Year Moving Average



Objectives:

1. To provide at least four (4) statewide trainings to law enforcement officers, prosecutors, and magistrates to increase effective prosecution of highway safety offenses, particularly DUI and DUAC, by September 30, 2023.
2. To continue the Target Zero Challenge, formerly referred to as the Law Enforcement DUI Challenge, as part of the DUI enforcement campaign for FFY 2023 based on high-visibility enforcement and education. The sustained DUI enforcement effort includes specialized DUI enforcement activities (checkpoints and saturation patrols) by participating state and local law enforcement agencies, from December 2022 through September 2023. Law Enforcement Liaisons (LELs), within the OHSJP, will also solicit assistance from local law enforcement agencies through the LEN.

3. To conduct at least two public information, education, and enforcement campaigns to emphasize impaired driving enforcement initiatives during FFY 2023.
4. To maintain the South Carolina Impaired Driving Prevention Council (SCIDPC) during FFY 2023 and conduct a minimum of two meetings to continue the implementation of NHTSA's recommendations resulting from the South Carolina Impaired Driving Assessment of 2019. The assessment report will continue to be used as a blueprint to guide the SCIDPC toward continued improvement of impaired driving countermeasure programs in South Carolina.
5. To conduct a minimum of 32 public safety checkpoints by September 30, 2023.
6. To conduct a minimum of 84 saturation patrols by September 30, 2023.
7. To have each grant activity performing officer achieve and/or maintain his/her current status as a certified Standardized Field Sobriety Test (SFST) practitioner throughout the grant year.
8. To issue at least 84 press releases and/or social media posts to the local media and/or on official agency social media accounts detailing the activities of the Impaired Driving Countermeasures enforcement grant projects.
9. To conduct at least two (2) combined Drug Recognition Expert (DRE) and two (2) DRE Instructor Schools during the grant cycle.
10. To conduct at least ten (10) Advanced Roadside Impaired Driving Enforcement (A-RIDE) trainings by the end of FFY 2023.
11. To coordinate at least three (3) Standardized Field Sobriety Testing (SFST) Instructor trainings by September 30, 2023.
12. To provide assistance to agencies in Richland, Kershaw, Chester, Fairfield, Lancaster, Edgefield, Lexington, McCormick, Saluda, Georgetown, Horry, and Berkeley Counties in prosecuting DUI cases through projects to fund specialized DUI prosecutors in those Counties, all of which have experienced difficulties in obtaining DUI convictions and in which there exists a backlog of DUI cases.
13. To provide assistance to the SC Highway Patrol (SCHP) paralegal, who processes and tracks Rule 5/Brady requests and coordinates scheduling for the troopers' Office of Motor Vehicle Hearing (OMVH) appearances for SCHP Troop 6, which includes Beaufort, Berkeley, Charleston, Colleton, Dorchester, and Jasper Counties.
14. To provide assistance to the State Judicial Outreach Liaison who will provide training and education to judges and other court officials and personnel regarding DUI and DUAC cases.

Impact Indicator:

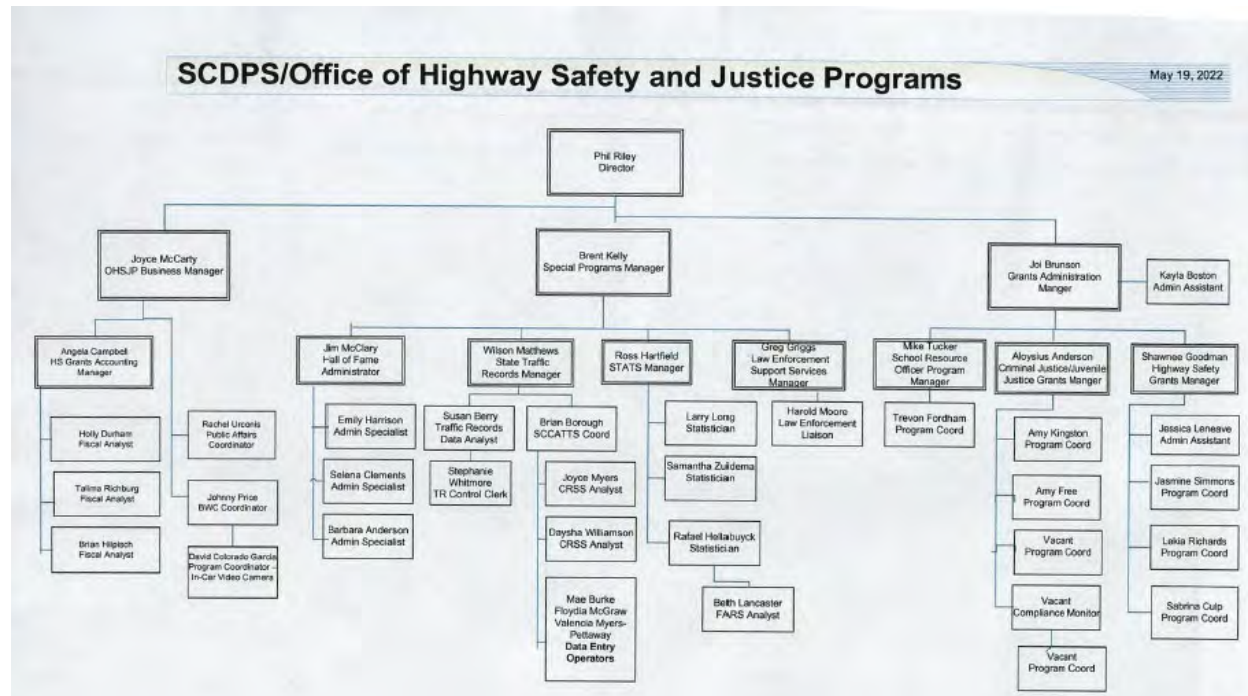
A comparison of FARS and statewide alcohol-impaired fatality and injury data will be used to measure achievement of the aforementioned performance target.

Performance Indicators:

1. The number of trainings conducted for law enforcement officers, prosecutors, and magistrates will be documented and kept in the grant file.
2. Law enforcement participation in the Target Zero Challenge DUI enforcement campaign for FFY 2023 will be documented and maintained by the OHSJP.
3. Earned and paid media reports for all impaired driving campaign efforts will be maintained by the OHSJP.
4. SCIDPC meeting agendas and sign-in sheets will be maintained by the OHSJP.
5. The number of public safety checkpoints will be documented and maintained in the appropriate grant file.
6. The number of saturation patrols will be documented and maintained in the appropriate grant file.
7. The number of DUI enforcement officers who have completed the SFST practitioner certification and have maintained an active SFST practitioner status will be documented and maintained in the appropriate grant file.
8. The number of press releases and/or social media posts will be tracked and copies of the press releases and/or social media posts will be maintained in the appropriate grant file.
9. A list of DRE School participants and the dates upon which the courses were held will be documented and placed in the appropriate grant file.
10. The number of ARIDE trainings, the dates upon which the courses were held, and a list of training participants will be logged and maintained in the appropriate grant file.
11. The number of SFST Instructor training courses, the dates upon which the courses were held, and a list of course attendees will be documented and maintained in the grant file.
12. The OHSJP will maintain documentation on the status of cases handled by the Special DUI prosecutors.
13. The OHSJP will maintain documentation on the status of the Rule 5/Brady requests tracked and processed the SChP Paralegal, as well as copy of the paralegal's OVMH appearances scheduling tracker.
14. The OHSJP will maintain documentation of the judicial education and trainings provided by the SJOL.

- **Program Management**

The Section 402 State and Community Highway Safety Program in South Carolina is administered by the OHSJP. Below is a diagram that illustrates the organizational structure of the OHSJP:



The mission of the OHSJP is to develop and implement comprehensive strategies aimed at reducing the number and severity of traffic crashes on the state's streets and highways. The staff funded under the OHSJP's Planning and Administration grant project direct the planning, development, coordination, monitoring, evaluation, and auditing of projects under the Section 402 Program. Highway Safety staff are also responsible for coordinating and evaluating highway safety efforts among the various agencies throughout the state. The OHSJP employs three Program Coordinators who manage project activities throughout the state in the priority areas of Impaired Driving Countermeasures, Police Traffic Services, and Occupant Protection, and perform monitoring, evaluation, and auditing of funded projects throughout the state.

The Program Administration area of the OHSJP coordinates highway safety programming focused on public outreach and education, aggressive traffic law enforcement, promotion of new safety technologies, the integration of public health strategies and techniques, collaboration with safety and business organizations, and cooperation with state and local governments. Programming resources are directed to nationally- and state-identified priority areas outlined in the state's annual HSP. The Program Administration area ensures monitoring of traffic data to develop and coordinate appropriate statewide highway safety messages to all citizens and visitors of the state. Highway Safety staff members conduct a Problem Identification meeting annually to identify highway safety problems. A Funding Guidelines Workshop is conducted to provide information to potential applicants and to encourage the development of data-driven, evidence-based projects that will positively impact highway safety. Pre-work Conferences are conducted with all

subgrantees, and a Project Management Course is conducted annually with all Project Directors of newly awarded highway safety projects.

Program Administration conducts a high-visibility DUI enforcement and education initiative known as the *Sober or Slammer!* campaign (corresponding to the national *Drive Sober or Get Pulled Over.* campaign) on a statewide level utilizing strategies that have proven to yield results. The campaign runs from December 1 of the federal fiscal year through Labor Day. According to the *Countermeasures That Work* guide (pp. 1-25 to 1-30), publicized saturation patrol programs and sobriety checkpoints are effective in reducing alcohol-related fatal crashes and deterring drunk driving. The state encourages and requires campaign participants to utilize high visibility enforcement and safety checkpoint strategies in their DUI enforcement efforts statewide.

Program Administration also conducts the state's occupant protection enforcement mobilization in the time period leading up to and following the Memorial Day holiday in May each year. The statewide campaign, known as *Buckle up, South Carolina. It's the law and it's enforced.*, mirrors the national *Click it or Ticket* campaign. The campaign focuses on occupant protection enforcement generally and on nighttime safety belt enforcement at the state and local levels, which results in, not only increased citations for safety belt violations, but also increased opportunity for DUI arrests. All major mobilizations include outreach components that focus on the diverse population of our state.

The OHSJP also conducts a statewide motorcycle safety campaign, an annual billboard campaign focusing on a specific priority area (impaired driving, pedestrian issues, other vulnerable roadway users), and other highway safety issues (school bus safety, rail safety, etc.) statewide. The state also conducts an annual Memorial Service for the families of victims who have died on the state's roadways in the previous calendar year.

The OHSJP provides funding to Highway Staff and advocates for attendance at significant conferences and training events related to highway safety issues. Highway Safety staff, other SCDPS staff, and partner agencies/groups continue to educate and inform South Carolina's citizens and visitors about the state's primary enforcement safety belt law. Highway Safety staff continue to support and assist in the further development of the LEN system in the state. Sixteen (16) LENS are operational corresponding to the sixteen judicial circuits in South Carolina. Additionally, the OHSJP continues to maintain a strong partnership with SCDOT to enhance traffic safety initiatives through a variety of activities.

The state implements activities in support of national highway safety goals to reduce motor vehicle-related fatalities that also reflect the primary data-related crash factors within the state as identified by the state highway safety planning process, including:

- National law enforcement mobilizations,
- Sustained enforcement of statutes addressing impaired driving, occupant protection, and driving in excess of posted speed limits,
- An annual statewide safety belt use survey in accordance with criteria established by the Secretary for the measurement of state safety belt use rates to ensure that the measurements are accurate and representative,

- Development of statewide data systems to provide timely and effective data analysis to support allocation of highway safety resources.

- **Resources**

The OHSJP supports impaired driving prevention activities by recommending more than \$5 million in grant funding to state and local agencies for approval in FFY 2023. The state will utilize Section 402 funding, Section 405(d) impaired driving funding, and Section 405(b) funding in FFY 2023 to fund a variety of projects to combat DUI, including DUI enforcement teams, Police Traffic Services projects, and major campaign initiatives, such as *Sober or Slammer!*, the state's equivalent to the national *Drive sober or get pulled over* initiative.

In addition, state and local agencies provide some funding for DUI countermeasures through their agency budgets. However, it is obvious that without the infusion of available federal dollars from the OHSJP, the level of DUI enforcement, training, prosecution, and mass media outreach would be significantly less than it is currently. Multijurisdictional enforcement activity focusing on checkpoints and saturation patrols is bolstered by funding for each of the sixteen Law Enforcement Networks in the state through the OHSJP. In addition, 32 local alcohol and drug abuse commissions encompassing all forty-six of the state's counties operate AET with funding assistance provided by DAODAS to conduct compliance checks, underage drinking enforcement, and party dispersal and enforcement activity.

It is obvious that the many and varied impaired driving programs in the state are not completely financed by fines and fees imposed upon convicted DUI offenders. DUI legislation enacted in 2009 made strides in this direction but has not achieved the self-sufficiency that would be most desirable. It would likely take significant legislative action to achieve program self-sufficiency in the state based on fines and fees levied against those individuals creating the state's impaired driving problems.

The state currently does not have sufficient information to determine the actual costs to the state associated with impaired driving relative to crashes, injuries, fatalities, evaluation, treatment, and care. The calculation of such costs could be instrumental in making legislative changes toward a self-sufficient program of impaired driving countermeasures in the state.

In terms of other potential resources, currently no FHA funding that is available for behavioral highway safety efforts is directed toward impaired driving countermeasures. Alcohol and substance abuse assessment and treatment funding is derived from a variety of sources, including the federal treatment block grant. The state currently does not have a separate fund to reimburse treatment agencies for services provided to indigent clients, with those costs covered by other treatment client fees. There are currently no revenue sources, such as a per-drink alcohol excise tax, specifically dedicated to alcohol or substance abuse treatment.

Pursuant to the availability of federal funds, the OHSJP provides sufficient funding, staffing, and other sources of support to state and local impaired driving programs. While the OHSJP awards federal funding to support impaired driving programs, not all impaired driving programs are supported by those funds. All programs supported by federal funding are expected to be self-sufficient once federal funding is no longer available.

The following chart outlines the Impaired Driving Countermeasures grant projects that the OHSJP will recommend for approval by NHTSA in its FFY 2023 HSP. (These projects are not in priority order.) Please note that the chart does not include the Police Traffic Services enforcement projects recommended for approval in FFY 2023, all of which require grant-funded officers (Section 402-funded) to engage in aggressive DUI enforcement activity.

**Impaired Driving Countermeasures
Grant Project Applications for FFY 2023**

Subgrantee	Project Location (County)	Project Title	Project Type
SC Department of Public Safety: Office of Highway Safety and Justice Programs	Statewide	Impaired Driving Countermeasures Program Management	Project Management
South Carolina Criminal Justice Academy	Statewide	Impaired Driving Countermeasures Training for Law Enforcement	Law Enforcement Training
South Carolina Commission on Prosecution Coordination	Statewide	Traffic Safety Resource Prosecutor	Prosecution/Training
South Carolina Judicial Branch Court Administration	Statewide	South Carolina Judicial Outreach Liaison	Adjudication/Training
Students Against Destructive Decisions (SADD) INC.	Statewide	A Comprehensive Approach to Reducing Teen Crashes: South Carolina SADD	Education for Young People/Youth Program
Berkeley County	Berkeley	2023 Building DUI Capacity	Impaired Driving Countermeasures (IDC) Enforcement: Straight-time
City of Clemson	Pickens	City of Clemson Enhanced DUI Enforcement	IDC Enforcement: Overtime
City of Easley Police Department	Pickens	Impaired Driving Countermeasures	IDC Enforcement: Straight-time
City of Goose Creek Police Department	Berkeley	Impaired Driving Countermeasures Officers (IDCO)	IDC Enforcement: Straight-time

Lancaster County Sheriff's Office	Lancaster	Impaired Driving Enforcement-Straight-Time	IDC Enforcement: Straight-time
Lancaster County Sheriff's Office	Lancaster	Alcohol Impairment Enforcement-Overtime Based	IDC Enforcement: Overtime
Lexington County Sheriff's Department	Lexington	Impaired Driving Countermeasures Project	IDC Enforcement: Straight-time
North Augusta Department of Public Safety	Aiken	DUI Enforcement Officer	IDC Enforcement: Straight-time
Town of Summerville	Dorchester	Summerville Police Department Specialized DUI Enforcement	IDC Enforcement: Straight-time
York County Sheriff's Office	York	Alcohol-Impaired Driving Enforcement Program	IDC Enforcement: Straight-time
York County Sheriff's Office	York	Alcohol-Impaired Driving Enforcement Program - Overtime	IDC Enforcement: Overtime
Mothers Against Drunk Driving South Carolina	Aiken, Anderson, Berkeley, Charleston, Florence, Greenville, Horry, Laurens, Lexington, Richland, Spartanburg, York	MADD South Carolina Court Monitoring Program	Adjudication/Prosecution
Fifth Circuit Solicitor's Office	Kershaw, Richland	5 th Judicial Circuit DUI Prosecutor	Prosecution (Special DUI Prosecutor)
Sixth Circuit Solicitor's Office	Chester, Fairfield, Lancaster	DUI Prosecutor	Prosecution (Special DUI Prosecutor)
11 th Judicial Circuit Solicitor's Office	Edgefield, Lexington, McCormick, Saluda	11 th Circuit Solicitor's Office-DUI Prosecution	Prosecution (Special DUI Prosecutor)

Fifteenth Judicial Circuit Solicitor's Office	Georgetown, Horry	15th Judicial Circuit - DUI Prosecutor	Prosecution (Special DUI Prosecutor)
Berkeley County	Berkeley	2023 Special DUI Prosecutor	Prosecution (Special DUI Prosecutor)
City of Goose Creek Police Department	Berkeley	Special DUI Prosecutor	Prosecution (Special DUI Prosecutor)
SCDPS: SC Highway Patrol	SCHP Troop 6: Beaufort, Berkeley, Charleston, Colleton, Dorchester, Jasper	SCDPS Paralegal Project	Prosecution

- **Data and Records**

The Impaired Driving Program in South Carolina is heavily data dependent and uses the state's crash data and FARS data extensively to address the locations and volume of impaired driving crashes.

Data Sources and Processes

The Statistical Analysis and Research Section (SARS) for traffic records in South Carolina is located within OHSJP. The SARS, as part of its responsibilities, collects and analyzes information concerning traffic collisions on South Carolina's roadways. OHSJP statisticians perform analysis on traffic data to determine when and where collisions are occurring, the demographics involved in collisions, and the specific causes of collisions. This information can then be used for developing and implementing appropriate countermeasures (e.g., enforcement and education initiatives) to help reduce collisions, injuries, and fatalities. The OHSJP also houses staff who perform data entry services. Specifically, several fields of information from completed traffic collision reports are input by data entry operators into the Traffic Collision Master File. Responsibilities of this section are far-ranging and encompass programming, consultation, descriptive analysis, inferential statistical analysis, report preparation, etc. The current databases maintained and used for statistical analysis of traffic issues in South Carolina are:

Traffic Collision Master File

Traffic collisions that occur in South Carolina and are investigated by law enforcement agencies are reported to the SCDPS on the TR-310. The OHSJP is responsible for the design of this form.

Data from the TR-310 is either electronically reported or entered by data entry staff into the Traffic Collision Master File. Data entered into the Traffic Collision Master File is retrieved by OHSJP statisticians and used for performing statistical studies for various users, including law enforcement agencies, governmental units, attorneys, engineers, media representatives, and private users. These studies, conducted upon written request, are primarily descriptive in nature and focus on a specific traffic collision topic. These topics can include collisions at a specific intersection or stretch of road, collisions during specific months in selected counties, and rankings of specific intersections in a county or jurisdiction.

South Carolina Traffic Fatality Register

The OHSJP maintains the South Carolina Traffic Fatality Register (SCTFR) as an up-to-date preliminary repository for counting traffic fatalities. The SCTFR is used on a daily basis to record the latest available information concerning persons who die in traffic collisions in South Carolina, including passengers, pedestrians, bicyclists, etc. Data for the SCTFR is received through the Highway Patrol Communications Office, FastFARS, and TR-310s received from investigative agencies. Through the use of the TFR, a fatality report is generated on a daily basis and distributed to highway safety committees and program stakeholders, as well as community and constituent groups. The SCDOT, SLED, SCCJA, the Region 4 office of NHTSA, and local law enforcement agencies are among the recipients of this critical fatality data distributed through the OHSJP's SARS.

Fatality Analysis Reporting System

The FARS was established in the 1970s as a uniform system for gathering information on fatal traffic collisions in the United States. The data collected is used by a large number of organizations in government, academia, and private industry for analyzing a variety of traffic safety issues. The FARS is a consolidation of a number of former programs under one umbrella as a means of collecting uniform data from each of the 50 states plus the District of Columbia and Puerto Rico. Participation is through a cooperative agreement and consists of gathering and transmitting fatal collision information to NHTSA's central FARS computer database daily.

SAFETYNET

SAFETYNET is an automated information management system designed to support Federal and State Motor Carrier Safety Programs by allowing the safety performance of Interstate and Intrastate commercial motor carriers to be monitored. The OHSJP and the State Transport Police (STP) work together to maintain this data. The OHSJP uses the crash data from the Traffic Collision Master File to upload information regarding the commercial vehicle activity. This data is uploaded by the South Carolina STP to the Motor Carrier Management Information Systems (MCMIS) carrier's profile nationwide.

Traffic Records Coordinating Committee (TRCC)

Since 2007, South Carolina has maintained a two-tiered TRCC governed by a Charter. The two groups of the committee include an Executive Group and a Working Group. South Carolina's

TRCC Executive Group held its inaugural meeting on September 17, 2007. This group includes the agency heads of the five state agencies composing the state's current Traffic Records System (TRS). These agencies include the SCDMV, SCDPS, SCDOT, SCJB, and the South Carolina Department of Health and Environmental Control (SCDHEC).

The TRCC Working Group includes representatives from these five agencies, appointed by the Executive Group, that are subject matter experts in fields related to components of the Traffic Records System. The Working Group also includes members from local law enforcement selected by the LEN and approved by the Executive Group.

The TRCC Working Group is required to meet a minimum of three times per year, and an annual meeting of the Executive Group is held to review the accomplishments of the previous year's strategic plan and direct the current year's plan for traffic records improvements. Currently, the state's Working Group is meeting regularly on a bimonthly basis.

In the formation of the TRCC, the TRCC Executive Group charged the TRCC Working Group to develop the state's Traffic Records Strategic Plan (TRSP) and assist in coordination of the annual grant submission. The TRSP is prepared by the TRCC Working Group and approved by the TRCC Executive Group each year. The programs and projects included in the TRSP focus on improving the core components of the state's TRS. The projects' and programs' goals are to increase accuracy, timeliness, completeness, uniformity, and accessibility of data collected by the various agencies and systems utilized.

NHTSA requires every state to conduct a Traffic Records Assessment (TRA) every five years in order to qualify for highway safety funding and initiatives authorized by the current transportation authorization bill. The TRA was conducted through an online process that was initiated on January 18, 2022 and ran through April 19, 2022. Members of the TRCC-Working Group and associated traffic records stakeholders provided NHTSA assessors detailed information on core components of the state's Traffic Records System. The information was collected using the State Traffic Records Assessment Program (STRAP), a federal program facilitated by NHTSA through independent contractors and OHSJP Traffic Records staff. The TRCC-Working Group received general recommendations from the assessment on April 19, 2022. The TRCC-Working group continues to review these recommendations and will use this information as a resource for improving the state's TRS through future programs and projects.

South Carolina Collision and Ticket Tracking System (SCCATTS)

The South Carolina Collision and Ticket Tracking System is a collaborative effort among the SCDPS, SCDMV, SCDOT, SCJB, and SCDHEC Injury Surveillance System (ISS). It was originally created to address the shortcomings of a system that predominantly generated and processed traffic collision reports and traffic citations manually. The goal of SCCATTS is to enhance highway safety through the timely collection, analysis, and response to pertinent data. SCCATTS is the electronic reporting system used by local law enforcement agencies to submit TR-310 collision reports electronically to SCDPS and SCDMV. When a collision is investigated, each law enforcement officer submits a copy of the completed collision report to SCDMV via SCDPS's SCCATTS application. The current form, TR-310, is a statewide form that each law

enforcement agency uses for traffic collision investigations. SCDPS has deployed the electronic collision report to approximately 125 local law enforcement agencies. Approximately 44% of all collision reports are received electronically through SCCATTS. The South Carolina Department of public Safety's Highway Patrol, State Transport, and Bureau of Protective Services divisions began using a new Records Management System (RMS) (SmartCOP) to create and submit their electronic forms. SmartCOP accounts for about 53% of all collision data. The remaining 3% of collision reports are keyed into the SCCATTS system by data entry clerks of SCDPS' OHSJP. OHSJP uses the data collected from collision reports to provide up-to-date preliminary numbers for highway fatalities across the state. This data is also utilized by law enforcement for traffic safety initiatives.

Annually, the data is compiled into a yearly Fact Book that provides statistical information regarding crash data statewide. The OHSJP also provides collision experience studies that are defined within a set of parameters provided by the person requesting the information. The South Carolina General Assembly enacted legislation that requires all citation data to be submitted electronically by January 1, 2018. The TRCC coordinated the creation of the South Carolina Uniform Traffic Ticket Information Exchange System (SCUTTIES). SCUTTIES serves as the statewide citation database.

South Carolina Uniform Traffic Ticket Information Exchange System

In 2015, the state of South Carolina initiated a combined effort between law enforcement, SCDMV, SCDPS, and SCJB to move the collection of Uniform Traffic Ticket (UTT) records from a manual process to a fully electronic submission process. These agencies combined resources to develop SCUTTIES, which was deployed on January 1, 2018. This system, which combines the processes of SCCATTS and other local electronic reporting systems, collects all UTT data directly from the issuing agency into an e-Citation database housed within the SCDMV System. The South Carolina General Assembly passed legislation that requires law enforcement to submit all citations through an electronic process to SCDMV's database within three business days of issuance to the violator. Law Enforcement may submit through an approved RMS process, utilizing SCCATTS, or by using direct entry through SCDMV's web-based portal system.

The SCDPS divisions are using their SmartCOP system to electronically enter their citations into SCUTTIES. This same legislation then requires the court responsible for adjudication of that case, to report the disposition data to SCDMV's database within five business days of adjudication through court proceedings. Similarly, the courts may submit through the state's Case Management System (CMS), approved local RMS or by direct input through a similar web-based system developed by SCJB. SCDMV's e-Citation database can also track enrollment into the Alcohol and Drug Safety Action Programs (ADSAP), which will be discussed later in more detail. The electronic collection of citation data will enhance the state's ability to track citations with completeness, accuracy, timeliness and allow for more data accessibility between stakeholders. One project for future development after implementation is a DUI-tracking system. This new system will give the state the ability to track the progress of DUI violations from violation through court proceedings, penalties and driver/substance abuse education/treatment. The program is still in the initial stages of development and no implementation or target dates for implementation have been created.

SC Department of Public Safety and Local Law Enforcement

As discussed previously, the SCDPS is the largest collision form collection agency within the state. When a collision is investigated, each law enforcement officer submits a copy of the completed report to SCDMV, which is the official agency of record for collision reports.

OHSJP uses the data collected from the collision report to provide up-to-date preliminary numbers for highway fatalities across the state. This data is also utilized by law enforcement for force deployment. Each year, the data is compiled into a yearly fact book that provides statistical information regarding collisions statewide. OHSJP also provides collision experience studies that are defined within a set of parameters provided by the person requesting the information.

Despite the state's significant use of data in impaired driving countermeasures efforts, from problem identification to the deployment of resources, gaps remain in statistical information that could prove beneficial in implementing DUI countermeasures statewide. The gaps are most glaring in the securing of BAC tests for surviving drivers of fatal crashes. This information is often absent unless there is reasonable suspicion on the part of an investigating officer of alcohol/drug impairment on the part of the surviving driver. The state's current lack of a true DUI-tracking system following offenders from arrest through conviction and treatment is additional data the state could be using in its impaired driving countermeasures efforts. The lack of BAC test data subjects the state to the mercy of the NHTSA imputation model for calculating the actual alcohol involvement in fatal crashes statewide. During FFY 2020, the foundation of a DUI-tracking system was laid with the building of interfaces among the SCDMV, the SCDPS, and the SCJB for the sharing of adjudication and disposition information regarding all traffic offenses, including DUI. The system continues to be developed and further steps toward a complete DUI tracking system will be taken in the future.

• **Communication Program**

SCDPS OHSJP continues to develop and implement a multi-faceted communications program. The state's communication plan is implemented through a variety of public education and awareness strategies designed to increase the motoring public's knowledge and understanding of impaired driving laws, and attempting to modify driver behavior and change culture through alerting the general public to the many and varied consequences of DUI, including societal, financial, and familial costs.

OHSJP develops and implements its communications plan by adopting a comprehensive marketing strategy, with the assistance of its agency contractor, founded on effective, dynamic messaging, diverse advertising strategies, proactive media relations, and outreach to a variety of cultural groups within the state. Communications strategies are consistent with and based upon the state's problem identification process, which identifies high-risk populations, communities, corridors, and target audiences with whom and in which the highest safety benefit may be realized. The OHSJP utilizes a network of public safety professionals in accomplishing its communications goals and implementing its communications plan, including LELs, Community Relations Officers (CROs), agency communications staff within the SCDPS, and public relations staff and other

representatives from other local and state law enforcement and highway safety stakeholder agencies.

A more thorough and detailed explanation of the elements of the state's communications plan and strategies recommended for implementation by this Plan will be addressed under Item No. **IV. Communication Program.**

Strategies

In an effort to continue strengthening the Program Management and Strategic Planning aspects of impaired driving countermeasures in the State of South Carolina, the OHSJP will implement the following strategies in FFY 2023:

1. Maintain the employment of an Impaired Driving Countermeasures Program Coordinator for the administration of Impaired Driving Countermeasures grant projects, preparation of Impaired Driving Countermeasures sections of strategic highway safety documents (Funding Guidelines, Problem Identification, Highway Safety Plan, Annual Report, Grant Project Summaries and Recommendations, Impaired Driving Countermeasures Plan, etc.), and coordination of the meetings and ongoing efforts of the SC Impaired Driving Prevention Council.
2. OHSJP staff will coordinate statewide public information and education efforts to promote compliance with impaired driving laws. All campaign efforts will continue to fall under the umbrella theme of *Target Zero*. The campaign has participation of more than 200 local law enforcement agencies statewide, as well as the SCHP and the State Transport Police. Thus, the campaign efforts will reach all citizens of the state in each of the state's forty-six (46) counties.
3. OHSJP will maintain the statewide SC Impaired Driving Prevention Council (SCIDPC), made up of professionals from various arenas of highway safety, law enforcement, prosecution, adjudication, advocacy groups, and treatment/rehabilitation in an effort to combat the increasing impaired driving problems and issues in the state. The SCIDPC will continue its work toward strengthening DUI laws in the state of South Carolina and will continue review of the 2019 Impaired Driving Assessment Final Report to develop action plans outlining areas which the state should continue to target for improvement. The recommendations of the 2019 Impaired Driving Assessment will be used as a blueprint to strengthen the Impaired Driving Countermeasures Program for South Carolina.
4. The OHSJP will continue to provide grant funding for the LENs to assist them in their ongoing enforcement efforts, particularly in regards to impaired driving enforcement initiatives, and in recruiting additional enforcement agencies to enlist in the network. The OHSJP will continue to provide training to LENs through LEN Coordinator meetings, regularly scheduled LEN meetings, Traffic Safety Officer Certification courses, and other training opportunities offered by outside entities and network partners.

5. OHSJP staff will conduct a Problem Identification meeting to identify highway safety problems in the state and determine where best to utilize available resources to improve highway safety.
6. OHSJP staff will conduct project development to encourage potential applicants in identified problem areas to submit grant applications and provide technical assistance.
7. OHSJP staff will continue to provide LEL services to both state and local law enforcement agencies.
8. OHSJP will conduct periodic surveys to assess the public's awareness of and reaction to campaign messages prior to and after the campaign by utilizing recommended questions developed by NHTSA and the Governors Highway Safety Association.
9. SCDPS and SCDOT will continue their strong partnership to enhance traffic safety initiatives by:
 - a. Disseminating information to the public regarding highway safety and engineering issues through the use of message signs, radio stations, social websites, and presentations. The SCDOT message signs are used during each enforcement campaign, including statewide impaired driving initiatives, to keep the various safety messages front and center for the target audience. A Target Zero page on the SCDPS website is also maintained;
 - b. Continuing implementation of the SCCATTS project to create a fully electronic traffic records system and lay the groundwork for a potential DUI-tracking system for the state.
10. The OHSJP will seek the assistance of coroners and law enforcement officers statewide to improve the reporting of BAC test results, emphasizing the collection of BAC results for surviving drivers of fatal traffic crashes.
11. The OHSJP will work with the state's TRCC to continue work on developing and implementing a statewide DUI-tracking system.

II. PREVENTION

DAODAS is the single state authority for alcohol and other drug abuse programming as originally authorized by Public Law 91-616 of 1970 and Public Law 92-255 of 1972. DAODAS's mission is to ensure the provision of quality services to prevent or reduce the negative consequences of substance use and addictions. DAODAS offers a wide array of prevention, intervention, and treatment services through a community-based system of care. Although services are coordinated at the state level through DAODAS, the Department subcontracts with 32 county Alcohol and Other Drug Abuse Authorities (AOD) commissions to provide direct services to citizens in all 46 counties of the state. (www.daodas.state.sc.us)

In June 2004, the Governor's Council on Substance Abuse Prevention authorized four action groups to begin work on South Carolina's most pressing substance-related problems, one of which was underage drinking. One of the groups developed, known as the Underage Drinking Action Group (UDAG), is dedicated to the reduction of underage drinking in the state and is composed of a multi-disciplinary team of stakeholders. Participants hail from the following agencies/groups: the SCDPS, DAODAS, DSS, SCDOT, MADD, the University of South Carolina, Clemson University, Pacific Institute of Research and Evaluation, the SCDOE, the College of Charleston, SLED, and the SC Petroleum Marketers. The UDAG is divided into several sub-committees, including College Alcohol Policies and Parents Work Group, Beverage Service Training Policy Work Group, Compliance Check Work Group, Model Beverage Service Training Legislation Work Group, Alcohol Sales Enforcement, Public Information, and Impaired Driving.

In the context of a Statewide Impaired Driving Assessment in 2002, a recommendation was made to the state to form a statewide DUI Task Force. In August 2004, the South Carolina Impaired Driving Prevention Council (SCIDPC) was founded to serve as a DUI workgroup and to provide leadership and guidance as the state seeks to reduce the number of collisions, injuries, and deaths caused by impaired drivers. The SCIDPC is divided into four subcommittees: Education/Prevention, Legislative, Enforcement/Prosecution/Adjudication, and Treatment/ Rehabilitation/Diversion. Along with SCDPS OHSJP, SCHP, State Transport Police (STP), and the Director of SCDPS, there are representatives from the SCCJA, the state Attorney General's Office, the SC House of Representatives and additional federal, state, local, and private entities composing the Council's membership.

Mothers Against Drunk Driving South Carolina (MADD SC) is an active partner in the state's efforts to reduce, and ultimately eliminate impaired driving, as well as the OHSJP's efforts in reducing alcohol- and drug-impaired-driving-related collisions and injuries in the state. MADD SC's staff and volunteers are actively supportive of law enforcement efforts to deter impaired driving, and they are actively involved in advocating for stronger DUI policies and laws that will reduce DUI-related crimes. The MADD organization in South Carolina demonstrated its ability to be highly effective in the policy arena by its strong push in 2014 for "Emma's Law," an expansion of the state's IID program to high-BAC first offenders. MADD SC, the SCIDPC, and the Behavioral Health Services Association (BHSA) are continuing involvement in legislative efforts regarding the videotaping of DUI arrests. MADD's staff and victims are frequently in the media keeping the issues of impaired driving and underage drinking a priority for South Carolina. For FFY 2023, MADD South Carolina's court monitoring project proposal is anticipated to increase accountability in the courtroom in some of the state's major population areas, including Charleston, Greenville, Horry, Lexington, Richland, and Spartanburg Counties. MADD SC also assists the OHSJP's efforts by serving on the SCIDPC and helping select law enforcement award recipients for the annual DUI enforcement recognition ceremony.

DAODAS certifies ADSAP in South Carolina. The ADSAP is the state's primary prevention and treatment program to address DUI offenders. Currently, all certified ADSAPs are operated by county alcohol and drug abuse authorities. Each agency certified as an ADSAP provider offers a continuum of care in accordance with the American Society of Addiction Medicine Levels of Care. The required minimum services to be provided through the continuum of care are the PRIME FOR LIFE curriculum (Level 0.5); Individual and Group Counseling (Level I); Intensive Outpatient

Services (Level II); and referral linkages to higher levels of care. All ADSAP clients are required to receive a DUI risk assessment and/or clinical biopsychosocial assessment for placement in the appropriate level of care. The risk assessment and/or the biopsychosocial assessment provide the basis for diagnostic classification according to the "Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition". The diagnostic classification determines the following: placement in the PRIME FOR LIFE curriculum, Individual and Group Counseling, and/or Intensive Outpatient Services offered by a certified ADSAP provider; or referral to a higher level of care within the network of county alcohol and drug abuse authorities.

Outlined on the following pages are additional elements of comprehensive prevention programs implemented in South Carolina and aimed at reducing impaired driving, reducing recidivism of violators of alcohol control laws, and assisting individuals in breaking addiction cycles. These programs promote communication strategies that highlight and support specific policies and program activities as well as promote activities that educate the public on the effects of alcohol and other drugs, limit the availability of alcohol and other drugs, and discourage those impaired by alcohol and other drugs from driving.

- **Promote Responsible Alcohol Service**

DAODAS has mandated that state-funded AOD commissions across the state offer a merchant education component as part of their consolidated contract. The class is required only for servers who have violated the law, and such training has been required by the court in addition to any fines/fees levied by the judge. The class is also offered to merchants to take on a voluntary basis to reduce liability and as a pro-active measure of training for their staff.

Currently, the SCIDPC is in support of the S.0472, Responsible Alcohol Server Training Act, which was introduced during the 2021-2022 legislative session. (Although the South Carolina General Assembly meets annually, it follows a two-year legislative cycle called a "session." The General Assembly convened the 124th legislative session on January 12, 2021, and this session ends in 2022.) The Responsible Alcohol Server Training Act would provide for the establishment, implementation, and enforcement of a mandatory alcohol server training and education program; this bill goes beyond the current requirement, which specifies mandated training only after a serving violation has been issued. All servers of alcoholic beverages and their managers would be required to obtain an alcohol server certificate in order to serve alcohol in licensed or permitted businesses. New hires would have 60 days from their hire date to complete the training and receive their certificate. The program would cost up to \$35 a person and failure to complete the training within the 60 day requirement would come with additional fines and fees. The bill also proposes that the SC Department of Revenue (SCDOR) be responsible for approval of the training programs and implementation of the certificates, and that the program require coordination among the SCDOR, the State Law Enforcement Division (SLED) and other state and local agencies. The legislation, if passed, also allows SCDOR to charge an eligible service provider up to \$500 to offer the program. Each fee would then be deposited into a new fund created by the bill and would be used to assist with the costs associated with implementation and enforcement of the new training and education program. The legislation is important to reducing social harms in South Carolina communities. Research has shown the strong effectiveness of merchant education in preventing binge drinking, decreasing underage drinking, and reducing alcohol-impaired driving.

The AOD commissions utilize a merchant education curriculum known as the Palmetto Retailer Education Program (PREP); the courses are successfully marketed to alcohol retail outlets in the AOD commissions' counties. PREP helps reduce underage access to alcohol and tobacco in the community by educating the participants in "best practices" for preventing alcohol sales to minors, recognizing signs of intoxication, and intervening with patrons who are already intoxicated. In addition, successful completion of the course can lower liability risks for businesses and their employees. The goal of PREP is to provide managers and servers/sellers with the knowledge and skills to comply with state, community, and establishment-level alcohol and tobacco policies and awareness of the potential consequences for failing to comply with such policies. The two hour session covers many relevant issues including:

- Alcohol and tobacco laws and consequences
- Checking IDs
- Fake IDs
- Keg registration
- Conflict resolution
- Refusing over service
- Reducing liability of employees and businesses

Program Outcomes include the following:

Attitudinal Outcomes

- Recognize that they have a legal responsibility not to sell alcohol or tobacco to underage persons
- Recognize the value of making choices that fulfill their job responsibilities
- Recognize that avoiding the sale of alcohol or tobacco to underage persons is more important than making a sale

Knowledge Outcomes

- Understand key state laws that govern the sale of alcohol and tobacco in South Carolina
- Understand the importance of their role in refusing to sell to underage persons
- Understand the correct procedure for checking an ID
- Understand they must ID anyone who appears to be under the age of 35
- Understand that if caught making an underage sale, they will be penalized
- Understand how the manager can be a resource for sales staff
- Understand the effects of alcohol use and alcohol absorption rates
- Know when and where to seek help if concerned about their own or another's use
- Understand how to identify intoxicated customers
- Understand how to refuse service to underage youth and intoxicated customers

Performance Outcomes

- State the laws and consequences related to the sale of alcohol and tobacco in South Carolina
- List the responsibilities of sales staff
- State the potential penalties for clerks who sell alcohol or tobacco to underage persons
- Calculate the required date of birth for sales of alcohol and tobacco
- List the three valid forms of identification
- Locate the date of birth on a valid form of identification
- Apply the calculated required date of birth and compare to the customer's date of birth
- Describe how to detect a fake ID
- Explain how to handle difficult situations in refusing sales

Local county agencies provide PREP throughout the state. PREP is approved by the SC Department of Revenue (SCDOR) and DAODAS. County authorities were each required to implement merchant education programming in State Fiscal Year (SFY) 2020 and the local agencies collectively served 1,128 retail staff. There is a standardized PREP post-test used across the system that allows standardization of outcomes. Primarily, the test is graded for pass or fail. Among those who passed in SFY2020, the average score was 95.7%. (SCDAODAS 2020 Prevention Outcomes Annual Report).

South Carolina continues to have an effective underage drinking program by continuing to promote policies and practices to prevent drinking by individuals under age 21. The state passed legislation in an attempt to strengthen underage drinking laws and to further discourage adults from providing alcohol to those under age 21 in any context. In June 2007, legislation was passed which enacted the *Prevention of Underage Drinking and Access to Alcohol Act of 2007*. The majority of the provisions of this legislation became effective on July 1, 2007. However, two key portions of the legislation became effective on January 1, 2008 (**Attachment 3** contains the current summary of the provisions which became effective on the previously-mentioned dates). These two additional portions involve the creation of a mandatory keg registration system (**Attachment 4** contains a copy of the current Keg Registration legislation) and the creation of mandatory use of ignition interlock devices at the expense of the offenders for second and subsequent DUI offenders of any age. However, as mentioned in a previous section of this Impaired Driving Countermeasures Plan, in April 2014, SC further amended the state's DUI statutes to require the installation of ignition interlock devices on vehicles of convicted first-time DUI offenders with a BAC of 0.15 or higher ("Emma's Law"). Emma's Law also made the Program mandatory for drivers with second and subsequent DUI convictions, meaning they may no longer avoid the Program requirement by sitting out a suspension. Currently, only those convicted of their first DUI with a BAC under 0.15 percent have the option of sitting out the suspension to avoid the Program. The legislation also removed the one-year hard suspension for repeat-offender convicted DUI drivers who choose to receive a restricted license from the SCDMV allowing them to drive with the ignition interlock device(s) installed. The legislation also allowed those who receive the restricted license and have the device(s) installed in personal vehicles to continue to operate employer vehicles without the device(s) installed. The passing of this legislation placed the State of South Carolina out of compliance with USDOT Section 164 requirements. During the 2015 legislative session of the SC General Assembly, Emma's Law was amended, effective June 1, 2015, to deal with the problem areas that caused the state to fall out of compliance with Section 164. The amended legislation

became compliant by amending the employer vehicle sections, S.C. Code § 56-1-400(B), and S.C. Code § 56-5-2941(L).

According to data provided by the South Carolina Department of Probation, Parole, and Pardon Services (SCDPPPS), the agency in charge of administering the Ignition Interlock Device Program (IIDP), there are currently about 16,800 individuals eligible for the ignition interlock program. In CY 2021, a total of 1,499 drivers participated in the IIDP. South Carolina's Zero Tolerance Law is also presented as **Attachment 5**.

In terms of preventing underage drinking while driving, South Carolina driver's licenses are tamper resistant and are designed to prevent persons under 21 from obtaining alcoholic beverages and to prevent persons of any age from making alcoholic beverages available to persons under the age of 21. In February 2011, the South Carolina Department of Motor Vehicles began the process of phasing in a vertical driver's license format for those under the age of 21, making the license more distinguishable from those held by drivers over 21.

- **Promote Transportation Alternatives**

Transportation alternative programs provide a challenge for the state of South Carolina, since the state is predominantly a rural state. The metropolitan areas that do exist are considerably smaller than other major metropolitan areas of the country, and public transportation options are somewhat scarce. There are currently no statewide designated-driver or safe-ride programs. However, there are some individual programs that provide safe-ride services in cooperation with local drinking establishments. A few college prevention programs in the state offer safe-ride services as well.

- **Conduct Community-Based Programs**

The state of South Carolina has a variety of community-based programs which address prevention strategies at the local level in a variety of settings and utilize a variety of resources. The state incorporates school-based program initiatives, including the State Department of Education environmental strategies; local school district educational standards; associational educational opportunities, such as "Alive at 25"; programs sponsored and implemented by the state's alcohol and other drug abuse agencies and commissions; and a variety of traffic safety efforts to reach the community at large and school/college-aged young people with significant messaging about the dangers of alcohol use and impaired driving.

Schools

South Carolina continues to benefit from comprehensive and coordinated alcohol and other drug abuse prevention, including evidence-based school and community programs and strategies. SCDAODAS administers its programs statewide through thirty-two (32) certified, local Alcohol and Drug Abuse commissions serving all forty-six (46) counties in the state, providing prevention and treatment services and serving as coordinating bodies in partnership with law enforcement to

conduct compliance checks, party dispersals, underage drinking enforcement, and other prevention activities.

The 2019 South Carolina Youth Risk Behavior Survey (YRBS) indicated that:

- 23.1% of high school students had at least one drink of alcohol on at least one day during the 30 days before the survey;
- 9.2% of high school students drank five or more drinks of alcohol in a row within a couple of hours on at least one day during the 30 days before the survey;
- 16% of high school students rode in a vehicle driven by someone who had been drinking alcohol; and
- 4.0% of high school students drove a vehicle in the past thirty days after drinking alcohol.

The YRBS has been conducted in South Carolina in high schools every other year since 1991 and in middle schools since 2005. The surveys, conducted in the spring of odd-numbered years by The Office of Student Intervention Services at the SC Department of Education, is part of a national effort to monitor priority health risk behaviors that contribute markedly to the leading causes of death, disability, and social problems among youth and adults in the United States.

DAODAS's Prevention Outcomes Annual Report, prepared by the Pacific Institute for Research and Evaluation (PIRE), describes numerous evidence-based prevention strategies that have been implemented in schools in South Carolina. The report also documents positive changes in alcohol use, as well as risk factors that predict alcohol use and high-risk behavior, including impaired driving.

The state of South Carolina does not mandate an impaired-driving, substance abuse or other related curriculum in schools; however, the state has defined educational standards in the area of impaired-driving and other drug abuse. Content Area IV of the mandated educational standards, known as "Alcohol, Tobacco and Other Drugs," specifies a variety of learning objectives for all grades. These objectives address knowledge about alcohol and other substances and their negative effects, and call for developing competency in resisting media messages promoting use of alcohol. However, currently there are no standards that directly include impaired-driving or other specific highway safety issues.

Although there is no longer federal financial support for Drug Free Schools programs, the SCDOE implements the "South Carolina School Climate Initiative" (SCSCI), which is intended to improve school learning environments and reduce behavior that may be detrimental to students by developing a School Climate Index. The School Climate Index will be used by schools, districts, and the state to measure a school's learning environment and to identify and implement effective, research-based interventions to address identified, targeted student needs. By way of the SCSCI initiative, evidence-based prevention strategies are employed, such as Life Skills Training, Olweus Bullying Prevention, and the Positive Behavior Interventions and Supports (PBIS) programs. These intervention programs have been proven and documented to reduce alcohol and other substance abuse, as well as other negative student behaviors. The lack of this federal funding has significantly impacted 301 agencies and created a struggle to maintain and respond to the growing need to provide evidence-based prevention programs in schools. On the state level, since funding

was depleted the 301 agencies have seen an overall decrease in the number of youth able to receive services from 2009 to 2020 as reported in the DAODAS *Prevention Outcomes Annual Report*.

In SFY 2020, the local county agencies served 1,833 school-aged youth between the ages of 10-17 using eleven different curriculum-based evidence-based programs. DAODAS requires the use of a standard survey that is composed of SAMSHA's National Outcome Measures and other measures from SAMSHA's Core Measures Initiative. The counties are required to use the standard survey at the beginning of the multi-session program and at the end. In SFY20, there was a statistically significant ($p < .05$) positive change from pre-to post-test for three of the five measures (perceived risk, disapproval of use, and peer norms) for high school students. In SFY20 there were two statistically significant changes in substance use-reductions in e-cigarettes, or vapes, and binge drinking for middle school students. (DAODAS Prevention Outcomes Annual Report).

Before FFY 2023, South Carolina did not have a statewide student organization that addressed impaired driving or traffic safety. In FFY 2023, the OHSJP will recommend a grant project to implement a statewide Students Against Destructive Decisions (SADD) program. SADD is an organization uniquely positioned to impact teenage alcohol use and driving behaviors. The grant project, if funded, would fund the activities of a South Carolina State SADD Coordinator to open new chapters in schools across the state. The SADD Coordinator would work to recruit SADD Advisors, host regional trainings for the new and existing Advisors, and will work with existing chapters and other traffic safety stakeholders to hold teen traffic safety events across the state.

Many schools in the state have implemented the Southeastern Chapter of the National Safety Council's (SCNSC) "Alive at 25" program, with many school districts requiring successful completion of this program by students to secure campus parking privileges. Based on data provided by the local chapter of the SCNSC, currently 93 high schools in South Carolina are involved with the "Alive at 25" program. As of May 9, 2018, 206,678 students have completed the program. (In previous years, the SCNSC was able to cross reference students who have completed the program and have been involved in fatal crashes; however, they are no longer able to receive this information.) "Alive at 25" is also required for young people convicted of underage alcohol possession who opt for the Alcohol Diversion Program. The course is a highly interactive 4.5-hour program encouraging young drivers between the ages of 15 and 24 to take responsibility for their driving behavior. Skill practices and on-the-spot defensive driving techniques help increase driver confidence levels. Instructors (law enforcement and first responder professionals) use workbook exercises, interactive media segments, group discussions, role-playing, and short lectures to assist young drivers in developing attitudes and strategies that will keep them safer on the roadways. A significant component of the training deals with the issue of impaired operation of a motor vehicle.

SCHP, a division of the SCDPS, operates a Community Relations Program that includes significant emphasis on underage drinking and impaired driving. The SCHP's cadre of CROs (one for each of the seven SCHP Troops statewide) incorporates the issue of DUI in every school, community, and faith-based organization presentation. Each year this group of officers schedules presentations in high schools statewide. In addition, the OHSJP previously maintained a program called *Families of Highway Fatalities*, which has established a group of family members statewide who have lost a family member or members in a traffic crash. This program was relocated in early

2017 to be maintained by the SCHP. These family members serve as spokespersons about traffic safety, including the issue of DUI, in a variety of contexts, and they conduct additional presentations in schools throughout the state.

The state also has trained personnel in “Drug Impairment Training for Educational Professionals” (DITEP). This program, however, is not widely used in the state, with very few teachers and/or other educators trained in the program. The expansion of this program has the potential to be effective in the fight against impaired driving, particularly among younger drivers.

Several colleges and universities in South Carolina have alcohol and substance abuse prevention efforts that address impaired driving issues among students. Existing programs utilize a variety of strategies, including provision of information, interactive demonstrations, and environmental changes. Colleges recently have expanded their prevention efforts to include law enforcement participation in surrounding communities. College programs generally subscribe to a harm-reduction model rather than directly preventing alcohol consumption. Programs such as those that promote designated drivers or provide safe rides for alcohol-impaired students are intended to prevent impaired driving. This presents a challenge for colleges that have become accustomed to a culture of tolerance for alcohol use, particularly among underage students.

Several colleges in South Carolina utilize the AlcoholEdu survey and online curriculum. The survey has been used as a source of vital needs assessment data for developing prevention strategies. Major campuses do not prohibit alcohol use, and some sell alcohol in campus sports venues. For the campuses that prohibit alcohol sales, tailgating and other drinking events are generally tolerated, though measures are taken to reduce consequences such as driving after drinking.

The OHSJP, in conjunction with the SCDPS agency contractor, has made significant efforts to gear its anti-impaired driving messaging to reach the major offending age-group in the state, males aged 20 to 34. Television and radio advertising, particularly relative to major campaign blitzes for the statewide *Sober or Slammer!* effort (corresponding to the national Drive Sober or Get Pulled Over campaign), reaches a variety of age groups, but focuses on 20-to-34 year-old males. The OHSJP incorporates into its diversity outreach strategies information gleaned from data included in the Highway Safety Plan and the Strategic Highway Safety Plan. In addition to the general motoring public, diversity among paid media campaigns include Caucasian, African American, and Hispanic youth, and rural male audiences. The information has been utilized in all efforts of the OHSJP relative to enforcement mobilization strategies, particularly in terms of media outreach.

For FFY 2023, the OHSJP has plans to reach drivers at popular statewide events, like the annual Carolina Country Music Festival in Myrtle Beach, SC, the Carolina Cup in Camden, SC, and college football games. Among these community outreach events, various messages such as DUI, designated drivers, safety belts, and distracted driving will be displayed on various platforms including, but not limited to, radio, in-venue signage, programs, banners, billboards, and PA announcements.

Campaign media efforts, including television and radio advertising, as well as billboard messaging, are also utilized by the OHSJP to encourage the public to plan a sober ride home by requesting a rideshare.

Employers

Currently in South Carolina, there are no statewide traffic safety employer programs that provide information and technical assistance to employers and encourage them to offer programs to reduce underage drinking and impaired driving by employees and their families. There are some strategies in place that provide related services and could serve as mechanisms for delivering timely and effective information relative to impaired driving and other traffic safety issues to employees of large businesses and small companies in the state. Employers utilizing Employee Assistance Programs (EAP) from private providers to implement screening and intervention services could conceivably provide information on impaired driving issues as well.

South Carolina has Drug Free Workplace legislation consistent with federal legislation. Employers are able to receive substantial discounts on workers' compensation insurance for using programs such as those offered by the Council on Alcohol and Drugs. These programs are designed to educate employers, employees, and the public at large about (1) the dangers of substance abuse, especially the abuse of illicit drugs; (2) the impact of such abuse on the workplace; (3) the most appropriate, effective, and legally accepted means for employers to address their problems with substance abuse in the workplace; (4) the rights and responsibilities of employers and employees; (5) the status of legislative, regulatory, and legal developments at the state level; and (6) the role of employers in national efforts to combat drug abuse. These programs could benefit from adding current, accurate, and South Carolina-specific information about impaired driving.

Community Coalitions and Traffic Safety Programs

In addition to participating in the efforts of the SCIDPC, DAODAS is responsible for the administration of the state's Underage Drinking Action Group. UDAG is a subcommittee of the Governor's Council on Substance Abuse Prevention and Treatment. UDAG is dedicated to the reduction of underage drinking in the state and is composed of a multi-disciplinary team of stakeholders. Participants hail from the following agencies and groups: SCDPS, DAODAS, the SC Department of Social Services, the SC DOT, MADD SC, the University of South Carolina, Clemson University, the Pacific Institute for Research and Evaluation, the SC DOE, the College of Charleston, the BHSA, the SC Association of Prevention Professions and Advocates, SLED, and the SC Petroleum Marketers. The UDAG has launched a successful media campaign to ensure that parents in the state are aware of the liabilities associated with social hosting and the legal implications of providing alcohol to minors in any context. The campaign, which has utilized television, radio, and billboard advertising, is known as *Parents Who Host Lose the Most*. The campaign encourages parents and the community to send a unified message that teen alcohol consumption is unhealthy, unsafe, and unacceptable. The campaign has been implemented at state and local levels during celebratory times when underage drinking parties are prevalent, such as the homecoming, holiday, prom, and graduation seasons.

The UDAG has also funded an enforcement initiative known as *Out of Their Hands*. This program

is based on a three-stage process incorporating merchant education, public awareness, and an enforcement component. The initiative enlists the support of AET from local law enforcement agencies in each of the state's sixteen judicial circuits to enforce underage drinking laws, enact controlled party dispersal enforcement activity, conduct public safety checkpoints, perform ID checks, and conduct compliance checks of retail establishments serving alcohol. Local prevention specialists complement the enforcement tactics with widespread community outreach and awareness-raising. The AET model went statewide in July 2007 and remains operational. The AET model specifies a multi- or single-jurisdictional alcohol law enforcement approach (depending on the needs and participation of law enforcement within the target area) in a community to:

- reduce youth access to alcohol utilizing various strategies (social and retail access);
- measure, track, and improve merchant compliance with alcohol laws;
- provide research-based merchant education;
- build community support for enforcement of underage drinking laws through media advocacy and community coalition maintenance and development; and
- develop local law enforcement support for underage drinking prevention and enforcement efforts.

In SFY 2020 underage drinking law enforcement operations were conducted through the AET. These operations included 103 party patrols, 161 saturation patrols, 4,858 alcohol compliance checks, nine shoulder taps/third-party transfers, and 395 public safety checkpoints. Underage drinking parties were prevented as a result of AETs working from advance information. AET awareness activities include holding town hall meetings, doing educational sessions for youth and/or adults, conducting local media campaigns and casual contacts (law enforcement officers making community contacts with youth or merchants to keep a high visibility presence in the community). In SFY20 AETs also highlighted the enforcement work with media placements (articles, TV stories, etc.) and presentations.

Federal prevention funds, as well as most states' prevention programs, have increasingly been restricted to coalition building. In some cases, community coalitions generate some prevention strategies, but the majority of resources are often dedicated to maintaining or expanding coalitions. The Alcohol and Drug Abuse Commissions in South Carolina are unique in their ability to provide comprehensive prevention services, environmental strategies, interventions, and treatment without diverting critical resources to coalition building at the expense of providing services.

The Law Enforcement Support Services (LESS) division is housed in the OHSJP. This division is staffed by a Law Enforcement Network Coordinator and a Law Enforcement Liaison (LEL). The staff has oversight over the state's Law Enforcement Network (LEN) system, which was formed in 2003. The LESS division works to establish and maintain relationships between the OHSJP and law enforcement agencies around the state and to garner law enforcement support of and participation in statewide enforcement mobilization campaigns, including the two DUI annual mobilization crackdowns, known as *Sober or Slammer!*. LELs also encourage Law Enforcement Network agencies to engage in multi-jurisdictional enforcement activity to include checkpoints and saturation patrols. Law Enforcement Network support grants are provided to those established networks around the state. The sixteen (16) networks correspond to the state's sixteen (16) judicial circuits. The networks have been established to coordinate and promote law enforcement efforts

in the state, disseminate information among agencies, and provide needed training for the more than 300 law enforcement agencies within the state. The support grants are provided to assist the networks with meeting room costs, recognition awards, the costs to attend training and/or conferences, and educational materials. The networks traditionally have been a key component of the *Sober or Slammer! (SOS)/Drive Sober or Get Pulled Over* sustained enforcement initiatives and the *Buckle up, South Carolina. It's the law and it's enforced* effort (mirroring the national *Click it or Ticket.* campaign).

Agencies participating in the LEN will be encouraged to participate in the state's high-visibility DUI Challenge enforcement campaign for FFY 2023. The campaign will include enforcement and educational strategies in an effort to reduce DUI traffic crashes, injuries, and fatalities in FFY 2023. The DUI enforcement campaign will include specialized DUI enforcement activities (checkpoints and saturation patrols) by participating state and local law enforcement agencies, from December 2022 through September 2023. These enforcement efforts will be supported by monthly media components.

**Impaired Driving Countermeasures Education for Young People/Prevention
Grant Project Applications for FFY 2023**

Agency	Project Location	Project Title	SADD Advisors and Chapters Initiated	Teen Traffic Safety Events	Regional Advisor Trainings
Students Against Destructive Decisions (SADD) INC.	Statewide	A Comprehensive Approach to Reducing Teen Crashes: South Carolina SADD	13	20	3

*References: 2020-2024 South Carolina's Strategic Highway Safety Plan, 2020; pp. 99-100
Countermeasures That Work: Tenth Edition, 2020; Chapter 1: 6.1; 6.2; 6.3; 6.4; 6.5*

Strategies

In order to assist in strengthening the prevention aspect of the state's impaired driving countermeasures program, the OHSJP adopts the following strategies for FFY 2023:

1. The OHSJP will continue to provide grant funding for the LEN to assist them in their ongoing enforcement efforts and in recruiting additional enforcement agencies to enlist in the system. The OHSJP will continue to provide training to LENs through LEN Coordinator meetings, regularly scheduled LEN meetings, and Traffic Safety Officer Certification courses.
2. OHSJP staff will continue to provide LEL services to both state and local law enforcement agencies.

3. The public will be educated about the dangers of drinking and driving through the statewide distribution of educational materials, presentations at health and safety fairs, and statewide impaired driving campaigns.
4. OHSJP staff will continue to be involved with DAODAS Underage Drinking Action Group.
5. The OHSJP will continue to support DAODAS's underage drinking campaign, "*Parents Who Host Lose the Most.*" The campaign encourages parents and the community to send a unified message that teen alcohol consumption is unhealthy, unsafe, and unacceptable.
6. The OHSJP will continue to support the National Safety Council's "Alive at 25" initiative.
7. In FFY 2023, the OHSJP will recommend for approval a grant project to implement a statewide Students Against Destructive Decisions (SADD) Inc. statewide project.
8. The OHSJP will work with LEL staff to disseminate information to LENs that contain the counties identified as having the highest population-based alcohol-impaired fatality rates in 2020 (Bamberg, Colleton, Fairfield, Hampton, and Orangeburg) in an effort to determine education and enforcement strategies which may be implemented through the Networks to assist in resolving the problems.
9. OHSJP staff will coordinate statewide public information and education efforts to promote compliance with impaired-driving laws. An overarching theme of all campaign efforts will be utilized by the OHSJP and the SCDPS. The theme will continue to be *Target Zero*, with the tagline, "*A goal we can all live with.*"
10. The state will continue to implement a statewide impaired driving campaign, *Sober or Slammer!* (the state's version of the national *Drive Sober or Get Pulled Over* initiative), which consists of a high-visibility enforcement and education effort to reduce DUI traffic crashes, injuries, and fatalities. The DUI enforcement campaign will include specialized DUI enforcement activities by participating state and local law enforcement agencies, during the Christmas/New Year's holidays (2022-2023) and through the Labor Day 2023 holiday. These enforcement efforts will be supported by monthly media components.

The SCHP will recruit and utilize the assistance of local law enforcement agencies during the specialized enforcement efforts. Those agencies agreeing to participate will be awarded a recognition plaque for their efforts. This recognition is consistent with the NHTSA Guidance and recommendations received by the OHSJP from the NHTSA Region 4 Office. LELs will encourage agencies within the SC LEN system to participate in these enforcement events.

Educational efforts will again be supported by media components to support campaign efforts. Educational efforts will focus on the twenty priority counties (Greenville, Lexington, Horry, Spartanburg, Charleston, Richland, Anderson, York, Berkeley, Florence, Aiken, Orangeburg, Beaufort, Laurens, Dorchester, Oconee, Sumter, Lancaster, Pickens, and Colleton) designated within the state's Highway Safety Plan and the Impaired Driving Countermeasures Plan.

11. The OHSJP, in conjunction with the SCDPS agency contractor will continue to make significant efforts to gear its anti-impaired driving messaging to reach the major offending age-group in the state, males aged 20 to 34, during FFY 2023. Television and radio advertising, particularly relative to major campaign blitzes for the statewide *Sober or Slammer!* effort (corresponding to the national *Drive Sober or Get Pulled Over* campaign), reaches a variety of age groups, but focuses on 20-to-34 year-old males. The OHSJP incorporates into its diversity outreach strategies information gleaned from data included in the Highway Safety Plan and the Strategic Highway Safety Plan. In addition to the general motoring public, diversity among paid media campaigns include Caucasian, African American, and Hispanic youth, and rural male audiences. The information has been utilized in all efforts of the OHSJP relative to enforcement mobilization strategies, particularly in terms of media outreach.
12. The OHSJP will work with SCDOE through the SCIDPC to determine the efficacy of expanding the DITEP program into local school districts to increase the number of educational professionals (school counselors, teachers, and administrators) trained in this discipline.
13. The OHSJP will work with the SCDOE through the SCIDPC to determine the possibility of adding impaired driving and other traffic safety learning objectives to the SC Health and Safety Education Standards.

III. Criminal Justice System

The Criminal Justice System in South Carolina, though not perfect, has sought to reduce recidivism in terms of alcohol-related crimes using collaborative efforts among law enforcement, prosecution, adjudication, criminal and administrative sanctions, and communications. Close coordination at the state, county, and municipal levels within the context of multi-disciplinary efforts has made some strides in increasing deterrence and the perception that impaired drivers will face severe consequences if caught committing the crime of DUI.

A. Laws

South Carolina amended its DUI law in February 2009. Though South Carolina's DUI law was strengthened, it remains problematic for a number of reasons and likely does not function in the state at the deterrence level outlined by the NHTSA-produced *Countermeasures That Work* document, or at deterrence levels desired by the average South Carolinian. However, the new legislation did allow the state to move forward in harshening penalties for impaired driving and for breath test refusals associated with DUI arrests, which are outlined throughout this section. The following is a summary of where the current DUI law stands in the state as compared to the model elements of a DUI law outlined in NHTSA's "Uniform Guidelines for State Highway Safety Programs – Highway Safety Program Guideline No.8 – Impaired Driving." The document states that DUI laws should define offenses to include:

- Driving while impaired by alcohol or other drugs (whether illegal, prescription or over-the-counter) and treating both offenses similarly.

In the state of South Carolina, it is unlawful for a person to drive a motor vehicle while under the influence of alcohol to the extent that the person's faculties to drive a motor vehicle are materially and appreciably impaired, under the influence of any other drug or a combination of other drugs or substances which cause impairment to the extent that the person's faculties to drive a motor vehicle are materially and appreciably impaired, or under the combined influence of alcohol and any other drug or drugs or substances which cause impairment to the extent that the person's faculties to drive a motor vehicle are materially and appreciably impaired (SC Code of Laws §56-5-2930). Attached is a copy of South Carolina's DUI law (**Attachment 6**).

- Driving with a BAC limit of .08 grams per deciliter, making it illegal "per se" to operate a vehicle at or above this level without having to prove impairment.

According to South Carolina Code of Laws §56-5-2933, driving with an unlawful alcohol concentration (DUAC), it is unlawful for a person to drive a motor vehicle within the state while his blood alcohol concentration is .08 or more. A person who violates the provisions of this section is guilty of the offense of DUAC.

- Driving with a high BAC (i.e., .15 BAC or greater) with enhanced sanctions above the standard impaired driving offense.

In South Carolina, there are enhanced sanctions for driving a motor vehicle with a high BAC (i.e., .15 BAC or greater). DUI offenders with a BAC level of .15 or above at the time of arrest are subject to pre-DUI conviction licensing actions. On a first offense, the license is suspended for 30 days; on a second offense, it is suspended for 60 days. Restricted driver's licenses are granted for employment or education purposes, and temporary driving privileges are available for offenders who enroll in an Alcohol and Drug Safety Action Program and request a hearing within 10 days. The hearing fee is \$200, and the license fee is \$100. In April 2014, South Carolina amended the ignition interlock portion of the state's DUI statutes in Act 158 which took effect October 1, 2014. Ignition interlock devices are required for first-time DUI offenders who are convicted of having had BACs of 0.15 percent or higher ("Emma's Law"). The ignition interlock device program is a voluntary alternative to hard suspensions for first-time DUI offenders who are convicted of having refused to submit to breath tests. First-time DUI offenders who are convicted of having had BACs of 0.14 percent or lower will have ignition interlock devices as an alternative to presently-existing special driving privileges. Hard suspensions for subsequent DUI offenders were removed, and those persons are immediately subjected to ignition interlock requirements.

For persons mandated to obtain ignition interlock devices, the requirement no longer has a time limit. The previous law allowed a person the option to stay suspended for three years, after which the ignition interlock requirement would end. Under the amended law, the suspension is indefinite and will only end when ignition interlock requirements have been fulfilled. The legislation continued to allow a person who does not own a vehicle to operate an employer's vehicle without an ignition interlock device installed. These statutory provisions placed the state of South Carolina out of compliance with USDOT Section 164 requirements. However, it should be noted that during the 2015 legislative session of the SC General Assembly, Emma's Law was amended, effective June 1, 2015, to deal with the problem areas that caused the state to fall out of compliance with

Section 164. The amended legislation became compliant by amending the employer vehicle sections, S.C. Code § 56-1-400(B), and S.C. Code § 56-5-2941(L).

- Zero Tolerance for underage drivers, making it illegal “per se” for people under age 21 to drive with any measurable amount of alcohol in their system (i.e., .02 BAC or greater).

The state of South Carolina implements a Zero Tolerance Law for underage drivers, making it illegal “per se” for people under age 21 to drive with any measurable amount of alcohol in their system. SC Code of Laws §56-1-286 (A) states “The Department of Motor Vehicles must suspend the driver’s license, permit, or nonresident operating privilege of, or deny the issuance of a license or permit to a person under the age of twenty-one who drives a motor vehicle and has an alcohol concentration of two one-hundredths of one percent or more...”

- Repeat offender with increasing sanctions for each subsequent offense.

According to the South Carolina Code of Laws §56-5-2930 and §56-5-2933, there are increased sanctions for repeat DUI offenders. The criminal fines and jail time increase with each subsequent offense. The fines for driving under the influence are provided below:

(A) It is unlawful for a person to drive a motor vehicle within this state while under the influence of alcohol to the extent that the person's faculties to drive a motor vehicle are materially and appreciably impaired, under the influence of any other drug or a combination of other drugs or substances which cause impairment to the extent that the person's faculties to drive a motor vehicle are materially and appreciably impaired, or under the combined influence of alcohol and any other drug or drugs or substances which cause impairment to the extent that the person's faculties to drive a motor vehicle are materially and appreciably impaired. A person who violates the provisions of this section is guilty of the offense of driving under the influence, and upon conviction, entry of a plea of guilty or of nolo contendere, or forfeiture of bail must be punished as follows:

(1) for a first offense, by a fine of four hundred dollars or imprisonment for not less than forty-eight hours nor more than thirty days. However, in lieu of the forty-eight hour minimum imprisonment, the court may provide for forty-eight hours of public service employment. The minimum forty-eight hour imprisonment or public service employment must be served at a time when the person is not working and does not interfere with his regular employment under terms and conditions the court considers proper. However, the court may not compel an offender to perform public service employment in lieu of the minimum forty-eight hour sentence. If the person's alcohol concentration is at least ten one-hundredths of one percent but less than sixteen one-hundredths of one percent, then the person must be punished by a fine of five hundred dollars or imprisonment for not less than seventy-two hours nor more than thirty days. However, in lieu of the seventy-two hour minimum imprisonment, the court may provide for seventy-two hours of public service employment. The minimum seventy-two hour imprisonment or public service employment must be served at a time when the person is not working and does not interfere with his regular employment under terms and conditions as the court considers proper. However, the court may not compel an offender to perform public service employment in lieu of the minimum sentence. If the person's alcohol concentration is sixteen one-hundredths of one percent or more, then the person must be punished by a fine of one thousand dollars or imprisonment for not less

than thirty days nor more than ninety days. However, in lieu of the thirty-day minimum imprisonment, the court may provide for thirty days of public service employment. The minimum thirty days imprisonment or public service employment must be served at a time when the person is not working and does not interfere with his regular employment under terms and conditions as the court considers proper. However, the court may not compel an offender to perform public service employment instead of the thirty-day minimum sentence. Notwithstanding the provisions of Sections 22-3-540, 22-3-545, and 22-3-550, a first offense charged for this item may be tried in magistrates court;

(2) for a second offense, by a fine of not less than two thousand one hundred dollars nor more than five thousand one hundred dollars, and imprisonment for not less than five days nor more than one year. However, the fine imposed by this item must not be suspended in an amount less than one thousand one hundred dollars. If the person's alcohol concentration is at least ten one-hundredths of one percent but less than sixteen one-hundredths of one percent, then the person must be punished by a fine of not less than two thousand five hundred dollars nor more than five thousand five hundred dollars and imprisonment for not less than thirty days nor more than two years. However, the fine imposed by this item must not be suspended in an amount less than one thousand one hundred dollars. If the person's alcohol concentration is sixteen one-hundredths of one percent or more, then the person must be punished by a fine of not less than three thousand five hundred dollars nor more than six thousand five hundred dollars and imprisonment for not less than ninety days nor more than three years. However, the fine imposed by this item must not be suspended in an amount less than one thousand one hundred dollars;

(3) for a third offense, by a fine of not less than three thousand eight hundred dollars nor more than six thousand three hundred dollars, and imprisonment for not less than sixty days nor more than three years. If the person's alcohol concentration is at least ten one-hundredths of one percent but less than sixteen one-hundredths of one percent, then the person must be punished by a fine of not less than five thousand dollars nor more than seven thousand five hundred dollars and imprisonment for not less than ninety days nor more than four years. If the person's alcohol concentration is sixteen one-hundredths of one percent or more, then the person must be punished by a fine of not less than seven thousand five hundred dollars nor more than ten thousand dollars and imprisonment for not less than six months nor more than five years; or

(4) for a fourth or subsequent offense, by imprisonment for not less than one year nor more than five years. If the person's alcohol concentration is at least ten one-hundredths of one percent but less than sixteen one-hundredths of one percent, then the person must be punished by imprisonment for not less than two years nor more than six years. If the person's alcohol concentration is sixteen one-hundredths of one percent or more, then the person must be punished by imprisonment for not less than three years nor more than seven years.

Punishments under South Carolina's DUAC law (56-5-2933) are as follows:

(A) It is unlawful for a person to drive a motor vehicle within this state while his alcohol concentration is eight one-hundredths of one percent or more. A person who violates the provisions of this section is guilty of the offense of driving with an unlawful alcohol concentration and, upon conviction, entry of a plea of guilty or of nolo contendere, or forfeiture of bail must be punished as follows:

(1) for a first offense, by a fine of four hundred dollars or imprisonment for not less than forty-eight hours nor more than thirty days. However, in lieu of the forty-eight hour minimum

imprisonment, the court may provide for forty-eight hours of public service employment. The minimum forty-eight hour imprisonment or public service employment must be served at a time when the person is not working and does not interfere with his regular employment under terms and conditions the court considers proper. However, the court may not compel an offender to perform public service employment in lieu of the minimum forty-eight hour sentence. If the person's alcohol concentration is at least ten one-hundredths of one percent but less than sixteen one-hundredths of one percent, then the person must be punished by a fine of five hundred dollars or imprisonment for not less than seventy-two hours nor more than thirty days. However, in lieu of the seventy-two hour minimum imprisonment, the court may provide for seventy-two hours of public service employment. The minimum seventy-two hour imprisonment or public service employment must be served at a time when the person is not working and does not interfere with his regular employment under terms and conditions as the court considers proper. However, the court may not compel an offender to perform public service employment in lieu of the minimum sentence. If the person's alcohol concentration is sixteen one-hundredths of one percent or more, then the person must be punished by a fine of one thousand dollars or imprisonment for not less than thirty days nor more than ninety days. However, in lieu of the thirty-day minimum imprisonment, the court may provide for thirty days of public service employment. The minimum thirty days imprisonment or public service employment must be served at a time when the person is not working and does not interfere with his regular employment under terms and conditions as the court considers proper. However, the court may not compel an offender to perform public service employment instead of the thirty-day minimum sentence. Notwithstanding the provisions of Sections 22-3-540, 22-3-545, and 22-3-550, a first offense charged for this item may be tried in magistrates court;

(2) for a second offense, by a fine of not less than two thousand one hundred dollars nor more than five thousand one hundred dollars, and imprisonment for not less than five days nor more than one year. However, the fine imposed by this item must not be suspended in an amount less than one thousand one hundred dollars. If the person's alcohol concentration is at least ten one-hundredths of one percent but less than sixteen one-hundredths of one percent, then the person must be punished by a fine of not less than two thousand five hundred dollars nor more than five thousand five hundred dollars and imprisonment for not less than thirty days nor more than two years. However, the fine imposed by this item must not be suspended in an amount less than one thousand one hundred dollars. If the person's alcohol concentration is sixteen one-hundredths of one percent or more, then the person must be punished by a fine of not less than three thousand five hundred dollars nor more than six thousand five hundred dollars and imprisonment for not less than ninety days nor more than three years. However, the fine imposed by this item must not be suspended in an amount less than one thousand one hundred dollars;

(3) for a third offense, by a fine of not less than three thousand eight hundred dollars nor more than six thousand three hundred dollars, and imprisonment for not less than sixty days nor more than three years. If the person's alcohol concentration is at least ten one-hundredths of one percent but less than sixteen one-hundredths of one percent, then the person must be punished by a fine of not less than five thousand dollars nor more than seven thousand five hundred dollars and imprisonment for not less than ninety days nor more than four years. If the person's alcohol concentration is sixteen one-hundredths of one percent or more, then the person must be punished by a fine of not less than seven thousand five hundred dollars nor more than ten thousand dollars and imprisonment for not less than six months nor more than five years; or

(4) for a fourth or subsequent offense, by imprisonment for not less than one year nor more than five years. If the person's alcohol concentration is at least ten one-hundredths of one percent but less than sixteen one-hundredths of one percent, then the person must be punished by imprisonment for not less than two years nor more than six years. If the person's alcohol concentration is sixteen one-hundredths of one percent or more, then the person must be punished by imprisonment for not less than three years nor more than seven years.

In the state of South Carolina, the following criminal sanctions may be ordered by the court:

Mandatory minimum fines:

1st Offense*: Refusal and BACs below .10% = \$400
BACs from .10% through .15% = \$500
BACs of .16% and above= \$1000

2nd Offense†: Refusal and BACs below .10% = \$2,100
BACs from .10% through .15% = \$2,500
BACs of .16% and above= \$3,500

3rd Offense‡: Refusal and BACs below .10% = \$3,800
BACs from .10% through .15% = \$5,000
BACs of .16% and above= \$7,500

4th Offense: Refusal and BACs below .10% = No suspension of fine below that of the next preceding minimum fine
BACs from .10% through .15% = No suspension of fine below that of the next preceding minimum fine
BACs of .16% and above= No suspension of fine below that of the next preceding minimum fine

Incarceration — Mandatory minimums:

1st Offense: Refusal and BACs below .10% = 48 hours in jail or public service
BACs from .10% through .15% = 72 hours in jail or public service
BACs of .16% and above= 30 days in jail or public service

2nd Offense: Refusal and BACs below .10% = 5 days
BACs from .10% through .15% = 30 days
BACs of .16% and above= 90 days

3rd Offense: Refusal and BACs below .10% = 60 days
BACs from .10% through .15% = 90 days
BACs of .16% and above= 6 months

4th Offense: Refusal and BACs below .10% = 1 Year
BACs from .10% through .15% = 2 Years
BACs of .16% and above= 3 Years

*: 1st offense allows for a fine (which cannot be suspended) or incarceration/public service sentencing

†: 2nd offense fines may be suspended, but not below \$1,100

‡: 3rd offense fines may not be suspended below those defined for 2nd offense

The chart below further illustrates that fines, incarceration, and license suspensions increase with each subsequent DUI conviction. All convictions carry some license suspension, and second and subsequent convictions require installation of ignition interlock devices.

DUI 1st	Refusal up to BAC of .09	BAC .10-.15	BAC .16 and above
	\$400 Fine	\$500 Fine	\$1000 Fine
	Or 48 hrs. to 30 Days in Jail	72 hrs. to 30 Days in Jail	30-90 Days in Jail
	6 Mo. DL Suspension	6 Mo. DL Suspension	6 Mo. DL Suspension
DUI 2nd	Refusal up to BAC of .09	BAC .10-.15	BAC .16 and above
	\$2100-\$4100 Fine	\$2500-\$5500 Fine	\$3500-\$6500 Fine
	5 Days up to 1 Year in Jail	30 Days up to 2 Years in Jail	90 Days up to 3 Years in jail
	1 year DL Suspension	1 year DL Suspension	1 year DL Suspension
DUI 3rd	Refusal up to BAC of .09	BAC .10-.15	BAC .16 and above
	\$3800-\$6300 Fine	\$5000-\$7500 Fine	\$7500-\$10,000 Fine
	60 Days up to 3 Years in Jail	90 Days up to 4 Years in Jail	120 Days up to 5 Years
	2-4 year DL Suspension	2-4 year DL Suspension	2-4 year DL Suspension
DUI 4th	Refusal up to BAC of .09	BAC .10-.15	BAC .16 and above
	1-5 Years in Jail	2-6 Years in Jail	3-7 Years in Jail
	2-4 year DL Suspension	2-4 year DL Suspension	2-4 year DL Suspension
Great Bodily Injury	\$5,100-\$10,100	Causing Death	\$10,100-\$25,100
	30 days – 15 years		1 year – 25 years
	Suspension for term plus 3 years		Suspension for term plus 5 years

In addition,, with the passage of Act 158 (Senate Bill 137), or “Emma’s Law,” which took effect in the state on October 1, 2014, fourth or subsequent DUI offenders must install ignition interlock devices on their vehicles for life.

- BAC test refusal with sanctions at least as strict as or stricter than a high BAC offense.

The state of South Carolina has an Implied Consent law that imposes stricter sanctions for BAC refusals than high BAC offenses (see §56-5-2950 of the SC Code of Laws). In South Carolina, “a person who drives a motor vehicle in this state is considered to have given consent to chemical tests of his breath, blood, or urine for the purpose of determining the presence of alcohol or drugs or the combination of alcohol and drugs if arrested for an offense arising out of acts alleged to have been committed while the person was driving a motor vehicle while under the influence of alcohol, drugs, or a combination of alcohol and drugs. A breath test must be administered at the direction of a law enforcement officer who has arrested a person for driving a motor vehicle in this state while under the influence of alcohol, drugs, or a combination of alcohol and drugs. At the direction of the arresting officer, the person first must be offered a breath test to determine the person's alcohol concentration.” The person does not have to take the test or give the samples, but his privilege to drive must be suspended or denied for at least six months if he refuses to submit to the test, and his refusal may be used against him in court. A person’s privilege to drive must be suspended for at least one month if he takes the test or gives the samples and has an alcohol concentration of fifteen one-hundredths of one percent or more.

- Driving with a license suspended or revoked for impaired driving, with vehicular homicide or causing personal injury while driving impaired as separate offenses with additional sanctions.

DUI Licensing, Punishments, and Fines: In the state of South Carolina the following sanctions may be ordered by the court or by the licensing authority:

Licensing Action

- The state of South Carolina interprets this section as asking for information regarding the crime of driving while under suspension when the person’s license or privilege to operate is suspended or revoked for driving under the influence, driving with an unlawful alcohol concentration, or felony driving under the influence. SC Code §56-1-460(A)(2) and –(B).

Criminal Penalties:

1st Offense: Fined \$300 or 10-30 days in jail

2nd Offense: Fined \$600 or 60 days to 6 months in jail

3rd Offense: Fined \$1000 and 6 months to 3 years in prison

Minimum sentences cannot be suspended.

-

Suspension/Revocation: South Carolina has post-conviction, court-ordered licensing actions. The penalties for driving on a suspended license as a result of a DUI conviction include an extended license suspension period equal to the original suspension time period or, if the original suspension was for an indefinite period of time, then an extended license suspension of three months. Offenders whose licenses were revoked are subject to one additional year of license revocation.

- Open container laws, prohibiting possession or consumption of any open alcoholic beverage in the passenger area of a motor vehicle located on a public highway or right-of-way (limited exceptions are permitted under 23 U.S.C. 154 and its implementing regulations, 23 CFR Part 1270).

South Carolina Code of Laws §61-4-110 prohibits the possession and/or consumption of any alcoholic beverage in the passenger area of a motor vehicle located on a public highway. In South Carolina, it is unlawful for a person to have in his possession, except in the trunk or luggage compartment, beer or wine in an open container in a motor vehicle of any kind while located upon the public highways or highway rights of way of this state. This section must not be construed to prohibit the transporting of beer or wine in a closed container, and this section does not apply to vehicles parked in legal parking places during functions such as sporting events where law enforcement officers are on duty to perform traffic control duties. A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than one hundred dollars or imprisoned not more than thirty days. For purposes of this section, beer or wine means any beer or wine containing one-half of one percent or more of alcohol by volume.

- Primary seat belt provisions that do not require that officers observe or cite a driver for a separate offense other than a seat belt violation.

Pursuant to SC Code of Laws §56-5-6520, the driver and every occupant of a motor vehicle, when it is being operated on the public streets and highways of this state, must wear a fastened safety belt which complies with all provisions of federal law for its use. The driver is charged with the responsibility of requiring each occupant seventeen years of age or younger to wear a safety belt or be secured in a child restraint system. Drivers are not responsible for occupants seventeen years of age or younger who have a driver's license, special restricted license, or beginners' permit not wearing a seat belt.

Additionally, according to SC Code of Laws §56-5-6540 (E), a law enforcement officer must not stop a driver for a violation of this article except when the officer has probable cause that a violation has occurred based on his clear and unobstructed view of a driver or an occupant of the motor vehicle who is not wearing a safety belt or is not secured in a child restraint system.

The NHTSA “Uniform Guidelines for State Highway Safety Programs – Highway Safety Program Guideline No.8 – Impaired Driving” also state that DUI laws should include provisions to facilitate effective enforcement that:

- Authorize law enforcement to conduct sobriety checkpoints, (i.e., stop vehicles on a nondiscriminatory basis to determine whether operators are driving while impaired by alcohol or other drugs).

The state of South Carolina does not have any laws that authorize law enforcement to conduct sobriety checkpoints. However, the state does have a law that places limits on the use of checkpoints or roadblocks. While there is no legislation to authorize the implementation of

sobriety checkpoints, there is case law that supports the usage of public safety checkpoints in the state (see **Attachment 7**). Therefore, officers may conduct public safety checkpoints and, in that context, issue citations for DUI. Many such checkpoints are conducted each year by both state and local law enforcement agencies in the state as a deterrent strategy to impaired driving.

- Authorize law enforcement to use passive alcohol sensors to improve the detection of alcohol in drivers.

South Carolina currently does not have any provisions that authorize law enforcement to use passive alcohol sensors to improve the detection of alcohol in drivers. However, there are no laws prohibiting their use either. These devices may be used to detect ambient alcohol in the context of a traffic stop and assist an officer in determining reasonable suspicion. However, SC is a one-breath-test state, and officers must be cautious in how they utilize the devices to avoid losing the ability to place the individual on the Datamaster breath testing instrument. While there is no law to support the usage of passive alcohol sensors, the device is often used to enforce underage drinking laws at the discretion of the law enforcement officer.

- Authorize law enforcement to obtain more than one chemical test from an operator suspected of impaired driving, including preliminary breath tests, evidential breath tests, and screening and confirmatory tests for alcohol or other impairing drugs.

South Carolina's Implied Consent law (§56-5-2950) authorizes law enforcement to obtain more than one chemical test from an operator suspected of impaired driving, including a preliminary breath test and screening and confirmatory test for alcohol or other impairing drugs if there is reasonable suspicion that the offender is under the influence of an impairing substance other than alcohol. The offender however must first be offered and/or administered a breath test.

- Require law enforcement to conduct mandatory BAC testing of drivers involved in fatal crashes.

Law enforcement in South Carolina is not required to conduct mandatory BAC testing of all drivers involved in fatal crashes. However, it should be noted that according to the most recent available preliminary FARS data (2020), the BAC reporting rate for deceased drivers was 76%, and South Carolina's overall reporting rate was 40%. Under South Carolina's Felony DUI law (§56-5-2945, et. seq.), law enforcement must have probable cause to believe a driver is under the influence of intoxicants when involved in a crash resulting in death in order to require BAC testing. This has created challenges for the state in terms of reporting of BAC results for fatal crashes and has subjected the state to the mercy of the FARS imputation model to determine the state's level of alcohol-impairment involved in fatal crashes, particularly as this relates to surviving drivers.

The NHTSA "Uniform Guidelines for State Highway Safety Programs – Highway Safety Program Guideline No.8 – Impaired Driving" also state that DUI laws should establish effective penalties that include:

- Administrative license suspension or revocation for failing or refusing to submit to a BAC or other drug test.

South Carolina has a law that establishes penalties that include administrative license suspension or revocation for failing or refusing to submit to a BAC test (Reference SC Code of Laws §56-5-2951). The Department of Motor Vehicles must suspend the driver's license, permit, or nonresident operating privilege or deny the issuance of a license or permit to a person who drives a motor vehicle and refuses to submit to a test provided for in §56-5-2950 or has an alcohol concentration of fifteen one-hundredths of one percent or more. The arresting officer must issue a notice of suspension which is effective beginning on the date of the alleged violation of §56-5-2930, §56-5-2933, or §56-5-2945.

- Prompt and certain administrative license suspension of at least 90 days for first-time offenders determined by chemical test(s) to have a BAC at or above the state's "per se" level or of at least 15 days followed immediately by a restricted, provisional or conditional license for at least 75 days, if such license restricts the offender to operating only vehicles equipped with an ignition interlock.

The state of South Carolina currently does not have a law that establishes administrative license suspension penalties of at least 90 days for first-time DUI offenders. If a driver is arrested for driving under the influence and refuses a BAC test, then a driver's license suspension period of six months will apply (SC Code of Laws §56-5-2950). As of October 1, 2014, South Carolina's Implied Consent law (§56-5-2950) mandates that drivers arrested for first-time offenses of Driving Under the Influence, Driving with an Unlawful Alcohol Concentration, or Felony DUI and refuse to provide a breath sample shall have their license suspended for at least six months. A driver arrested for these offenses as a first offense who provides a breath sample of or above .15 shall have his license suspended for at least one month. Drivers may enroll in the Ignition Interlock Device Program for the remainder of the suspension. If the remaining suspension period is less than three months, the offender must still remain enrolled in the program for no less than three months. First-time offenders may apply for a temporary alcohol license pending any hearing contesting the arrest suspension. If the suspension is upheld, drivers may apply for a route-restricted license.

In April 2014, South Carolina amended the ignition interlock portion of the state's DUI statutes in Act 158, which became effective on October 1, 2014. Ignition interlock devices are now required for first-time DUI offenders who are convicted of having had BACs of 0.15 percent or higher ("Emma's Law"). The ignition interlock device program is a voluntary alternative to hard suspensions for first-time DUI offenders who are convicted of having refused to submit to breath tests. First-time DUI offenders who are convicted of having had blood alcohol concentrations (BACs) of 0.14 percent or lower have ignition interlock devices as an alternative to presently existing special driving privileges. Hard suspensions for subsequent DUI offenders were removed, and those persons will immediately be subject to ignition interlock requirements.

For persons mandated to obtain ignition interlock devices, the requirement no longer has a time limit. That is, under the old law a person may choose to stay suspended for three years, after which the ignition interlock requirement goes away. Under the amended law, the suspension is indefinite and will only end when ignition interlock requirements have been fulfilled.

The legislation continued to allow a person who does not own a vehicle to operate an employer's vehicle without an ignition interlock device installed. These statutory provisions placed the State of South Carolina out of compliance with USDOT Section 164 requirements. During the 2015 legislative session of the SC General Assembly, Emma's Law was amended, effective June 1, 2015, to deal with the problem areas that caused the state to fall out of compliance with Section 164. Compliance was achieved by amending the employer vehicle sections, S.C. Code § 56-1-400(B), and S.C. Code § 56-5-2941(L).

- Enhanced penalties for BAC test refusals, high BAC, repeat offenders, driving with a suspended or revoked license, driving impaired with a minor in the vehicle, vehicular homicide, or causing personal injury while driving impaired, including longer license suspension or revocation; installation of ignition interlock devices; license plate confiscation; vehicle impoundment, immobilization or forfeiture; intensive supervision and electronic monitoring; and threat of imprisonment.

According to SC Code of Laws §56-5-2930; §56-5-2933; §56-5-2945; §56-5-2947; §56-5-2910; §56-5-2941; and §56-5-2942, there are enhanced penalties for BAC test refusals, high BAC, repeat offenders, driving with a suspended or revoked license, driving impaired with a minor in the vehicle, vehicular homicide, or causing personal injury while driving impaired, including longer license suspension or revocation; installation of ignition interlock devices; license plate confiscation; vehicle impoundment, immobilization, or forfeiture; intensive supervision and electronic monitoring; and threat of imprisonment. See comments in previous section.

- Assessment for alcohol or other drug abuse problems for all impaired driving offenders and, as appropriate, treatment, abstention from use of alcohol and other drugs, and frequent monitoring.

South Carolina has laws that include penalties to require an assessment for alcohol or other drug abuse problems for all impaired driving offenders and, as appropriate, treatment, abstention from use of alcohol and other drugs, and frequent monitoring. Whether for a first offense or subsequent offense, the offender must enroll in and successfully complete an Alcohol and Drug Safety Action Program (ADSAP) certified by DAODAS. An assessment of the extent and nature of the alcohol and drug abuse problem of the applicant must be prepared and a plan of education or treatment, or both, must be developed for the applicant. The Alcohol and Drug Safety Action Program shall determine if the applicant successfully completed the services.

- Driver license suspension for people under age 21 for any violation of law involving the use or possession of alcohol or illicit drugs.

(A) Currently, the state of South Carolina does not have a law that establishes the punishment of driver license suspension for people under the age of 21 for any violation of law involving the use or possession of alcohol or illicit drugs. However, it is unlawful for a person under the age of twenty-one to purchase, attempt to purchase, consume, or knowingly possess alcoholic liquors. Possession is prima facie evidence that it was knowingly possessed. It is also unlawful for a person to falsely represent his age for the purpose of procuring alcoholic liquors. Notwithstanding another provision of law, if the law enforcement officer has probable cause to believe that a person is under

age twenty-one and has consumed alcohol, the law enforcement officer or the person may request that the person submit to any available alcohol screening test using a device approved by the State Law Enforcement Division (SLED).

(B) A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not less than one hundred dollars nor more than two hundred dollars or must be imprisoned for not more than thirty days, or both.

(C) A person who violates the provisions of this section is also required to successfully complete a DAODAS-approved alcohol prevention education or intervention program. The program must be a minimum of eight hours, and the cost to the person may not exceed one hundred fifty dollars (SC Code of Laws §63-19-2450).

B. Enforcement

SCDPS will continue to implement a statewide law enforcement DUI challenge called the *Target Zero Challenge*. (*Sober or Slammer!* comparable to the national *Drive Sober or Get Pulled Over*. campaign). OHSJP will conduct a high-visibility enforcement and education campaign in an effort to reduce DUI traffic crashes, injuries, and fatalities in FFY 2023. The DUI Challenge has been successful over the last several years. Since 2007, DUI-related traffic fatalities have declined by approximately 32%, from 464 to 315 in 2020. State law enforcement agencies' participation in the statewide campaign blitz and crackdown efforts have contributed to this decline.

OHSJP altered its strategy for the DUI enforcement campaign to focus predominantly on SCHP for the enforcement component of the campaign, while still making every effort to recruit and partner with local law enforcement agencies statewide. SCHP is the premier traffic enforcement agency in the state and covers the entire geographic and population areas of South Carolina. SCHP during FFY 2023, will engage in specialized impaired driving enforcement activity (saturation patrols and sobriety checkpoints) from December 2022 through September 2023. The enforcement efforts will be supported by monthly media components.

The SCHP will recruit and utilize the assistance of local law enforcement agencies during the weekend and crackdown efforts. Based on their contributions, participating agencies will receive either a recognition plaque or certificate for their efforts. This recognition is consistent with the NHTSA Guidance and recommendations received by the OHSJP from the NHTSA Region 4 Office. Law Enforcement Liaisons will encourage agencies within the Law Enforcement Network system in the state to participate in these enforcement events.

Educational efforts will again utilize media (television, radio, and alternative advertising) to support campaign efforts. Educational efforts will focus on the twenty (20) priority counties, (Greenville, Lexington, Horry, Spartanburg, Charleston, Richland, Anderson, York, Berkeley, Florence, Aiken, Orangeburg, Beaufort, Laurens, Dorchester, Oconee, Sumter, Lancaster, Pickens, and Colleton) which represent approximately 75.84% of the state's alcohol-impaired driving fatalities and serious injuries over the five-year period 2016 to 2020 (**Table S-5**) and are designated within the state's Highway Safety Plan and the Impaired Driving Countermeasures Plan.

During the five-year period 2016 to 2020, impaired-driving countermeasures enforcement efforts by state and local law enforcement agencies have proven to be productive. When comparing the

number of alcohol-impaired driving fatalities in 2016 (343) to those in 2020 (315), the State of South Carolina saw an 8.16% reduction in such fatalities (see **Table 5**) which is attributed to the DUI enforcement efforts of state and local law enforcement agencies statewide. Multi-jurisdictional enforcement efforts conducted by agencies participating in the South Carolina Law Enforcement Network System have produced significant DUI enforcement activity over the eight-year period 2013 to 2020. The data below show that from 2013 to 2020, 158,456 DUI-related arrests were made by law enforcement agencies that participated in the LEN and reported DUI enforcement data to the SCDPS. Although there has been a consistent decrease in the number of DUI arrests from 2013 to 2020, the figures below show a substantial number of DUI arrests made in South Carolina over the last eight years.

- 2013 – 23,977	-2017 – 18,684
- 2014 – 23,061	-2018 – 17,977
- 2015 – 21,532	-2019 – 18,176
- 2016 – 20,148	-2020 – 14,872

A high-visibility statewide enforcement and education campaign *Buckle up, SC. It's the law and it's enforced.* is conducted each year around the Memorial Day holiday modeled after the national *Click it or Ticket* mobilization to emphasize the importance of and to increase the use of occupant restraints. The campaign includes paid and earned media, increased enforcement activity by state and local law enforcement agencies, and diversity outreach elements in order to increase safety belt and child restraint use among the state's minority populations. In FFY 2023, campaign efforts will continue to focus on nighttime safety belt enforcement in an attempt to reduce unrestrained traffic fatalities and injuries, especially during nighttime hours. The emphasis upon nighttime safety belt enforcement has enhanced and will continue to enhance impaired driving enforcement as well. Statistics have demonstrated that safety belt usage rates go down after dark, and it is obvious that many high-risk drivers who do not use safety belts also drink and drive. Thus, this enforcement strategy should continue to pay dividends in the fight against DUI. The SCHP has committed to ongoing nighttime safety belt enforcement activities beyond the occupant protection enforcement mobilization time frame. A variety of local law enforcement agencies are incorporating this strategy into ongoing enforcement efforts.

For FFY 2023, the OHSJP will recommend (based on the availability of federal funding) thirty-three (33) traffic enforcement projects, for approval to the SC Public Safety Coordinating Council; the majority of these projects are located in priority counties in the state. Of the 33 enforcement projects, eleven (11) are DUI enforcement projects which, if funded, would fund overtime and straight-time activity hours in the counties of Berkeley (2 projects), Lancaster (2 projects), Dorchester (1 project), Lexington (1 project), Pickens (2 projects), Aiken (1 project), and York (2 projects). Six of these 11 projects will be implemented in county sheriffs' offices. If funded, the qualified impaired driving countermeasures enforcement activity performing officers would perform a minimum of 12,480 – 19,968 activity hours focused on impaired driving enforcement and the enforcement of traffic behaviors that are associated with DUI violators. Grant project officers would be required to work schedules that are evidence-based between the hours of 3 PM and 6 AM which FARS data demonstrates to be those during which the most DUI-related traffic fatalities occur in the state (approximately 1,239 or 88.06% of the 1,407 alcohol-impaired-driving-related fatal collisions during the years of 2016-2020). Project officers would also work roadways

that have the highest number of alcohol-impaired-driving-related collisions within their respective jurisdictions.

During the FFY 2023 grant cycle, if funded, each straight-time impaired driving enforcement grant would participate in at least four public safety checkpoints; have an appropriate, corresponding increase in the number of DUI arrests due to enhanced impaired driving countermeasures enforcement efforts; conduct a minimum of 12 saturation patrols; and issue at least 12 press releases to the local media and/or social media posts to official agency social media pages detailing the activities of the grant projects. If funded, the overtime impaired driving enforcement grants would conduct high-visibility overtime enforcement operations (saturation patrols and public safety checkpoints) and have an appropriate, corresponding increase in the number of DUI arrests due to the overtime impaired driving countermeasures enforcement efforts.

If funded, both straight-time and overtime IDC enforcement projects would be required to participate in all aspects of the *Sober or Slammer!* sustained DUI enforcement campaign to include educational/community activities, and at least one (1) specialized DUI enforcement activity (checkpoints and saturation patrols) per month and four (4) nights of specialized DUI enforcement activity during the Christmas/New Year's and Labor Day enforcement crackdowns. Also, officers assigned to both project types will be required to actively participate in their local Law Enforcement Network. The IDC enforcement activity performing officers (straight-time and overtime) are required to be Standardized Field Sobriety Testing (SFST) certified. The IDC enforcement projects that were recommended for approval by the OHSJP to the SC Public Safety Coordinating Council for FFY 2023 funding include the following:

**Impaired Driving Countermeasures Enforcement
Grant Project Applications for FFY 2023**

Agency	Project Location (County)	Project Title	Activity Hour Type
Berkeley County	Berkeley	2023 Building DUI Capacity	Straight-time
City of Clemson	Pickens	City of Clemson Enhanced Traffic Enforcement	Overtime
City of Easley	Pickens	Impaired Driving Countermeasures	Straight-time
City of Goose Creek Police Department	Berkeley	Impaired Driving Countermeasures (IDCO)	Straight-time
Lancaster County Sheriff's Office	Lancaster	Impaired Driving Enforcement-Straight Time	Straight-time
Lancaster County Sheriff's Office	Lancaster	Impaired Driving Enforcement-Overtime Based	Overtime
Lexington County Sheriff's Department	Lexington	Impaired Driving Countermeasures Project	Straight-time
North Augusta Department of Public Safety	Aiken	DUI Enforcement Officer	Straight-time

Town of Summerville	Berkeley, Charleston, and Dorchester	Summerville Police Department Specialized DUI Enforcement	Straight-time
York County Sheriff's Office	York	Alcohol-Impaired Driving Enforcement Program	Straight-time
York County Sheriff's Office	York	Alcohol-Impaired Driving Enforcement Program-Overtime	Overtime

Additionally, of the thirty-three (33) enforcement projects the OHSJP will recommend for approval, twenty-two (22) are Police Traffic Services projects, which would fund activity hours for qualified traffic enforcement officers in municipalities located in the priority counties of Lexington, Pickens, Berkeley, Charleston, Beaufort, Orangeburg, Spartanburg, Lancaster, Dorchester, and Greenville, as well as enforcement projects in seven county sheriffs' offices (Berkeley, Chesterfield, Georgetown, Kershaw, Lancaster, Sumter, and York). If funded, these projects would also encompass DUI enforcement efforts; however, they would primarily focus on general traffic enforcement activity, to include speeding and occupant restraint violations; conducting educational presentations to inform local communities about traffic safety problems and issues; meeting with local judges to instruct them about the projects; media contacts to share success stories and enforcement strategies with the general public; and required participation in the SC Law Enforcement Network.

South Carolina's AETs, as mentioned in the Community Coalitions and Traffic Safety Programs section of this document, are designed to enforce underage drinking laws in South Carolina. The program is represented in each of the sixteen (16) judicial circuits in the state, providing more intense and consistent enforcement of underage drinking laws. AETs are local multijurisdictional law enforcement partnerships that use best practice enforcement to reduce underage drinking and save lives. One primary focus of the AET units is to address access issues of alcohol to underage persons through the use of a three-stage enforcement/education/awareness process. The three-stage process incorporates merchant education, public awareness, and a variety of enforcement operations. AETs implement compliance checks, controlled party dispersals, public safety checkpoints, and ID checks. Local prevention specialists complement the enforcement tactics with widespread community outreach and awareness-raising. The AETs remain active in their enforcement efforts.

SCCJA continues to be a national leader in the field of providing impaired driving detection, investigation, and prosecution-related training. Since 2010, the SCCJA has provided at least 32 hours of impaired driving and breath testing-related training to thousands of Basic Law Enforcement Academy students. This training includes the 24-hour NHTSA/IACP DUI Detection and Standardized Field Sobriety Testing (SFST) Practitioner Course and the 8-hour DataMaster DMT Operator Course. Basic Law Enforcement students are required to certify in both of these disciplines in order to continue on in training and ultimately graduate from the Academy as a Class 1 Officer.

The NHTSA/IACP DUI Detection and SFST Instructor Development Course are also taught solely at the SCCJA. The core course is intended to span 32 hours; however, the SCCJA has added vital

training elements to provide a 39-hour course. This course has helped create over 500 currently active adjunct DUI Detection/SFST Instructors throughout the state. The DUI Detection/SFST Practitioner Course is also offered in the field as a stand-alone course, and while the adjunct instructors are certified to instruct the course, the Impaired Driving Countermeasures Training Coordinator (IDCTC) and other SCCJA instructors are often asked to provide instruction and oversight.

Officers who are certified as DUI Detection/SFST Practitioners are required to renew their certification every two years. This is done via an online recertification course as well as an SFST Proficiency conducted in front of a DUI Detection/SFST Instructor. Failure to complete the recertification course within the allotted time or with the required grade results in decertification and requires that the officer attend the full DUI Detection/SFST Practitioner Course. DUI Detection/SFST Instructors are also required to recertify through course instruction and/or the proctoring of multiple SFST proficiencies.

The South Carolina Drug Evaluation and Classification Program (DECP) has grown significantly since the SCCJA began coordination of the program in 2009. Before the SCCJA began coordination of the program, there were a total of 50 Drug Recognition Experts (DREs) in the state. Since then, the SC DECP under the SCCJA has trained and certified approximately 300 DREs. By the end of FFY 2021, there were approximately 108 DREs (out of 300 total trained and certified) actively certified and employed in South Carolina. Currently, there are 112 active DREs. While new DREs are added to the roster each year, the active DRE number changes due to DREs retiring, moving out of law enforcement or out of state, and for failure to recertify. The South Carolina DECP in 2020 developed an 8-hour in-service training to assist with the retention and recertification of DREs. The in-service training is hosted by the SCCJA twice a year allows the DRE to obtain the continuing education credits required for recertification and also ensures uniformity and standardization throughout the state.

Two DRE Preschools and two DRE Seven-Day Schools are held each year, and the SCCJA hopes to add one of each school in FFY 2023. The potential DREs must pass Preschool in order to advance to the Seven-Day School. Upon successful completion of the Seven-Day School, the DRE candidate must complete the Field Certification and Final Knowledge Examination. These are currently conducted out-of-state due to the inability to meet the needs of these combined stages in a timely manner within South Carolina. The DRE Instructor Development Course is also run concurrently with the DRE Schools. South Carolina currently has 26 DRE Instructors who are integral to properly teaching the DRE Schools and successfully conducting the Field Certification and Final Knowledge Examination phases. Since the first SCCJA-led DRE school graduated, South Carolina DREs have conducted 8,286 evaluations, 4,193 of which were enforcement related. The IDCTC works continuously to promote the use of DREs throughout the state and is making efforts to enhance training opportunities for the state's DREs.

The IDCTC also provides a multitude of ARIDE course opportunities for those trained and experienced in impaired driving enforcement and investigation. A major goal of the IDCTC is to have all South Carolina Highway Patrol troopers (ranked Corporal and below) trained in ARIDE. The increase in ARIDE training should increase the utilization of the state's DREs in the field. The

IDCTC will also assist SCCJA’s Traffic Safety Officers with Basic Law Enforcement SFST and Datamaster DMT-related trainings, as needed.

**Impaired Driving Countermeasures Training for Law Enforcement
Grant Project Applications for FFY 2023**

Agency	Project Location	Project Title	DRE Trainings	A-RIDE Trainings	SFST Instructor Trainings
South Carolina Criminal Justice Academy	Statewide	Impaired Driving Countermeasures Training for Law Enforcement	2 combined DRE Schools and 2 DRE Instructor Schools	10	3

C. Publicizing High-Visibility Enforcement

The Public Information, Outreach and Training (PIOT) section of the OHSJP coordinates with the SCDPS agency contractor to develop and implement media components of the OHSJP’s *Sober or Slammer!* campaign and a variety of other major campaigns and emphases. The agency contractor assists with efforts such as media buying, creative production, and evaluation of campaigns. Additionally, diversity outreach components are incorporated within each campaign. The OHSJP will continue efforts to reach under-served audiences and hard-to-reach populations in the upcoming year.

The OHSJP continues to utilize earned media significantly throughout the year to publicize campaign enforcement mobilizations through press events, media advisories, op-ed columns, and various local media events. Utilizing the vehicle of earned media, South Carolina has received media coverage statewide, which not only provides information to the general public, but garners support for highway safety initiatives as well.

SCDPS’ OHSJP is utilizing Section 405d Impaired Driving Countermeasures funds in FFY 2023 for paid media efforts for DUI countermeasures. The state continues to use the Strategic Evaluation States (SES) model to implement a DUI enforcement effort (*Sober or Slammer! /Drive Sober or Get Pulled Over.*), which includes specialized DUI enforcement activities (checkpoints and saturation patrols) by participating state and local law enforcement agencies, as well as two DUI law enforcement crackdowns occurring during the Christmas/New Year’s holidays and during the days leading up to and including the Labor Day holiday. *Sober or Slammer!* is a high-visibility enforcement crackdown on impaired driving. It combines paid/earned media with increased DUI enforcement activity in an effort to attack the problem of impaired driving in the state.

By the end of the FFY 2023 grant year, South Carolina will have spent more than \$1.0 million for paid media efforts for the FFY 2023 *Sober or Slammer! (SOS)* campaign. The OHSJP worked with the agency contractor to develop commercial spots and secure airtime for the development and implementation of the 2018-2019 Christmas/New Year’s *SOS* campaign, and again produced new

commercial spots for the 2019 and 2020 *SOS* campaigns. The commercial spots for the 2018-2019 Christmas/New Year's *SOS* campaign featured the South Carolina Department of Public Safety's message, "Report Drunk Drivers. Call *HP" and built upon the campaign theme of "Drink. Drive. Die." During the FFY 2023 *SOS* campaign, the agency contractor will purchase airtime for the *SOS* and "Drink. Drive. Die" television ads and will utilize donated or bonus spots. The commercial spots tagged with the state's DUI campaign slogan/logo (*SOS*), as well as South Carolina's *Target Zero* logo. Commercial spots will air during the Halloween enforcement period, followed by Christmas/New Year's, St. Patrick's Day, Memorial Day, and Summer – Labor Day enforcement periods. The campaign also utilizes radio advertising, paid social media, YouTube, and both digital and traditional billboard advertising.

During FFY 2023, paid and earned media activities will be utilized to promote campaign messages, enforcement activities, and to increase awareness by the general public of the dangers involved in impaired driving. These activities will encompass radio, television, and paid social media advertising, YouTube, as well as billboard advertising. The agency contractor will be used by the OHSJP to secure radio, television, paid social media, YouTube, and billboard placement during the two major mobilization crackdowns and paid media for strategic points in time deemed high-risk for impaired driving violations. Those times will complement enforcement by the South Carolina Highway Patrol through September 2023. Local law enforcement agencies will be encouraged to participate in special enforcement activities. Specific media buy plans for each component of the process will be developed by the agency contractor concentrating on major media markets which will reach the campaign's focus counties and other counties throughout the state. The media buy plans will be approved by the OHSJP prior to implementation of the effort. NHTSA promotes the importance of combining high-visibility enforcement with high-visibility public awareness as the best way to approach key problem areas and produce behavioral change. Therefore, the OHSJP will continue to offer a media mix for enforcement-based and non-enforcement-based campaigns to meet stated goals. The OHSJP will employ key strategies to promote its mission and core message of public safety.

D. Prosecution

The primary responsibility for prosecuting criminal cases in South Carolina lies with the office of the solicitor. There are 16 Judicial Circuits in South Carolina, and each has an elected solicitor. Solicitors employ assistant or deputy solicitors to assist in the prosecution of cases. In some municipal jurisdictions, cities have also hired city attorneys to assist in the prosecution of cases in municipal courts.

Most first-offense driving under the influence (DUI) cases are tried in magistrate or municipal courts. While some municipal courts have attorney prosecutors, most prosecutions at the first-offense level are done by the arresting law enforcement officer. Some assistance is also given in the magistrate courts by solicitors in some judicial circuits; however, for the majority of the DUI cases, the arresting officer continues to be responsible for the prosecution of his/her own DUI case(s).

Subsequent cases are filed in the state's Circuit Courts. At this level, solicitors, or their assistants, are responsible for representing the state of South Carolina in the prosecution of DUI offenses.

In FFY 2023, the OHSJP will recommend a project to continue to fund the activities of a Traffic Safety Resource Prosecutor (TSRP) who would operate through the South Carolina Commission on Prosecution Coordination. The TSRP is a vital resource for DUI prosecution and education. The TSRP would provide in-person and virtual seminars and trainings, newsletters, and technical assistance to solicitors, law enforcement, and the judiciary, as well as local prosecutors. The TSRP is a strong link in the effort to prosecute impaired drivers at all levels. The TSRP program in the state would reduce the use of diversion programs through its educational efforts. The trainings provided by the TSRP are entitled “Prosecuting the Impaired Driver.” Attached are copies of the syllabi for the “Prosecuting the Impaired Driver” trainings and a description of the topics covered from the trainings held in FFY 2021 (**Attachment 8**). The training is conducted at least three times each year, along with a separate training for summary court judges held during the Summary Court Judges Orientation Training sponsored by the South Carolina Court Administration. Also included are copies of the *Behind the Wheel* newsletters (**Attachment 9**), published by the grant project during FFY 2021 and distributed to prosecutors and law enforcement officers, as well as through the Law Enforcement Network, on a bi-annual basis from the SCCPC. The newsletter offers basic DUI prosecution information, as well as information regarding impaired driving countermeasures training.

Another important component in the prosecution of impaired drivers is the placement of a DUI prosecutor in each circuit. These assistant solicitors are trained to handle and effectively prosecute DUI cases. These positions were funded by the state, one in each judicial circuit (\$100,000 per circuit), until funding was discontinued in 2009. At that point, the OHSJP picked up the funding for these positions at a reduced level (\$75,000 per circuit), utilizing Section 410 SAFETEA-LU funding and focusing on backlogs of DUI cases made by the SCHP in local magistrate courts. In SFY 2013, the state of South Carolina once again appropriated recurring funding for a specialized DUI prosecutor in each circuit at the level of \$73,690 per circuit, with funding which began July 1, 2013 and has continued. The OHSJP ended its funding of these positions with federal grant dollars on June 30, 2013. The OHSJP also provided funding for a dedicated DUI Prosecutor to prosecute DUI-related cases made by SCHP in Berkeley County from FFY 2015 – FFY 2020.

In FFY 2023, the OHSJP will recommend multiple Special DUI Prosecutor projects housed in Solicitors’ Offices across the state. If funded, these projects will fund the activity hours of one DUI Prosecutor each in the Sixth Circuit Solicitor’s Office, which includes Chester, Fairfield, and Lancaster counties; in the Fifth Circuit Solicitor’s Office, which includes Richland and Kershaw counties; in the Fifteenth Circuit Solicitor’s Office, which includes Horry and Georgetown counties. In FFY 2023, the OHSJP will recommend for approval a Special DUI Prosecutor project in the Eleventh Circuit Solicitor’s Office, which includes Edgefield, Lexington, McCormick, and Saluda counties; this project would fund activity hours for two prosecutors. For all the aforementioned projects, if funded, the Assistant Solicitors’ activity would be dedicated to the prosecution of DUI cases in their jurisdictions.

In FFY 2023, the OHSJP will recommend two Special DUI Prosecutors projects housed in a law enforcement agencies. If funded, these projects would fund the activity hours of one Special DUI Prosecutor housed in the Berkeley County Sheriff’s Office and one housed in the City of Goose Creek Police Department. If funded, these prosecutorial projects would decrease the amount of time a Law Enforcement Officer would spend off of the road preparing DUI cases for court and

will hopefully assist in reversing a current trend of DUI case dismissals.

One emerging program in some jurisdictions is a dedicated DUI docket. Under this plan, a prosecutor is responsible for processing cases and meeting deadlines in the preparation of cases for trial. A dedicated magistrate, who has received additional training in the handling of DUI cases, presides over the dockets. The dedicated DUI dockets are finding significant success in the timely adjudication and disposition of DUI cases.

On the other end of the spectrum is the unorthodox practice common in South Carolina that requires arresting officers to serve as prosecutors in DUI cases. While some of these officers reportedly are effective advocates, they are often facing much more skilled defense attorneys and are faced with legal arguments that they are unprepared to answer. DUI litigation can also be complex, resulting in dismissals and “not guilty” findings in cases in which skilled prosecutors are unavailable. Some members of law enforcement are also not comfortable with stepping into the role of prosecuting cases. This practice could result in a hesitancy to make arrests on the part of law enforcement. This practice of law enforcement serving as the prosecution in DUI cases is a challenging problem which is likely a hindrance to reducing impaired driving.

Plea bargaining is a common occurrence in South Carolina DUI prosecutions at all levels. Solicitors’ available time, the intricacy of the DUI law, and the possibility of undesirable results often push prosecution into offering or accepting reduced charges. In addition, law enforcement officers are often asked to participate in plea discussions in summary magistrate or municipal courts, although SCHP does not condone the plea bargaining practice. Once again, this is an inappropriate role for law enforcement and does not serve justice. Judges may also not participate in plea negotiations without violating certain Canons of Ethics. This is a further demonstration of the need for professional prosecutors in all courts handling DUI litigation.

Following 2019’s NHTSA Impaired Driving Assessment, a series of recommendations directed at improving the state’s handling of impaired driving enforcement and prosecution were issued. One of the recommendations was to “pilot a program to provide paralegal assistants to law enforcement who prosecute cases without assistance in summary courts.” In FFY 2023, the OHSJP will recommend the continuation of the South Carolina Highway Patrol (SCHP) Paralegal Project. Since FFY 2021, this project has funded activity hours for a paralegal to a) process and track Rule 5/Brady/discovery requests related to DUI cases and b) coordinate scheduling of Troopers’ Office of Motor Vehicle Hearings (OMVH) appearances with Post Sergeants and other supervisory personnel for SCHP Troop 6, which includes Beaufort, Berkeley, Charleston, Colleton, Dorchester, and Jasper Counties. If funded, the efforts of the grant project would work to reduce administrative-related dismissals of DUI cases (as Troopers were routinely scheduled for traffic enforcement during their OMVH appearances, would fail to appear, and the case would be dismissed due to their absence); strengthen DUI cases by ensuring that discovery requests are timely and concerns with cases are identified at conception; and that SCHP law enforcement officers and supervisory personnel can spend more time performing enforcement operations rather than the administrative duties associated with the aforementioned tasks.

There is no pre-trial diversion or pre-trial intervention (PTI) of DUI cases in South Carolina, as it is specifically excluded from PTI by legislation. In the current legislative session (Session 124,

2021-2022) Senator Greg Hembree has filed and introduced S.205, which would remove DUI and DUAC (driving with an unlawful alcohol concentration) from the exception list and allow a defendant to be admitted for a pre-trial intervention program if he or she is charged with the aforementioned offenses. The bill also suggests that persons would have additional opportunities to complete a diversion or PTI program—currently, a person can only complete an intervention or diversion program once. The legislation would also allow Solicitor’s Offices the ability to create a PTI program for DUI offenders. The SCIDPC, particularly the Legislative subcommittee, has no definitive recommendation of S.205. The bill as it stands does not include any specifics detailing the requirements of the new DUI PTI program nor does it explicitly allow the creation of and funding for DUI treatment courts in each circuit. It is the Council’s opinion that a rigorous program specifically targeted towards DUI offenders is necessary to meaningfully treat alcohol/drug dependent offenders and to hold offenders accountable, thereby reducing alcohol/drug use and increasing traffic and public safety. The Council has created an ad hoc committee to discuss and focus on DUI diversion programs in the state.

Even when prosecutors are available, it is commonplace for attorneys with less experience to be assigned to the prosecution of DUI cases. It can be normal practice for these attorneys to gain experience and quickly move to other aspects of legal practice, including felony prosecution or private practice. This leaves a recurring problem of the newer, less skilled attorneys left trying DUI cases. To compound the problem, a defense attorney is usually much more experienced in DUI law and trial techniques. However, efforts are being made by the SCCPC to assist these prosecutors through the use of the TSRP.

As mentioned, some of the deputy solicitors assigned are usually less experienced members of their respective solicitors’ offices. However, simply having a prosecutor available for DUI prosecution appears to be a large challenge in South Carolina. While some solicitors are able to assign sufficient prosecutors to handle DUI caseloads, others report that other felony prosecutions tax the time of prosecutors. Consequently, DUI litigation may suffer.

Law enforcement appears to be generally satisfied with prosecution of DUI cases by available prosecutors. However, the most obvious and significant problem is the lack of available prosecutors for all cases and especially those being adjudicated in magistrate and municipal courts.

Below is a list of the FFY 2023 IDC Prosecution projects that the OHSJP recommended for approval to the SC Public Safety Coordinating Council. If funded, the TSRP training program would provide knowledge and training on the DUI law and proper roadside procedures for prosecutors and law enforcement officers. This would assist in making quality DUI cases that will result in an increased number of DUI convictions statewide. The increased number of stakeholders educated in appropriate impaired driving countermeasures can result in a larger number of impaired drivers taken off the roadways, higher conviction rates for impaired drivers, and a decrease in the number of impaired driving collisions, injuries, and fatalities. If funded, the Special DUI Prosecutor programs would work to increase the conviction rate of DUI offenders in priority counties, where there is a backlog of DUI cases as well as a problem of effectively prosecuting DUI jury trials. Lastly, if funded, the Paralegal project would assist law enforcement officers in processing and tracking discovery requests, potentially resulting in strengthened DUI cases for prosecution. The Paralegal project, if funded, would also work to reduce the number of

administrative-related dismissals of DUI cases by working to coordinate law enforcement officers' schedules with their Sergeants to ensure they are available for their OMVH appearances. The work of the Paralegal project would also reduce the amount of time law enforcement officers and supervisory personnel spend on discovery and other court-related work, so that they may dedicate more time to performing law enforcement operations.

**Impaired Driving Countermeasures Prosecution
Grant Project Applications for FFY 2023**

Agency	Project Location (County)	Project Title
SC Commission on Prosecution Coordination	Statewide	Traffic Safety Resource Prosecutor
South Carolina Department of Public Safety, Highway Patrol	Beaufort, Berkeley, Charleston, Colleton, Dorchester, and Jasper	SCDPS Paralegal Project
Berkeley County	Berkeley	2023 DUI Prosecutor
Sixth Circuit Solicitor's Office	Chester, Fairfield, and Lancaster	DUI Prosecutor
Fifth Circuit Solicitor's Office	Richland and Kershaw	5 th Judicial Circuit DUI Prosecutor
City of Goose Creek Police Department	Berkeley	Special DUI Prosecutor
Fifteenth Circuit Solicitor's Office	Horry and Georgetown	15 th Judicial Circuit-DUI Prosecutor
Eleventh Judicial Circuit Solicitor's Office	Edgefield, Lexington, McCormick, and Saluda	11 th Circuit Solicitor's Office-DUI Prosecution

E. Adjudication

There are generally two “tiers” of criminal trial courts in South Carolina: Summary Courts, which consist of magistrate courts and municipal courts, and the Circuit Courts, also called the General Sessions Courts. Summary Courts hear first-offense DUI cases, and Circuit Courts hear second and subsequent cases. Appellate Courts and the South Carolina Supreme Court hear criminal appeals, including DUI cases. Other courts in South Carolina are the Family Courts, Probate Courts, and Masters in Equity. The South Carolina Supreme Court is the state’s highest appellate court.

There are approximately 300 magistrates in South Carolina, each serving the county for which he or she is appointed. They are appointed to four-year terms by the Governor upon the advice and consent of the Senate. Magistrates generally have criminal trial jurisdiction over all offenses subject to the penalty of a fine, as set by statute, but generally not exceeding \$500, or imprisonment not exceeding 30 days, or both. In addition, they are responsible for setting bail, conducting preliminary hearings, and issuing arrest and search warrants. Magistrates have civil jurisdiction when the amount in controversy does not exceed \$7,500.

The council of each South Carolina municipality may establish a municipal court to hear and determine all cases within its jurisdiction. Municipal courts have jurisdiction over cases arising under ordinances of the municipality and criminal jurisdiction equal to magistrates’ courts. Municipal courts have no civil jurisdiction. The term of a municipal judge is set by the council of

the municipality, but cannot exceed four years. Approximately 200 municipalities in South Carolina have chosen to create municipal courts. All municipal judges and magistrates must pass a certification examination within one year of their appointment. Each municipal judge must pass a recertification examination within eight years after passing the initial certification examination and at least once every eight years thereafter. Magistrates and municipal court judges must also attend 20 hours of judicial training each year.

The state of South Carolina is divided into 16 judicial circuits. Each circuit has at least one resident circuit judge who maintains an office in the judge's home county within the circuit. There are 49 circuit judges who serve the sixteen circuits on a rotating basis, with court terms and assignments determined by the Chief Justice based upon recommendations of Court Administration. Circuit court judges are elected by the General Assembly to staggered terms of six years. Circuit courts have limited appellate jurisdiction over appeals from magistrates' courts and municipal courts. Circuit judges are required to complete 18 hours of annual training.

In FFY 2023, the OHSJP will recommend a grant project to continue the implementation of a South Carolina State Judicial Outreach Liaison (SJOL). This grant project would fund the activity hours for a retired or currently active judge who would function as an educator, writer, consultant, and liaison to share the latest research with the judges of South Carolina. In addition to informing sentencing and interventions in this manner, the SJOL could, upon request, also provide important insight to policy makers attempting to improve impaired driving traffic safety. An SJOL project would provide critical support to improve the delivery of justice in impaired driving through education, communication, community outreach activities, and collegial and ethical collaboration with judges, traffic safety entities, and stakeholders.

If funded, the South Carolina SJOL would: develop a thorough understanding of 1) national and state judicial education programs available on the topics of impaired driving, 2) the judicial serving organizations of South Carolina, and 3) the initiatives and programs of the OHSJP relating to the judiciary; provide training and education to judges and other court officials regarding impaired driving; contact and establish a working relationship with judges and judicial educators to promote judicial education related to sentencing and supervision of DWI offenders, evidentiary issues, legal updates, alcohol/drug testing, and monitoring technology; identify barriers that hamper effective training, education or outreach to the courts and recommend alternative means to address these issues and concerns; regularly attend and participate in SCLen and Statewide Impaired Driving Task Force meetings; solicit opportunities to speak at state highway safety conferences and state judicial conferences; provide support for existing or future DWI Treatment Courts; attend and present at meetings, conferences, workshops, media events and other gatherings, focusing on impaired driving; share information, as appropriate, with Law Enforcement Liaisons (LELs), the OHSJP, NHTSA Regional Offices, TSRPs, and Prosecutor and Probation Fellows, about opportunities to improve the criminal justice system; Identify issues of concern to judges and other court officials regarding impaired driving and bring them to the attention of appropriate criminal justice or highway safety officials; and establish a working relationship with OHSJP Personnel, Regional JOL, State Judicial Educator, State Drug Court Coordinator, and others within South Carolina.

Magistrate and municipal courts are not courts of record, so transcripts are not prepared for appeals. Circuit courts are record courts, and any appeals from circuit courts will be based on the record made at trial.

As mentioned previously, first-offense DUI cases are handled by magistrate courts and municipal courts. A solicitor or prosecutor often does not appear on behalf of the state when a case is tried at this level. Some municipal courts in more populated jurisdictions have prosecutors, and some solicitors' offices are making efforts to provide prosecutors to magistrate courts. When no assistant solicitor or city attorney is available, the arresting officer is responsible for prosecuting DUI arrests that he or she made. Solicitors or assistant solicitors represent the state in circuit courts.

The practice in South Carolina of law enforcement officers serving as prosecutors in magistrate and municipal courts continues to prove challenging for the state and creates problems for law enforcement officers who best serve their respective communities engaging in law enforcement as opposed to the judiciary process. Officers are considered reasonably effective by some, but it is clear that there should be a concern with a system which may require an officer to serve as both witness and advocate. It is apparent that justice could be better served by staffing courts with licensed and trained attorneys to represent the state.

Another challenge for South Carolina involves lower level courts being responsible for the disposition of DUI cases. In South Carolina, magistrate court judges are not required to be attorneys. This creates an ever more critical need for summary court judges to receive considerable annual education on legal issues which arise in DUI adjudication. They currently must receive 18 hours per year in continuing legal education, but none is required to be designated for driving-under-the-influence case processing or law. There is also no current prohibition in the state for part-time summary court judges, who are attorneys, to practice DUI law in jurisdictions other than their own.

Courts in South Carolina appear to be backlogged with DUI cases, with some cases pending for as long as a decade. Increased numbers of DUI arrests by law enforcement over time have likely contributed to this. However, the defense strategy of seeking numerous continuances for DUI cases has significantly contributed to this problem as well.

Some advances have taken place in South Carolina trial courts in respect to DUI adjudication. An emerging program in some jurisdictions is a dedicated DUI docket. Under the program, a prosecutor is responsible for processing cases and meeting deadlines in the preparation of cases for trial. In addition, a dedicated magistrate, who has received additional training in the handling of DUI cases, presides over the dockets. The dedicated DUI dockets are finding significant success in the timely adjudication and disposition of DUI cases.

Another successful component in the adjudication of impaired drivers is the placement of a DUI prosecutor in each circuit. These assistant solicitors are specially trained to handle and effectively prosecute driving under the influence cases. There has been significant evidence that these prosecutors have been able to assist in moving dockets and impacting the disposition of DUI cases.

In FFY 2014, the OHSJP utilized grant funding to support the implementation of dedicated DUI courts in two judicial circuits: the Fifth Circuit, composed of Richland and Kershaw Counties, and the Twelfth Circuit, composed of Florence and Marion Counties. These DUI Courts provided for the monitoring and treatment of offenders convicted of DUI. These courts are based on the drug court model and heavily weighted in the treatment of repeat offenders. The pilot DUI Court grant projects provided the funding and supporting equipment for two (2) DUI Court Coordinators, one in each circuit, to develop and facilitate the program. In accordance with the *Ten Guiding Principles of DUI Courts* established by the National Center for DUI Courts (NCDC), each circuit also assembled a DUI Court Treatment Team comprised of a Judge, a law enforcement officer, the DUI Court Coordinator, a prosecutor, a public defender, and a treatment provider for the implementation of the Pilot DUI Court program. Also in accordance with the NCDC's *Ten Guiding Principles of DWI Courts*, the Fifth and Twelfth Judicial Circuits developed written guidelines, policies, and procedures for the operation of their respective Pilot DUI Court. After successful completion of the NCDC Training, each circuit began operation of a DUI Court and accepted eligible participants into the treatment-based programs. In FFY 2015, FFY 2016, and FFY 2017 the OHSJP provided grant funding for the continuation of the DUI Court program in the Fifth and Twelfth Circuits. Again, the funding was for two DUI Court Coordinators, one in each circuit, to oversee the logistics of the program. Each court also maintained their DUI Court Treatment Team. Grant funding for the DUI Courts ceased at the end of FFY 2017; however, the DUI Treatment Courts continue to operate in both the Fifth and Twelfth Circuits.

DUI Courts and/or DUI Treatment Courts are structured on a “post-adjudication track” which involves the defendant pleading guilty and the judge allowing the defendant to complete the program while the sentence is held in “abeyance,” allowing the defendant an opportunity to complete a treatment program. An offender is eligible to participate in the DUI court if he/she meets the following criteria: the defendant (1) is a resident of one of the counties that makes up the Judicial Circuit; (2) is charged with a DUI second offense or above and, in some cases, Felony DUI; (3) is willing to comply with the DUI Court Program rules; (4) is found, through use of a screening tool, to be a person who is addicted to alcohol; (5) is able to physically participate in treatment activities (within the guidelines of the Americans with Disabilities Act); and (6) has no prior violent felony and/or sexual offense convictions disclosed as part of his/her criminal record. If the defendant graduates from the DUI Court after completing one year to eighteen months of treatment, the judge may terminate the sentence, and the defendant may not serve any jail time. The DUI Court program sought to integrate alcohol and drug treatment to break the cycle of addiction and the criminal activity that follows in its wake. The court also ensured the delivery of other services, such as mental health services, vocational/employment services, education services, housing services, and family counseling to sustain and enhance primary therapeutic interventions and reduce recidivism.

Since FFY 2016, OHSJP has utilized grant funding to support SC MADD's court monitoring effort, which sought to increase accountability in the courtroom in the state's major population areas. Court monitoring provides data on how many cases are dismissed or pled down to lesser offenses or result in convictions, what sanctions are imposed, and how these results compare across different judges and different courts. MADD SC will utilize its court monitoring program to record data on DUI court cases to gather relevant statistics, so that areas of improvement within the court system and laws can be identified. During FFY 2023, the OHSJP will recommend the continuation

of MADD SC’s Court Monitoring program which, if funded, would combine the previous two court monitoring projects, and serve the priority counties of Berkeley, Charleston, Greenville, Horry, Lexington, Richland, and Spartanburg.

Below is a chart referencing the FFY 2023 Adjudication grant projects the OHSJP recommended for approval to the SC Public Safety Coordinating Council (PSCC):

**Impaired Driving Countermeasures Adjudication
Grant Project Applications for FFY 2023**

Agency	Location	Project Title	IDC Grant Project Type
Mothers Against Drunk Driving	Berkeley, Charleston, Greenville, Horry, Lexington, Richland, and Spartanburg	MADD South Carolina Monitoring Program	Court Monitoring
South Carolina Judicial Branch Court Administration	Statewide	South Carolina Judicial Outreach Liaison	Education and Training

F. Administrative Sanctions and Driver Licensing Programs

SCDMV has authority to suspend the driver license or privilege and to deny issuance of licenses to drivers who have been convicted of driving under the influence of alcohol and/or drugs. The Department also has the authority to administratively suspend persons who refuse to submit to a test to determine the blood alcohol concentration (BAC) pursuant to a lawful contact by law enforcement officers, and those who were tested by law enforcement and whose blood or breath alcohol content equaled or exceeded 0.15 percent. Other administrative suspensions include, but are not limited to, driving while suspended, operating uninsured, and failure to pay a traffic ticket.

• **Administrative License Revocation and Vehicle Sanctions**

The administrative sanctions are addressed in South Carolina Code of Laws §56-5-2950—Implied Consent, which calls for drivers suspected to be under the influence of alcohol to be advised of the following:

- that they have the right to refuse a test,
- that refusal will result in at least a six-month driver license suspension,
- that the person’s refusal to test may be used against the person in court,
- that additional tests may be conducted by a qualified person of the driver’s choosing, and at the driver’s expense,
- that they have the right to an administrative hearing, if requested within 30 days, and
- that if no hearing is requested, or the suspension is upheld at an administrative hearing, the driver must enroll in the Alcohol and Drug Safety Action Program (ADSAP).

Upon arrest, drivers who refuse testing, or whose test results are in excess of legal blood alcohol limits, are issued a notice of suspension. Within thirty days of the suspension, if the person requests a hearing before the OMVH, the person may apply to the SCDMV for a temporary alcohol license. This temporary license costs \$100, which goes to defray expenses of the SCDMV and the SCDPS, and allows the holder to drive unrestricted pending the outcome of the administrative hearing. This unrestricted driving privilege can continue, even if the suspension is upheld, until the driver receives written notice of the outcome of the hearing by the SCDMV. If the suspension is overturned, the original license or privilege is returned. Absent a request for hearing, the suspension takes effect.

An administrative hearing is held pursuant to the state’s Administrative Procedures Act, and is limited in scope, to determine, as follows:

- Was the arrest lawful?, and
- Were the driver’s rights, as enumerated in South Carolina Code of Laws §56-5-2950, given both verbally and in writing?, and
- Did the driver refuse a test?, or
- If a test was taken, was the blood alcohol concentration shown to be 0.15 or higher?
- Was the person administering the test qualified to do so?
- Was the test administered pursuant to statute?, and
- Was the breath test machine working properly?

The burden of proof is on the SCDMV and the arresting officer. Evidence presented by the defense may include information about breath test accuracy. Upon conclusion of the hearing, a written order must be issued. Since the hearing is held pursuant to the Administrative Procedures Act, any appeal of the finding must be made to the Administrative Law Court, pursuant to its appellate rules and all rules of evidence must be followed. The suspension is stayed if an appeal is filed.

If the suspension is upheld, the driver may apply for a route restricted license. The determining factors are whether the person is employed or is a college student. If so, the restrictions allow for driving to and from: work (or for work), school, ADSAP, or any other court-ordered drug program. The SCDMV determines the restrictions and must be notified of changes related to employment or school enrollment.

Periods of suspension are statutory, as follows:

Offense	1 st	2 nd	3 rd	4 th or subsequent
Refusal	6 months	9 months	12 months	15 months
Test result of 0.15 or more	1 month	2 months	3 months	4 months

* All priors must be within 10 years (based on the offense date and include fewer than 21 violations)

After Emma’s Law went into effect on October 1, 2014, drivers suspended for implied consent violations also have the option to lift the suspension by participating in the Ignition Interlock Device Program (IIDP). Drivers who choose to do so must participate in the Program for the remainder of time left in the administrative suspension, but once a driver opts into the Program they must participate for at least three months, even if less time than that remains in the suspension period. Note that participation in the IIDP for implied consent violations is purely optional, and if the driver does not opt in, no obligation to participate in the IIDP survives the suspension period.

Essentially, with the immediate availability of temporary alcohol licenses, in order to accommodate due process through a hearing, followed by the near immediate availability of route or IIDP restricted licenses, the impact on the violator is limited to fines that may be imposed by the criminal prosecution with typically no period of hard suspension actually imposed on the violator. Further, participation in the IIDP for these drivers is optional and not required. With penalties minimized during this first experience with administrative sanction, the violator's behavior is even less likely to be impacted or modified.

Vehicle restrictions and sanctions are incorporated into the impaired driving statutes for South Carolina. Upon a second DUI conviction, the SCDMV is to suspend the registration of all vehicles registered to the violator, and the violator must surrender the vehicles' plates. The vehicle(s) are to be immobilized for thirty days. The vehicle owner and family can appeal to the SCDMV for the continued use of the vehicle, if it is generally used by another family member. If the SCDMV refuses to release the vehicle to a co-owner or a regular driver other than the owner, the owner can request a contested case hearing.

For felony DUI convictions, the suspension is indefinite following the person's release from incarceration and only ends when the person has enrolled in ADSAP and the ignition interlock device program. Drivers must participate in the ignition interlock device program for a minimum of three years when Great Bodily Injury was caused by the DUI driver and five years when a fatality was caused by the DUI driver. Drivers suspended for DUI must enroll in ADSAP before their licenses will be reinstated, but drivers convicted of felony DUI offenses must complete ADSAP and their ignition interlock device program time before a regular license will be reissued.

Pursuant to the Breath Alcohol Ignition Interlock Device program, in April 2014, the Governor of South Carolina signed into law a bill that requires first-time convicted DUI offenders with a BAC of 0.15 or higher at the time of offense to have an ignition interlock device (IID) installed on any and all vehicles that person intends to drive. The law was Senate Bill 137, and is known as "Emma's Law," which went into effect on October 1, 2014. After the passage of Emma's Law, the Ignition Interlock Device Program (IIDP) remains "voluntary" only in that convicted drivers subject to the requirement are not forced to drive. However, their licenses will remain suspended indefinitely until they participate in the IIDP for the required term. Such drivers may no longer "sit out" a suspension. Installation of the device(s) is required for six months for a first offense with a BAC of 0.15 percent or higher, two years for a second offense, three years after a third offense conviction, and for the remainder of the driver's life for fourth and subsequent offenses. Note that the first offenders with a BAC lower than 0.15 percent have the option to participate in the IIDP, but it is not mandatory. Currently, these are the only convicted DUI offenders who may avoid the IIDP by sitting out the suspension. The number of offenses is based on SCDMV records, and the offenses may include substantially similar offenses which occurred in another state. The legislation also removed the one-year hard suspension required for all second and subsequent DUI convictions. Emma's Law was amended in 2015 to address the employer vehicle sections, S.C. Code § 56-1-400(B), and S.C. Code § 56-5-2941(L) in order to ensure the state's compliance with USDOT Section 164 requirements. The IID program is administered by the SC Department of Probation, Parole and Pardon Services (SCDPPPS) and has shared responsibilities with the SCDMV and DAODAS.

The Ignition Interlock Restricted licenses issued by the SCDMV indicate the interlock requirement on the front and back of the licenses. The letters “II” appear in the restrictions section on the front, and “ignition interlock” is spelled out on the reverse. The interlock restriction should be immediately obvious to law enforcement officers, so long as they know what they are looking at. Officers should be periodically reminded to check for the restriction until it becomes second nature for them to do so.

The data recorded by the IIDs must be downloaded at least once every sixty days. S.C. Code § 56-5-2941(E) establishes that drivers in the IIDP are subject to a point system, and sets the penalties for point assessments caused by violations of the Program’s rules. Point accumulations can be penalized by extensions of time in the Program, substance abuse assessments, suspension of the driver’s license, or a combination of these measures. The penalties assessed are as follows:

1. An accumulation of 2 Points and 2.5 points will cause a two-month extension of the required Program term.
2. An accumulation of 3 Points and 3.5 Points will cause a four-month extension of the required Program term, a mandatory substance abuse assessment, and substance abuse treatment if necessary.
3. An accumulation of four points or more will cause a six-month extension of the driver’s Ignition Interlock Restricted license, a mandatory substance abuse assessment, and substance abuse treatment if necessary.

Points are assessed for the following violations. Note that “BrAC” stands for “Breath Alcohol Concentration”:

- Failure to have the IID inspected every 60 days: 1 point
- Each rolling re-test with a BrAC reading between 0.02% and 0.039%: ½ point
- Each rolling re-test with a BrAC reading between 0.04% and 0.15%: 1 point
- Each rolling re-test with a BrAC reading over 0.15%: 2 points
- Each instance when the driver tampers with the IID to limit its effectiveness: 1.5 points
- Each instance when a third party blows into the device for the driver: 1.5 points

As long as the total number of points remains below four points, the driver may appeal point assessments to administrative hearing officers employed by SCDPPPS. However, drivers who accumulate four or more points must appeal the point assessment and suspension by requesting a contested case hearing at the OMVH.

The SCDPPPS reports that from 2009—present, 9,178 total drivers have participated in the IIDP. The total number of currently active drivers will vary from day to day, as drivers finish their terms in the Program or begin participating, but the average daily total of drivers in the IIDP has increased since October 1, 2014, when Emma’s Law went into effect.

Currently first-time DUI offenders with a BAC under 0.15 percent are eligible for the IIDP, but it is an optional requirement. Many of these drivers do not opt into the Program. The SCDPPPS

notes that if the participation of first-time DUI offenders with a BAC under 0.15 percent became mandatory, the numbers of drivers currently in the Program might be higher by as many as 2,100 drivers.

SCDPPPS also reported in April 2022 that there were about 18,307 drivers who were eligible to participate in the Program but had not done so. It should be noted that this number will include drivers eligible for the Program for convictions before and after Emma's Law went into effect. Drivers prosecuted for DUI offenses that occurred prior to October 2014 are still able to sit out a suspension and avoid the Program altogether. Many do so. Also, Emma's Law increased the total number of cases when drivers are eligible for the Program by extending it to the implied consent violations. However, participation in the Program is not mandatory in those cases. Lastly, the number includes people who might participate in the Program but cannot because they are also currently suspended for reasons that are not alcohol-related. For example, a driver may be eligible to participate in the IIDP due to a 3rd DUI conviction, but cannot do so because the driver is currently suspended as a habitual offender.

Statistically, the interlock device is known to be an effective deterrent to drinking and driving while it is installed on the vehicle. In fact, recidivism drops by almost two-thirds for interlock-restricted drivers who install the devices on their vehicles. A number of thorough evaluations of interlock programs have revealed reductions in recidivism rates from 35 percent to 90 percent, with an average reduction of 64 percent. This information has been aggregated by the Traffic Injury Research Foundation of Canada, which has developed a short publication entitled *Understanding Behavioral Patterns of Interlocked Offenders to Inform the Efficient and Effective Implementation of Interlock Programs* (Vanlaar, W., Robertson, R, Schaap, D. and Vissers, J.; Sept. 2010). While there are a small percentage of violators who do not come into compliance during their interlock-mandated sanctions, the use of interlock devices does provide an opportunity to subject violators to two critical factors: offender monitoring and offender accountability. South Carolina may have an unintended disincentive to comply with the interlock provisions by virtue of the ready and *almost* immediate availability of the Temporary Alcohol License, followed by the route-restricted license to those drivers whose licenses have been suspended for impaired driving, if they are employed or are college students. While the ability to travel to work, school, or alcohol classes may be important for violators, immediate removal of the most restrictive sanctions does little to change behavior patterns in the long term.

Even if the only benefit gained from an interlock program is reduction in driving after drinking, it has the potential to reduce alcohol-related crashes, injuries, and fatalities. However, a program without participants is difficult to manage, evaluate, and defend. The goals of administrative sanctions are swift and sure consequences for misuse of the driver license and the immediate ability to remove the privilege afforded by the license when dangerous behavior is established. Immediate replacement of the regular license with a temporary or route-restricted license is not having the desired effect of facilitating behavior modification. If continued driving is important for South Carolinians due to the lack of public transportation, the more effective approach is to remove the option to obtain a restricted license for both first and repeat DUI offenders. DUI offenders who wish to continue to drive during their suspension period should have no other option for restricted driving except with the ignition interlock. This solution benefits all road users.

Research has demonstrated over time that 75 to 80 percent of drivers with suspended, revoked, cancelled, or denied licenses continue to drive. Anecdotally, this unlawful behavior is presumed to have the benefit of ensuring that these violators drive more carefully due to their lack of legal driving status. Unfortunately, the statistics do not bear out that presumption. A publication that was sponsored by the AAA Foundation for Traffic Safety in 1999, *Unlicensed to Kill*, and its sequel published several years later, both showed that drivers who did not have valid license status were much more likely than valid license-holders to be involved in a fatal crash. In fact, one in five drivers in fatal crashes does not have a valid license. The Foundation updated the statistics and repeated the study in 2008 and found almost identical results. Drivers without valid license status continue to be substantially over-represented in fatal crashes. Thus, the necessity to our culture of driving is outweighed by the dangerous and often disastrous effects of the failure to seriously restrict the driving behavior of offenders without valid licenses through interlock devices and monitoring of the offender.

The involvement of DAODAS with the IIDP provides an opportunity for a treatment mechanism to be added to the drinking and driving prevention that is the interlock's ultimate benefit. Adding treatment and monitoring provides the opportunity to effect a meaningful change in behavior patterns for drinking drivers, while still affording them the ability to attend work, school, or alcohol/drug treatment sessions. Many interlock programs do not involve the addition of the alcohol assessment and treatment. The current coalition of the SCDMV, SCDPPPS, and SCDAODAS provides a forum for the discussion of the development of a DUI-tracking system, which could help the state to determine the extent of its impaired driving problem, the impact of various interventions, sanctions, and treatments on offenders whose violations showed varied levels of impairment, and the likelihood of recidivism. It could also provide a centralized database to ensure that violators are effectively monitored from their detection throughout their sanctions and the review of post-sanction violations. It should be noted that the OHSJP and the South Carolina's Traffic Records Coordinating Committee deployed the SCUTTIES Program on January 1, 2018. This project will serve as the foundation for the state's DUI tracking system.

Persons who obtain relief under SC Code §56-1-385 must still participate in the IID program. After five years, these persons may apply to SCDPPPS to have the IID restriction removed. If not granted, additional hearings may be requested at five-year increments thereafter. While the SCDPPPS has responsibility for oversight of violators of many types, the nature of dangerous and risky driving behaviors is a matter of daily review and expertise for the administrators of the SCDMV. Such determinations should not be based solely on legislatively-set time frames, but should be made in collaboration with the licensing authority based on the totality of the driving behavior of the violator, including driver license sanctions that are non-driving related, but which show likelihood of future violations through a continued tendency toward non-compliance.

Persons who have a lifetime IID requirement as a result of four or more convictions where the offenses occurred prior to October 1, 2014, may not apply for relief under SC Code §56-1-385 and under current law must remain in the IID program for the remainder of their lives.

- **Programs**

South Carolina has a number of programs for individuals under 21 years of age that are meant to address prevention of underage alcohol consumption and risky behaviors. Some of these programs relate directly to driving, while others are more general in nature and address an overall healthier lifestyle. One example, Power of Parents, is a research-based program geared toward prevention of underage drinking by actively involving parents.

Driver education through the public high schools has not been as widely offered recently as it was in the past due to budget cuts, and, thus, there are fewer opportunities to address behavioral issues and driving in a behind-the-wheel forum. Most driver education is now provided by independent businesses. It should be noted that the Network of Employers for Traffic Safety (NETS) has recently been offering its very successful and informative *Novice Driver's Roadmap* in electronic format as a free download. The document is a coaching guide for parents who are teaching their teenagers to drive. There are, however, a number of complementary programs and efforts underway by prevention advocates to curb underage drinking and to address the social norms related to youth and alcohol and other drugs.

The Graduated Driver License (GDL) program in South Carolina provides for application for a beginner's permit at age 15. The beginner's permit must be held for six months, which allows for practice driving with an adult in the vehicle. The driving practice must total 40 hours, of which ten must be nighttime driving.

At 15½ years of age, the permit holder is eligible to apply for a conditional license. The conditions which apply to this stage of licensure are meant to provide more learning time with less risk and distraction. Nighttime driving is restricted from 6 p.m. to 6 a.m. EST and 8 p.m. to 6 a.m. EST. Passenger restrictions require the conditional license holder to transport no more than two passengers under 21 years of age. This restriction, however, is lifted if the conditional driver is transporting students to and from school, or the passengers are members of the driver's family. However, neither of these circumstances has been demonstrated to mitigate distraction. Both nighttime and passenger restrictions may be lifted at age 16½. At age 17, drivers are eligible for a regular driver's license. The documents for each license phase are easily recognizable.

A new license format was introduced in 2010, and the previous format was phased out in 2021. The current licenses have two photographs of the driver—one on the left and a smaller copy on the lower right-hand side of the document. Documents for persons under age 21 are distinguished by their vertical formats. The larger photo is at the top of this document with the notation on the right side of the document that the driver is under 21 years of age. The date upon which the driver/permit holder turns 21 is shown in green at the bottom. The old-format licenses had the minor driver indicator along the top of the license. The SC Department of Motor Vehicles provides its examiners with fraudulent document recognition training.

A Zero Tolerance law for persons under age 21 is in place, which provides that driving with a BAC of 0.02 or above results in administrative license suspension. The Alcohol and Drug Safety Action Program administered by DAODAS is also required for impaired minor drivers. Immediate ability to assess and address alcohol usage for these young drivers provides an avenue to address the core

causes of alcohol misuse and abuse at a time when behaviors may be more easily and readily impacted. The state has a primary enforcement seatbelt law in place.

The Alcoholic Beverage Control (ABC) Act does not require server or seller training for employees of liquor retailers. Enforcement of laws regulating liquor licenses is the purview of the SLED. Under previous leadership, the number of agents assigned to that task had dwindled to two statewide. However, under the leadership of SLED's current Chief, the number of agents has increased to thirty-six, and two additional positions have been created in hopes of bringing the total number of agents in this division to thirty-eight.

These agents work in conjunction with other law enforcement to address issues such as sales to minors and over-service of alcoholic beverages in on-premises establishments. Additionally, funding has recently been appropriated for several additional liquor enforcement agents. In order to prevent the sale of alcohol to minors and over-service of alcohol, DAODAS has sponsored and teaches the Palmetto Retailers Education Program (PREP). This training includes information regarding fraudulent document recognition in order to prevent use of fraudulent or altered identity documents. Unfortunately, the class is required only for servers who have violated the law, and such training has been required by the court in lieu of a fine.

Other well-known national training programs are available within the state as well. Server training for all retail employees should be a prerequisite for alcohol sales to prevent dangerous violations of the liquor code, rather than as a sanction for non-compliance. Resources often limit the availability of enforcement personnel to administratively sanction the license holders when their employees violate the ABC Act or related regulations. As a result, little incentive exists for retailers to ensure that their employees are well-trained and operating within the statutory framework.

Improved driver license security and training of examiners have helped to prevent counterfeiting of driver license and identification cards, as well as to prevent minors from applying for and receiving authentic documents based on fraudulent information and identity.

Strategies

In order to assist in strengthening the criminal justice component of South Carolina's Impaired Driving Countermeasures Program, the OHSJP will implement the following strategies during FFY 2023, if approved by NHTSA:

1. The SCDPS will continue to implement a statewide Law Enforcement *Target Zero* DUI Challenge, which has been successful over the last decade; DUI-related traffic fatalities reduced by approximately 13%, from 357 in 2010 to 315 (preliminary) in 2020, and participation was provided from the vast majority of law enforcement agencies in the state in statewide campaign blitzes and crackdown efforts. The Law Enforcement DUI Challenge will continue to incorporate *Sober or Slammer!*, which consists of a high-visibility enforcement and education campaign effort to reduce impaired driving crashes, injuries, and fatalities in the state. The campaign will focus predominantly on the SC Highway Patrol and the SC Law Enforcement Network system to encourage participation from law enforcement agencies and will feature specialized impaired driving enforcement activity during the Christmas/New

Year's holidays of 2022-2023 and the Labor Day holiday of 2023. The SCHP will recruit and utilize the assistance of local law enforcement agencies during the weekend and crackdown efforts. Those agencies agreeing to participate will be awarded a recognition plaque or certificate for their efforts. This recognition is consistent with the NHTSA Guidance and recommendations received by the OHSJP from the NHTSA Region 4 Office. Law Enforcement Liaisons will encourage agencies within the Law Enforcement Network system in the state to participate in these enforcement events. The campaign will encourage citizens, through television, radio and alternative messaging to report drunk drivers by calling *HP (*47) to contact law enforcement about observed impaired drivers. The campaign, though implemented statewide, will focus on the priority counties which have been identified by NHTSA FARS data and South Carolina state data as having significant problems with DUI-related crashes, injuries, and fatalities. The twenty (20) targeted counties are Greenville, Lexington, Horry, Spartanburg, Charleston, Richland, Anderson, York, Berkeley, Florence, Aiken, Orangeburg, Beaufort, Laurens, Dorchester, Oconee, Sumter, Lancaster, Pickens, and Colleton. These counties represent 77.87% of the state's impaired driving fatal and serious injury collisions (as seen in **Table S-5**) for the five-year period 2016 to 2020.

2. The OHSJP will fund impaired driving countermeasures enforcement projects in the following counties: Berkeley, Lancaster, Dorchester, Lexington, Pickens, Aiken, and York. The projects will fund a minimum of 8,840-21,654 activity hours (straight-time and overtime) for qualified officers to perform DUI enforcement activities in areas that are high-risk for impaired-driving-related collisions. If funded, the OHSJP would provide each grant project with location information to assist in identifying the roadways within the respective jurisdictions on which the majority of DUI collisions are occurring. During the FFY 2023 grant cycle, if funded, each impaired driving countermeasures (IDC) enforcement grant would participate in public safety checkpoints, have an appropriate, corresponding increase in the number of DUI arrests, and conduct saturation patrols. The OHSJP recommended for approval a total of eleven (11) IDC enforcement grant projects to the SC Public Safety Coordinating Council.

Additionally, of the thirty-three (33) enforcement projects the OHSJP will fund, twenty-two (22) are Police Traffic Services projects, which would fund activity hours for qualified traffic enforcement officers in municipalities located in the priority counties of Lexington, Pickens, Berkeley, Charleston, Beaufort, Orangeburg, Spartanburg, Lancaster, Dorchester, and Greenville, as well as enforcement projects in seven county sheriffs' offices (Berkeley, Chesterfield, Georgetown, Kershaw, Lancaster, Sumter, and York). If funded, these projects would also encompass DUI enforcement efforts; however, they would primarily focus on general traffic enforcement activity, to include speeding and occupant restraint violations; conducting educational presentations to inform local communities about traffic safety problems and issues; meeting with local judges to instruct them about the projects; media contacts to share success stories and enforcement strategies with the general public; and required participation in the SC Law Enforcement Network.

3. In FFY 2023, the OHSJP will fund a grant project that would provide DUI training courses such as SFST, A-RIDE, DRE, and DUI Detection and Interrogation for state troopers and local law enforcement officials through SCCJA's Impaired Driving Countermeasures for Law Enforcement grant.

4. The state's Traffic Safety Resource Prosecutor will coordinate at least four training programs for prosecutors, law enforcement officers, judges, and other traffic safety professionals with an emphasis on the effective prosecution of impaired driving cases.
5. In FFY 2023, the OHSJP will fund Special DUI prosecutors in the Fifth, Sixth, Eleventh, and Fifteenth Judicial Circuits, as well as the Berkeley County Sheriff's Office and the City of Goose Creek Police Department to prosecute DUI-related traffic cases in an effort to increase DUI convictions within these counties and reduce the number of DUI case dismissals.
6. In FFY 2023, the OHSJP will fund the continuation of the South Carolina Highway Patrol (SCHP) Paralegal Project, which has funded activity hours since FFY 2021 for a paralegal to a) process and track Rule 5/Brady/discovery requests related to DUI cases and b) coordinate scheduling of Troopers' Office of Motor Vehicle Hearings (OMVH) appearances with Post Sergeants and other supervisory personnel for SCHP Troop 6, which includes Beaufort, Berkeley, Charleston, Colleton, Dorchester and Jasper Counties.
7. SLED will provide technical support to local law enforcement on BAC testing procedures and use of the equipment, and to prosecutors through courtroom testimony.
8. In FFY 2023, the OHSJP will fund the continuation of MADD SC's Court Monitoring Program. The Court Monitoring program is designed to monitor DUI cases and essentially reduce DUI recidivism through accountability of the judicial system in the state.
9. In FFY 2023, the OHSJP will fund a grant project to continue the implementation of a South Carolina State Judicial Outreach Liaison (SJOL). This grant project would fund the activity hours for a retired or currently active judge who would function as an educator, writer, consultant and liaison to share the latest research with the judges of South Carolina. In addition to informing sentencing and interventions in this manner, the SJOL could, upon request, also provide important insight to policy makers attempting to improve impaired driving traffic safety. A SJOL project would provide critical support to improve the delivery of justice in impaired driving through education, communication, community outreach activities, and collegial and ethical collaboration with judges, traffic safety entities, and stakeholders.
10. The OHSJP will hold a DUI Recognition Ceremony honoring those law enforcement agencies and officers who have excelled in DUI enforcement during CY 2023 (depending upon the statewide prevalence and incidence of Covid-19).
11. BAC reports from coroners and SLED will continue to be entered into a database to track BAC testing results.
12. The OHSJP will work through the Legislative Subcommittee of the SCIDPC to explore possible legislative recommendations to improve impaired driving countermeasures

enforcement and adjudication, to include allowing a second admissible breath test for DUI cases and addressing the issue of law enforcement officers serving as witnesses and advocates in DUI trials at the magistrate court level.

13. The OHSJP will continue to provide grant funding for the Law Enforcement Networks to assist them in their ongoing enforcement efforts and in recruiting additional enforcement agencies to enlist in the system. The OHSJP will continue to provide training to LENS through LEN Coordinator meetings, regularly scheduled LEN meetings, and Traffic Safety Officer Certification courses.
14. A high-visibility statewide enforcement and education campaign (*Buckle up, SC. It's the law and it's enforced.*), modeled after the national *Click it or Ticket* mobilization, will be conducted around the Memorial Day holiday of 2023 to emphasize the importance of and to increase the use of occupant restraints. The campaign will include paid and earned media; paid social media; increased enforcement activity by state and local law enforcement agencies; and diversity outreach elements in order to increase safety belt and child restraint use among the state's minority populations. The campaign will also focus on nighttime safety belt enforcement in an attempt to reduce unrestrained traffic fatalities and injuries, especially during nighttime hours, and increase the potential apprehension of impaired drivers.
15. The OHSJP will continue to support the DAODAS AET project focusing on educational and enforcement strategies to reduce underage alcohol consumption and underage DUI.
16. A minimum of 212 public safety checkpoints and a minimum of 84 saturation patrols will be conducted by impaired driving countermeasures and police traffic services enforcement subgrantees in the following counties: Berkeley, Lancaster, Dorchester, Lexington, Pickens, Aiken, York, Charleston, Beaufort, Orangeburg, Spartanburg, Greenville, Kershaw, Chesterfield, Georgetown, and Sumter Counties.
17. In FFY 2023, the OHSJP will fund a continuation grant project focused on the Traffic Safety Officer curriculum in the state and would continue a Traffic Safety Instructor program (TSO/TSI). If funded, the TSO/TSI Program would be responsible for providing the following classes: DUI Detection and SFST, DUI Detection and SFST Reinstatement, Speed Measurement Device (SMD) Instructor, SMD Instructor Recertification, SMD Operator, SMD Operator Reinstatement, SMD Operator Recertification, At-Scene Traffic Collision Investigation, Technical Traffic Collision Investigation, Traffic Collision Reconstruction, Traffic Collision Reconstruction Refresher, Motorcycle Collision Investigation, Pedestrian and Bike Collision Reconstruction, Commercial Vehicle Collision Reconstruction, Motorcycle/Pedestrian/Bike Collision Reconstruction Refresher, Advanced Collision Investigation, Datamaster DMT Operator Certification, and Datamaster DMT Operator Recertification.

IV. Communication Program

South Carolina has adopted and implemented a comprehensive approach that coordinates marketing, media relations, and advocacy to address a variety of traffic safety issues in the state. Advertising efforts are based on research from traffic data analysis and market research. OHSJP uses a full-service marketing firm to assist with such efforts as media buying, creative production, and evaluation of campaigns. Additionally, the OHSJP, with the help of the agency's Communications Office and SCHP CROs, oversees earned media efforts, such as issuing news releases, conducting a variety of press events, and coordinating media interviews. South Carolina has developed a year-round communication plan to support policies and programs that address the state's many and varied traffic safety issues.

Primary among the state's highway safety challenges is the problem of DUI. The SCDPS's OHSJP will continue to conduct a high-visibility enforcement and education campaign in FFY 2023 utilizing the *Sober or Slammer! (SOS)/Drive Sober or Get Pulled Over*. initiative. The campaign effort runs periodically from early December through Labor Day of each federal fiscal year. The campaign entails enforcement mobilization, public information/education, and evaluation components, to include paid and earned media. The OHSJP's strategy focuses predominantly on SCHP for the enforcement component of the campaign, while still making every effort to recruit and partner with local law enforcement agencies statewide. The SCHP is the premier traffic enforcement agency in the state and covers the entire geographic and population areas of South Carolina. Specialized DUI enforcement will be conducted from December 2022 through September 2023, and two DUI mobilization crackdowns will occur during the Christmas/New Year's holiday season and the Labor Day holiday time period. The SCHP will be encouraged to recruit and utilize the assistance of local law enforcement agencies during the weekend and crackdown efforts. The State Transport Police will also participate in the campaign initiatives.

Paid and earned media components are used to support the enforcement effort. To assess the public's awareness of and reaction to campaign messages prior to and after the campaigns each year, the agency contractor works with a selected firm to develop and conduct pre- and post-campaign surveys. The results from these campaigns are used to help shape future strategies for messaging. Paid media components used to support the enforcement effort will be supported by a variety of outreach methods, which may include radio, television, social media, and billboard advertising. Radio spots with a strong anti-impaired driving enforcement message will air during strategic times throughout the year in support of designated SCHP DUI enforcement weekends. These spots are produced in English and Spanish to appeal to five separate audiences (general, youth, African American, Hispanic, and rural male). The commercials prominently feature the "Drink. Drive. Die." message and the state's *Target Zero* logo. The spots target male drivers aged 20-34. Media buys for both radio and television advertising include purchased airtime and matched donated airtime.

DUI enforcement television ads are aired during the Christmas/New Year's and Labor Day DUI mobilization crackdowns. The commercials prominently feature the "Drink. Drive. Die." message. Additionally, the state's DUI campaign slogan/logo, *Sober or Slammer!* and SCDPS's *Target Zero* logo appear as taglines in the TV spots. The agency contractor also secures maximum possible

donated thirty-second spots in its media buy. In FFY 2023, the spots will also be featured on social and digital media.

An additional enforcement strategy which improves the detection of impaired drivers has been utilized for the last couple of years during the state's occupant protection mobilization (*Buckle up, SC*, corresponding to the national *Click it or Ticket!* Campaign) in and around the Memorial Day holiday. The strategy involves the conducting of nighttime safety belt enforcement. The state of South Carolina has had a primary enforcement seat belt law in place since 2005. However, statistical data in SC shows that safety belt usage rates go down in fatal crashes occurring after dark. The 2022 campaign not only emphasized the strategy on the part of participating law enforcement agencies, but the communication strategy for the initiative included airing of a commercial spot on paid social media, television, and YouTube emphasizing the importance of buckling up on behalf of surviving family members, each describing a unique "Missed Milestones" message. The spots were featured on television, social media, and YouTube. This increased public awareness of the strategy supported by law enforcement. This same strategy will be put in place in FFY 2023.

The SCDPS's communication strategies are based on research using traffic-related data and market research. The OHSJP Statistical Analysis and Research Section (SARS) maintains the South Carolina traffic collision database and is the core of data analysis within the agency. The support functions provided by the staff serve as the basis for the majority of traffic safety programs in the state. For the Christmas/New Year's *SOS* campaign, the agency contractor works with a selected firm to develop and conduct pre- and post-campaign surveys to assess the public's awareness of and reaction to campaign messages prior to and after the campaign. A minimum of 400 respondents are reached statewide for each of the two surveys. Survey results contain proper analysis that is used to help develop future campaign efforts. The survey contents are developed by the market research firm with the written approval of SCDPS staff.

In addition to the campaign efforts above, the state's communication program conducts the following initiatives:

- A School Bus Safety and a Rail Safety educational campaign will be conducted in August and in September, respectively. The School Bus Safety paid social media campaign will educate motorists on the appropriate times and instances in which to stop for a school bus. The Rail Safety paid social media campaign would serve to remind motorists that trains cannot stop in time before colliding with a vehicle. The OHSJP will continue coordinating with South Carolina Operation Lifesaver in an effort to provide maximum outreach for this campaign by sharing the paid social media statewide.
- The OHSJP annually conducts in the spring a Memorial Service for Highway Fatality Victims of the preceding calendar year. Family members are invited to participate in a service conducted at a local church in remembrance of their lost loved ones. However, as a result of the ongoing COVID-19 pandemic, the service has not resumed since 2019, and the status of the annual service will be determined later.

Each of these ongoing initiatives gives the OHSJP the opportunity to inject impaired driving countermeasures messaging for the benefit of the general motoring public.

Strategies

In order to maintain the high-quality communications component of the state’s impaired driving countermeasures effort in FFY 2023, the OHSJP will implement the following strategies:

1. Highway Safety staff will continue statewide public information and education efforts to promote compliance with occupant protection laws and impaired driving laws. An overarching theme of all campaign efforts will be continued by OHSJP and the SCDPS. The theme will continue to be *Target Zero*, as seen on the billboard message:



2. OHSJP staff also will continue a high-visibility enforcement and education campaign initiative by utilizing strategies similar to those utilized in FFY 2022. The campaign is known as *Sober or Slammer!* and represents the state’s version of the national *Drive Sober or Get Pulled Over.* initiative. As referenced in the Impaired Driving Program Area section of the state’s HSP, the NHTSA-produced *Countermeasures That Work* document stresses the importance of the Impaired Driving emphasis area and outlines significant strategies and appropriate countermeasures utilizing high-visibility enforcement. The campaign will run periodically from December 2022 through September 2023, and will continue to feature high visibility enforcement and earned media statewide, but will focus on twenty (20) targeted counties (Greenville, Lexington, Horry, Spartanburg, Charleston, Richland, Anderson, York, Berkeley, Florence, Aiken, Orangeburg, Beaufort, Laurens, Dorchester, Oconee, Sumter, Lancaster, Pickens, and Colleton) which represent 77.87% of the state’s alcohol-impaired driving fatalities and serious injuries over the five-year period from 2016 to 2020. The campaign will once again feature two major DUI enforcement crackdowns during the Christmas/New Year’s 2022-2023 and Labor Day 2023 holiday periods. The OHSJP strategy focuses predominantly on the SC Highway Patrol (SCHP) for the enforcement component of the campaign, while still making every effort to recruit and partner with local law enforcement agencies statewide. The SCHP is the premier traffic enforcement agency in the state and covers the entire geographic and population areas of South Carolina. SCHP will engage in specialized impaired driving enforcement activity (saturation patrols and sobriety checkpoints) from December 2022 through September 2023. The SCHP will recruit and utilize the assistance of local law enforcement agencies during the weekend and crackdown efforts. The enforcement efforts will also be supported by paid and earned media, as well as messaging on the SCDPS website and social media platforms. Billboard and alternative messaging images for FFY 2023 will build on the presentation of the *Target Zero* campaign, but will focus more on enforcement and the “Drink. Drive. Die” message.
3. All major mobilization emphases of the OHSJP will include messages to reach the diverse population of the state. The OHSJP incorporates into its diversity outreach strategies

information gleaned from data included in the Highway Safety Plan and the Strategic Highway Safety Plan. Diversity among paid media campaigns include Caucasian, African American, and Hispanic youth, and rural male audiences. The information has been utilized in all efforts of the OHSJP relative to enforcement mobilization strategies, particularly in terms of media outreach.

4. The OHSJP plans to conduct a Memorial Service for Highway Fatality Victims of 2022 in FFY 2023. However, as a result of the ongoing COVID-19 pandemic, the status of the annual service will be determined later.
5. OHSJP staff will continue to expand partnerships with agencies, such as the SC Department of Transportation, SC Department of Motor Vehicles, event venues such as the Carolina Country Music Festival, the Carolina Cup, and Darlington Raceway, and colleges/universities to get information regarding DUI, distracted driving, occupant protection, and other issues and countermeasures presented before all diverse populations in the state.

V. Alcohol and Other Drug Misuse: Screening, Assessment, Treatment and Rehabilitation

The State of South Carolina has a variety of venues available for the provision of proper screening, assessment, treatment, and rehabilitation services for DUI offenders.

- **Screening and Assessment**

South Carolina has established the Alcohol and Drug Safety Action Program, a screening, referral, and treatment system for DUI offenders that provides levels of treatment matched to the needs of individual offenders and ensures compliance through monitoring. ADSAP is conducted by 31 local agencies/commissions certified by DAODAS. ADSAP is mandated upon administrative license suspension and upon conviction as a component of sentencing rather than being tied only to driver license reinstatement. Treatment is mandatory for all offenders. Courts are notified when offenders fail to enroll in a certified ADSAP program within 30 days of conviction or upon failure to participate in the plan of education or treatment. The courts may hold the individuals in contempt of court if they cannot show cause as to why no enrollment occurred within the 30 days or why no progress had been made in the plan of education or treatment. However, because of demands on the court systems and significant backlogs of court cases, non-compliant offenders are rarely charged with contempt.

Offenders are screened using the Behavioral Health Screen, review of their driving records, and clinical interviews, and then are consequently assigned to appropriate levels of intervention. Since all offenders are screened through the ADSAP system and completion of ADSAP is required as a condition of all DUI sentences, pre-sentence screening by probation or other agencies is not available and is not necessary.

Currently, all certified ADSAPs are operated by county alcohol and drug abuse authorities. Each agency certified as an ADSAP provider offers a continuum of care in accordance with the American Society of Addiction Medicine Levels of Care. The required minimum services to be provided through the continuum of care are the PRIME FOR LIFE curriculum (Level 0.5);

Individual and Group Counseling (Level I); Intensive Outpatient Services (Level II); and referral linkages to higher levels of care. All ADSAP clients are required to receive a DUI risk assessment and/or clinical biopsychosocial assessment for placement in the appropriate level of care. The risk assessment and/or the biopsychosocial assessment provide the basis for diagnostic classification according to the "Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition". The diagnostic classification determines the following: placement in the PRIME FOR LIFE curriculum, Individual and Group Counseling, and/or Intensive Outpatient Services offered by a certified ADSAP provider; or referral to a higher level of care within the network of county alcohol and drug abuse authorities.

Criminal Justice System

A person convicted of DUI in South Carolina, whether for a first offense or subsequent offense, must enroll in and successfully complete the ADSAP certified by DAODAS. As indicated above, ADSAP is mandated upon conviction as a component of sentencing rather than being tied only to driver license reinstatement. Treatment is mandatory for all offenders. Courts are notified when offenders fail to enroll in a certified ADSAP program within 30 days of conviction or upon failure to participate in the plan of education or treatment. The courts *may* hold the individuals in contempt of court if they cannot show cause as to why no enrollment occurred within the 30 days or why no progress had been made in the plan of education or treatment. However, because of demands on the court systems and significant backlogs of court cases, non-compliant offenders are rarely charged with contempt.

An assessment of the extent and nature of the alcohol and drug abuse problem of the applicant must be prepared and a plan of education or treatment, or both, must be developed for the applicant. The ADSAP shall determine if the applicant has successfully completed the services. The applicant must attend the first ADSAP available after the date of enrollment. SCDAODAS shall determine the cost of services provided by each certified ADSAP. Each applicant shall bear the cost of services recommended in the applicant's plan of education or treatment. The cost may not exceed five hundred dollars for education services, two thousand dollars for treatment services, and two thousand five hundred dollars in total for all services. An applicant may not be denied services due to an inability to pay. Inability to pay for services may not be used as a factor in determining if the applicant has successfully completed services. An applicant who is unable to pay for services shall perform fifty hours of community service as arranged by the ADSAP, which may use the completion of this community service as a factor in determining if the applicant has successfully completed services. The court must be notified whether an offender failed to enroll in a certified program within thirty days or failed to participate in the plan of education or treatment. As indicated previously, the court *may* hold the individual in contempt of court if the individual cannot show cause as to why no enrollment occurred within the mandated thirty days or why no progress has been made on the plan of education or treatment.

Medical and Health Care Settings

Prisma Health-Richland hospital is an ACS Level 1 Trauma Center in South Carolina. Like all Level 1 Trauma Centers in the state, it utilizes the Screening, Brief Intervention and Referral to Treatment (SBIRT) process. Upon admission, all trauma patients are tested for BAC and have to complete the SBIRT process. Hospital staff, such as nurses, physicians, or residents, conduct the

Alcohol Use Disorders Identification Test. Patients that are determined to display alcohol abuse are referred to the trauma psychiatrist for intervention.

DAODAS, the South Carolina Department of Health and Human Services (SCDHHS), and the Medical Homes Network have developed a SBIRT program for Medicaid-eligible pregnant women in South Carolina. This initiative is intended to improve birth outcomes and reduce healthcare costs by helping expectant mothers gain access to treatment services earlier in their disease, thereby increasing their chances of recovery. The role of the state's 32 county alcohol and drug abuse authorities in this process is to accept referrals from Medical Homes Network member organizations and primary care providers (including obstetricians/gynecologists) and to provide any treatment services needed. The ideal goal is for SBIRT protocols to be embedded into every primary care and health setting in South Carolina; however, the necessary resources are not available at this time to assist every health care site in the state in achieving this goal. It should be noted that DAODAS was awarded a cooperative agreement from SAMHSA to implement SBIRT in health care sites. The funding period was from August 1, 2013 – July 31, 2018. Formal SBIRT protocols have been implemented in sixteen health care sites to date: Barnwell County (Southern Palmetto Hospital ED, Southern Palmetto Hospital Barnwell clinic, and Healthwise Family Medicine); Georgetown County (St. James Santee Family Health Center: Georgetown, Sampit, and Choppee sites); Greenville County (New Horizon Family Health Services, and Greenville Health System Internal Medicine); Horry County (Little River Medical Center: Little River, Loris, Health Access, South Strand, Carolina Forest, and Myrtle Beach sites, along with Grand Strand Regional Medical Center ED); and York County (North Central Family Medical Center). Though each site receives varying amounts of funding, all sites receive ongoing training and technical assistance from the SCDAODAS SC SBIRT state team. DAODAS is considering expanding this program concept to other settings and has applied for funding to provide training and to expand the program to all healthcare providers.

Through RPTIF grants from DHHS, Clarendon County has implemented SBIRT in its ED and outpatient clinic, and Spartanburg County has implemented SBIRT in its county jail.

In addition to identifying injured drivers, as well as problem drinkers who are potential impaired drivers, trauma centers are potential sources of identification of impaired drivers. The data cited above indicates a substantial proportion (29.4%) of injured drivers that were tested for BAC within the Palmetto Health Richland Trauma Center had BACs above the legal limit. Many of these drivers are not identified by law enforcement, or charged with DUI. Currently, South Carolina law prohibits healthcare providers from reporting impaired injured drivers to law enforcement. At least two states have enacted laws that not only allow such reporting but classify impaired driving as a mandatory reportable condition like gunshot wounds.

- **Treatment and Rehabilitation**

As indicated above, South Carolina has established the ADSAP, a screening, referral, and treatment system for DUI offenders that provides levels of treatment matched to the needs of individual offenders and ensures compliance through monitoring. ADSAP is conducted by local agencies certified by DAODAS.

To satisfy the requirements of H3496, ADSAP referral forms were developed with collaboration among the SCJB; the SCCPC; the SCDMV; the SCDPPPS; DAODAS; and local Alcohol and Drug Abuse certified ADSAP providers. The ADSAP referral forms are designed to enable communication among the Court, ADSAP provider, and SCDPPPS (if appropriate) as required in H3496.

ADSAP is mandated upon administrative suspension. In addition, ADSAP is mandated upon conviction as a component of sentencing, rather than being tied only to driver license reinstatement. Treatment is mandatory for all offenders. Courts are notified when offenders fail to enroll in a certified ADSAP program within 30 days of conviction or upon failure to participate in the plan of education or treatment.

Under SC Code of Laws §56-5-2930, courts may hold the individuals in contempt of court if they cannot show cause as to why no enrollment occurred within the 30 days, or why no progress had been made in the plan of education or treatment. The section wording does not mandate a contempt charge, thus non-compliant offenders are rarely charged with contempt. It is not clear the extent to which this reflects judicial attitudes or demands on court systems already having significant backlogs of court cases. However, despite this apparent lack of consequences, ADSAP completion rates are reported to be over 85 percent.

Offenders are screened using the Behavioral Health Screen, review of driving record, and clinical interview. Clients are referred to levels of treatment based on American Society of Addiction Medicine criteria (ASAM).

In Fiscal Year 2021, ADSAP served 8,464 clients statewide. ADSAP uses the PRIME FOR LIFE curriculum developed by the Prevention Research Institute (PRI). The PRI program has been extensively evaluated and is used in many states. Offenders referred to ADSAP are subject to being admitted to a higher level of treatment if behaviors or additional information indicate a problem.

Offenders are expected to pay for all ADSAP services either through insurance or self-pay. Provisions are made for clients that can demonstrate indigence. Providers make special efforts to inform offenders of availability of financial options so that no offender avoids treatment because of financial concerns.

Responsibility for monitoring impaired drivers falls primarily with the ADSAP programs, which are certified by DAODAS. Thirty-one (31) local drug and alcohol agencies in the state's 46 counties provide the ADSAP program. ADSAP screening and monitoring are utilized in pre-adjudication ALR, post-adjudication sentencing, and, on a limited basis, with post-adjudication ignition interlock device (IID) supervision.

In the ALR setting, ADSAP is a condition of a temporary alcohol license or restricted license. In the post-adjudication setting, ADSAP is a condition of the sentence, and failure to comply may result in a contempt of court charge. Also, in the post-adjudication setting, substance abuse education and treatment is a condition of reinstatement of driving privileges after completing a term of IID monitoring.

On April 14, 2014 South Carolina's Governor, Nikki R. Haley, signed into law a bill that requires first-time convicted DUI offenders with a BAC of .15 or above at the time of the offense to enroll in the IID program. The IID Program provides a post-adjudication tool for monitoring the alcohol use, restricting vehicle operation, and altering the drinking behavior of repeat offenders. The IIDP is coordinated by SCDPPPS. Non-compliance can result in further court sanctions. SCDMV monitors the licensing of an IIDP participant. The SCDMV has a key role in maintaining offender records and issuing offender notices. SCDMV collaborates with SCDPPPS, ADSAP, and the courts in tracking non-compliance.

In South Carolina, first-offense DUI is prosecuted in the state's summary courts. Second or subsequent DUI offenses are prosecuted in the state's circuit courts. Probation and parole services are only available to the circuit courts. Probation supervision of first-offender DUI cases does not exist.

DUI treatment courts have been the subject of discussion for many years. These courts provide extensive treatment services and supervision of offenders and have been shown to reduce impaired-driving fatalities and DUI recidivism. As previously mentioned in this document, in 2013 the OHSJP issued a request for proposals to fund the start-up costs of two Pilot DUI Courts. The OHSJP provided grant funding during FFY 2014 through FFY 2017 for the development and implementation of a Pilot DUI Court in the Twelfth Judicial Circuit, composed of Florence and Marion Counties, and in the Fifth Judicial Circuit, which consists of Kershaw and Richland Counties. Both the Fifth and Twelfth Judicial Circuit Courts successfully completed NHTSA's required DWI Court training and have implemented the DUI Court program. The DUI Courts are structured on a "post-adjudication track", which involves the defendant pleading guilty and the judge allowing the defendant to complete the program while the sentence is held in "abeyance", allowing the defendant an opportunity to complete a treatment program. An offender is eligible to participate in the DUI court if he/she meets the following criteria: the defendant (1) is a resident of one of the counties that make up the Judicial Circuit; (2) is charged with a DUI 2nd offense or above and, in some cases, Felony DUI; (3) is willing to comply with the DUI Court Program rules; (4) is found, through use of a screening tool, to be a person who is addicted to alcohol; (5) is able to physically participate in treatment activities (within the guidelines of the Americans with Disabilities Act); and (6) has no prior violent felony convictions disclosed as part of his/her criminal record. If the defendant graduates from the DUI Court after completing one year to eighteen months of treatment, the judge may terminate the sentence, and the defendant may not serve any jail time.

The DUI Court program integrates alcohol and drug treatment to break the cycle of addiction and the criminal activity that follows in its wake. The court also ensures the delivery of other services such as mental health services, vocational/employment services, education services, housing services, and family counseling to sustain and enhance primary therapeutic interventions and reduce recidivism.

- **Monitoring Impaired Drivers**

The state of South Carolina does not currently have a comprehensive DUI-tracking system which monitors DUI offenders through all phases of their arrests, convictions, and treatment experiences. Individual components of the process, including DAODAS and courts, have individual monitoring

systems in place. The DUI Court programs described previously facilitate close monitoring of impaired drivers. However, the state understands the importance of exploring the development of a comprehensive DUI-tracking system which can monitor individuals throughout the process.

SCDPS has put in place an electronic reporting system for law enforcement agencies to report traffic collision data which allows the reporting and capture of citation information electronically, including DUI citations. This system serves as the underpinning for the development of a DUI-tracking system in the state. The OHSJP has begun the process for establishing this foundation through its statewide TRCC and the state's Traffic Records Strategic Plan. The project for the electronic reporting of all traffic citations, SCUTTIES, was completed and deployed on January 1, 2018.

Strategies

In order to improve the alcohol and other drug misuse screening, assessment, treatment, and rehabilitation component of the state's impaired driving countermeasures program, the OHSJP will adopt the following strategies for FFY 2023:

1. The OHSJP will continue working through the state's TRCC to complete the processes associated with developing a foundation for a statewide DUI-tracking system to track and monitor DUI offenders throughout the arrest, prosecution, adjudication, treatment, and rehabilitation process. The OHSJP and TRCC have deployed SCUTTIES, and it will serve as the foundation for the state's DUI tracking system. The SCUTTIES project required modifications to SCDPS, SCDMV, and SCJB systems. Estimated development costs of this project are in excess of 1.5 million dollars and the state is utilizing Federal Funds (405c) for further development of this project.
2. OHSJP staff will continue to be involved with DAODAS Underage Drinking Action Group (UDAG). UDAG is dedicated to the reduction of underage drinking in the state and is composed of a multi-disciplinary team of stakeholders. Participants hail from the following agencies/groups: the SCDPS, DAODAS, DSS, SCDOT, MADD SC, the University of South Carolina, Clemson University, the Pacific Institute for Research and Evaluation, SCDOE, the College of Charleston, SLED, and the SC Petroleum Marketers.
3. The OHSJP will continue to explore, through the Legislative Subcommittee of the SCIDPC, the prospects of introducing legislation to designate impaired driving as a mandatory reportable condition for all healthcare providers.
4. The OHSJP will continue research through DAODAS to determine the possibility of having screening and brief intervention referral and treatment available in all health settings in the state.

VI. Program Evaluation and Data

OHSJP uses a variety of evaluation and data analysis processes to gauge funding priorities, to determine major traffic safety priority areas, and to determine the level of success of its various projects and programs.

Each year, the OHSJP conducts a problem-identification process to determine the nature of the highway safety problems being experienced in the state and the locations of traffic safety problems. OHSJP staff members work to identify problem or priority counties based on data provided by the OHSJP's in-house SARS. From the work in problem identification, the OHSJP staff develops the Highway Safety Funding Guidelines document which determines priority areas for highway safety funding and establishes the expectations for the year's upcoming grant projects. The funding of impaired driving highway safety projects consistently remains a major area of concern for the OHSJP. Funding of impaired driving countermeasures projects is based on nationally established priority areas, state-identified priority areas, the Infrastructure Investment and Jobs Act, and best practices from around the nation.

The OHSJP addresses its responsibility through:

- Developing and preparing the annual HSP.
- Establishing priorities for highway safety grants and programs.
- Providing information and assistance to prospective funding recipients on program benefits, procedures for participation, and the development of plans.
- Encouraging and assisting local units of government to improve their highway safety planning and oversight efforts.
- Reviewing the implementation of state and local highway safety plans and programs, regardless of funding source, and evaluating the implementation of those plans and programs funded by the Infrastructure Investment and Jobs Act.
- Monitoring the progress of activities and the expenditure of federal funds contained in the HSP.
- Coordinating the HSP with other federal- and state-supported programs that impact highway safety.
- Assessing program and grantee performance through data analysis and grant reviews.

Data presented to document grant requests is verified by the OHSJP using FARS and state crash data. However, the OHSJP does assist applicants with data to support the grant applications if requested and to report on the progress of implemented grant projects.

While the OHSJP tracks output of each grant, it also understands the need to address countermeasure success by evaluating the impacts and outcomes of the activities undertaken within the grant. Requiring baseline data, performance measures, and projected outcomes as a part of the grant submission helps to establish a focus on data and analysis, and generates more thoughtful and creative proposals over time.

The mass media program uses comprehensive impact surveys that are conducted by the communication contractor to assess general perceptions and opinions of drivers relative to DUI enforcement and to identify changes. Research consists of pre- and post-measure surveys conducted before the campaign starts and immediately following its completion.

Data show that the state is experiencing a downward trend in the primary highway safety focus area of alcohol/drug impairment, while there seems to be an upward trend for the primary highway

safety focus areas of unbelted occupants and speed. This trend pattern in no way negates the continual need for improvements regarding all of the highway safety focus areas.

Assisting grant applicants in understanding the Office's priorities also helps to establish a statewide mission and vision for highway safety improvement. A review of the available data also provides information on emerging issues. Clear delineation of the priorities, the process, and the evaluation methodologies prevents misunderstandings and assists the state and its grantees in meeting their goals both individually and collectively.

Analysis of projects based on cost-effectiveness or on cost-per-activity helps to establish baselines that can provide information to the state and to grantees, which then guides expectations for what and how much is to be accomplished, based on a realistic past experience. Requiring baseline data, performance measures, and projected outcomes as a part of the grant submission also helps to establish a focus on data and analysis and will generate more thoughtful and creative proposals over time.

The OHSJP maintains a records system that uses data from other sources to fully support the impaired driving program. The state also has a statewide Traffic Records Coordinating Committee (TRCC) that represents the interests of all public and private-sector stakeholders and the wide range of disciplines that need information. South Carolina's TRCC is a two-tiered committee structured as follows:

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

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

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

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

In addition, each of the state agencies with custodial responsibilities for one or more of the traffic records system components agreed to provide needed information to the TRCC Working Group for the Section 405c grant submission including budget, project justification information, and documentation of state contributions to projects’ costs and staffing.

The state’s Traffic Records Strategic Plan (TRSP) was originally developed by the TRCC Working Group and subsequently approved by the TRCC Executive Group at a meeting held on June 4, 2009. Since then, the plan has been updated annually, with the FY 2022-2024 version approved by the TRCC Executive Group on April 28, 2022.

South Carolina was awarded Section 408 grant funding for the first time in August 2009, and was awarded Section 408 funds in 2010, 2011, and 2012. Under the MAP-21 Transportation Authorization, the state of South Carolina was awarded Section 405(c) funds from 2013 through 2017 and through 2023 under the FAST Act. The state has continued to seek assistance in terms of evaluating its Traffic Records System, to include assistance from NHTSA in conducting the most recent Statewide Traffic Records Assessment for South Carolina, which was completed in April 2022. The TRSP helps South Carolina spend limited resources wisely, thus getting the largest benefit for the investment of money and staff time. A strategic plan is a way for South Carolina to ensure that new efforts are aimed squarely at needed improvements to the data, and those resources are allocated in a systematic manner. In addition, as situations change and South Carolina reacts to new opportunities or requirements, the strategic plan can help to put those changes and opportunities into context. It is easier to judge impact when the state knows the direction it is heading and what resources are required to get there. For that reason, it is also acknowledged that a strategic plan is a “living” document. It cannot remain static but must be updated frequently to account for changes in budgets, revised priorities, new opportunities, and emerging needs. When a plan is kept current, it serves as an integral part of the management of the traffic records system in general and for each of the particular components of that system.

The OHSJP will perform an administrative and an impact evaluation on the Impaired Driving Countermeasures program. FARS and statewide alcohol-impaired fatality and injury data will be used to evaluate the success of the goals and objectives of the impaired driving countermeasures program.

The Impaired Driving Program for South Carolina is heavily data dependent, and uses the state’s crash data and FARS data extensively to address the locations and volume of impaired driving

crashes. The data utilized is specific to various demographic groups as well, so that the messaging for various populations can be made relevant. South Carolina's experience in this regard is in line with much of the nation, in that the young male is the most likely to be involved in an alcohol-related crash. Data related to the efforts to mitigate this problem are available, including number of arrests. Education and treatment providers also use data related to the DUI driver and the evaluation of the outcomes of their efforts to change behavior. Some crashes are tracked and related to locations of liquor-licensed establishments by the Alcohol Enforcement Team Coordinator in order that countermeasures applied might more specifically address possible locations where over-service of alcohol is occurring.

Some data are not available because of the state's statutory scheme. No authority exists for BAC testing for surviving drivers of fatal crashes, unless those drivers are reasonably suspected of alcohol or drug impairment. Some BAC data collected by medical facilities or by coroner's offices is unavailable due to privacy concerns. Other challenges to getting BAC data are that such data are not posted to driver files and that SLED's lab does not aggregate BAC data from the various locations and entities within South Carolina that collect and analyze such samples. There are numerous potentials for addressing this issue, but all involve coordination and cooperation. Legislative authority to perform chemical tests of the blood alcohol content of surviving drivers in fatal crashes would not only provide statistical information about causes of fatalities, but it would also serve to protect those who were *not* driving impaired.

Lacking legislation, solutions can include asking officers to encourage such drivers to voluntarily submit to BAC testing. Where time and convenience are an issue, the use of evidentiary Preliminary Breath Testing Devices might be helpful, if approved. Cooperation of medical personnel is a matter of trying to induce cooperation through explanation of the purpose and use of the information, as well as assurance that the data is legally shared with NHTSA, pursuant to the Federal Register, as follows: Page 15039 of the Federal Register/Volume 68, No 59/Thursday, March 27, 2003/Notices, provides the following summary:

NHTSA is publishing this notice to inform hospitals and other health care organizations of its status as a "public health authority" under the medical privacy requirements of the Health Insurance Portability and Accountability Act of 1996.

Without the ability to obtain more of the missing data, the state does not have a way of determining its true rate of impaired driving crashes and fatalities, except through imputation of the missing data. Because such a significant portion of the applicable data is missing, it is impossible to determine if the available data are skewed toward those surviving drivers who were likely to be most impaired because of their actions or appearance and were thus tested.

Other important missing data for the state includes driver distraction data. These two missing data types are imperative to forming a true picture of the crash causes and consequences in South Carolina. As a result, a subcommittee of the TRCC could be convened to address what each of the data collectors, users, and managers of the relevant data can contribute to development of a solution. One person or group cannot solve the problem, but a concerted effort by several groups can certainly move toward improvement in the situation.

The SCCATTS continues to play a part in contributing to better data collection and availability, but a functional DUI-tracking system can provide benefits to each of the groups responsible for addressing the problems caused by impaired driving, including treatment providers, educators, law enforcement officials, prosecutors and adjudicators, data collectors and users, the SLED Laboratory, Liquor Licensing and Enforcement agents, and the SCDPPPS, which is, in concert with DAODAS and the SCDMV, responsible for the management of the IIDP. Each of these entities can gain both efficiency and improved operations through the data provided by a comprehensive DUI tracking system.

SCDMV maintains a system of records that enables the state to identify and maintain a complete driving history of impaired drivers, including commercial drivers. The SCDMV licenses and manages records for almost four million drivers. The records contain information about the identity, age, types, and dates of document issuance, and driving behaviors, including license sanctions and traffic convictions for South Carolina drivers. Some information about driver education is captured on the record as well. Law enforcement has access to driver history records through the SCDMV member information system, and courts may obtain information through an ordered subpoena or attorney's request.

SCCATTS is a collaborative effort among the SCDPS, SCDMV, SCDOT, SCJB, and SCDHEC Injury Surveillance System. It was originally created to address the shortcomings of a system that predominantly generated and processed traffic collision reports and traffic citations manually. The goal of SCCATTS is to enhance highway safety through the timely collection, analysis, and response to pertinent data.

SCCATTS currently uses the product Report Beam® as the electronic reporting application. This reporting system is used by local law enforcement agencies to generate collision reports (TR-310), citations and public contact/warnings electronically. There are currently 126 agencies using SCCATTS. When a collision is investigated, each law enforcement officer submits the completed collision report to the SCDMV via SCDPS's SCCATTS application. The current form, TR-310, is a statewide form that each law enforcement agency uses for traffic crash investigations. SCDPS has deployed the electronic collision report to approximately 125 local law enforcement agencies. This equates to approximately 44% of all collision reports being received electronically through SCCATTS. The South Carolina Department of public Safety's Highway Patrol, State Transport, and Bureau of Protective Services divisions began using a new Records Management System (RMS) system (SmartCOP) to create and submit their electronic forms. SmartCOP accounts for about 53% of all collision data. The remaining 3% of collision reports are keyed into the SCCATTS system by data entry clerks of SCDPS' OHSJP. OHSJP uses the data collected from the collision report to provide up-to-date preliminary numbers for highway fatalities across the state. This data is also utilized to create the SC Collision Fact Book, as required by statute, and by law enforcement for traffic safety initiatives. Annually, the data is compiled into the fact book that provides statistical information regarding crash data statewide. The data is also used by OHSJP to provide collision experience studies.

SCCATTS deployed the electronic citation application in Report Beam® in June 2015. All citation data collected through the application is now transmitted to SCDMV and SCJB through interfaces with SCUTTIES. Currently, 115 agencies have been trained to use the e-Citation application in

Report Beam®. Of those agencies, 75 are currently submitting their citations through the system. Approximately 700 citations per day are being sent electronically to SCUTTIES from SCCATTS.

Until recently, all conviction data for South Carolina came to SCDMV in a paper format. Unlike most states, whose conviction information is sent from the courts to the DMV, South Carolina courts are only required to send those convictions for a violation that could result in a suspension. All other dispositions are transmitted to the SCDMV from the various law enforcement agencies whose officers/troopers/deputies issued the tickets. This broadly based responsibility for data transmission is extremely susceptible to loss of data. However, to its great credit, the SCDMV tracks citations by number and agency and audits the system regularly to locate any missing disposition data. This time-consuming and iterative process is mitigated by the development of SCCATTS. The System accepts both electronic crash reports and citations from officers.

The final development and deployment of SCUTTIES was the primary focus of the 2017-2018 Traffic Records Strategic Plan (TSRP). This system, designed to automate the process of citations issued and adjudicated through the courts, is hosted by the SCDMV. SCDMV partnered with the SCDPS and SCJB to develop e-Citation interfaces between each agency's traffic records system to collect, track and disseminate citation data initiated by law enforcement. The system, which was partially implemented in 2016, went into full production during the first quarter of 2018. The initial deployment involved the mandatory collection of citation data from law enforcement after a Uniform Traffic Ticket was issued. The mandatory submission and collection of this citation data was implemented on January 1, 2018. There are several avenues by which law enforcement agencies can submit citation data to SCDMV. First, they can utilize their own Records Management System (RMS). SCDMV validated the process for several independent vendors to submit citation data from the local agencies' RMS directly into SCUTTIES. Currently, this process accounts for approximately 19% of all citation data captured. The second process agencies may utilize is SCCATTS, which is hosted by SCDPS. This system allows any interested county or local law enforcement agency access to SCDPS's e-Reporting application. This software application gives officers the ability to electronically prepare, issue, and submit citations through SCCATTS applications to SCDMV. The SCCATTS process equates to about 27% of all citation data received by SCDMV electronically. The SChP, through their SmartCOP application, submits approximately 44% of all citation data. Finally, law enforcement agencies that do not have a RMS or the in-vehicle hardware to submit electronically may utilize the SCUTTIES web portal application to enter citation data directly into the SCUTTIES network through an online web service to SCDMV. The web portal accounts for approximately 10% of all citation data. The SCUTTIES application was developed to meet the Federal Motor Carrier Safety Administration's (FMCSA) mandatory process for transferring traffic conviction data for holders of a Commercial Driver's License to the state in which the holder is licensed within 10 days of conviction. Initially, SCDMV was reporting at less the 10% compliance with the FMCSA regulation. With implementation of the mandatory electronic citation process, this rate jumped to 48% compliance within the first month. During the first quarter of 2022, the rate rose to 97.23% compliance.

Once the courts begin to fully incorporate the electronic citation data into their case management systems, the facility to transfer the dispositions to the SCDMV for automated incorporation into the driver history file will be available. SCCATTS will provide one major dataset that could be included in a DUI-tracking system.

For FFY 2023, the TRSP will focus on maintaining, upgrading, and enhancing the state's core Traffic Records Systems. A major priority for this year's TRSP is the upgrading of the SCCATTS e-Reporting application. Continued upgrades of the SCATTS application could serve as a foundation for ultimately developing a DUI-tracking system in the state. State traffic safety information system improvements grant funding was used in FFY 2017 and 2018 for the completion of the building of interfaces among the SC DMV, the SCJB, and SCDPS to allow for the sharing of information regarding the adjudication and disposition of traffic offenses, including DUI citation information. SCUTTIES was completed during the second quarter of FFY 2018.

South Carolina driver history files are complete and are available to law enforcement officers via a web-service. All transactions by the officers are recorded so that any misuse of the data can be addressed. The courts generally do not have electronic access to the driver history file, but certified paper records are provided upon request of the prosecuting attorneys.

Hand processing of commercial driver violations is performed in order to ensure that the requirements of the Motor Carrier Safety Improvement Act are met. This means that all violations for commercial drivers must be posted on the driver history within ten days of adjudication.

Currently, the information posted electronically to crash reports and citations is garnered from the actual document, either on its face or via the barcode. However, improved accuracy could be achieved by allowing the officer access to live driver and vehicle files during the field data collection process so that the data could be copied and pasted into the forms from the mobile data computer. Although this process is currently used by some law enforcement agencies, the cost associated with setting up this link prohibits many agencies from pursuing this technology.

For drivers who are convicted of alcohol-involved violations, the BAC is not included on the driver history. However, when DUI convictions are posted to the record that will require an ignition interlock device to be installed prior to reinstatement of the driving privilege, the SCDMV will require the driver to produce the installation record and contract for the device prior to issuance of the license. The SCDMV also works with agencies that provide ADSAP services and is notified when a person who has been licensed prior to completion of the program falls into non-compliance. The Department then re-suspends the license until compliance is reached.

Many of these processes, which the SCDMV now handles admirably in a largely paper-based system, should be planned to be incorporated into other electronic systems which already exist. For example, the SCDPPPS receives interlock download data electronically. This data comes from the vendor or provider that is responsible for Ignition Interlock Device installation. The vendor/provider now provides paper records to the SCDMV.

Administrative sanctions are recorded on driver history files. Currently, the motor vehicle hearings are the responsibility of another state agency, and the lack of timeliness in the reporting of the hearing officers' findings, which by law must be written, is problematic. Approximately eight percent of the administrative DUI cases go to hearing, and over 90 percent are upheld. In certain cases in South Carolina, the sanctions for DUI resulting in driver license hard suspensions are minimal; therefore, it is imperative that Administrative Hearings' findings and orders be completed and transmitted in a timely manner. Law enforcement officers are often unaware of the results of

administrative hearings. Making hearing disposition data available to law enforcement management would facilitate training and case preparation.

The SCDMV manages a huge dataset that is central to the cause of traffic safety. Much of the input into that system is manual, and much of that manual entry is transitioning to electronic submission. Millions of keystrokes are required to manage and update driver history records each year. When manual data entry can be replaced by electronic data transmission, time is freed up for data quality programs, while customer service, accuracy, and completeness of the record systems improve at the same time.

Strategies

In an effort to improve the state's data and evaluation systems, particularly as these relate to the issue of impaired driving, the state intends to implement the following strategies in FFY 2023:

1. Time and resources will be dedicated to support TRCC focus of maintaining, upgrading, and enhancing the state's core Traffic Records Systems.
2. The OHSJP will continue to work through the state's TRCC to complete the processes associated with implementing a statewide DUI-tracking system to track and monitor DUI offenders throughout the arrest, prosecution, adjudication, treatment, and rehabilitation process.
3. The OHSJP will improve its Problem Identification process to include more local input from traffic safety stakeholders statewide.
4. The OHSJP will continue to work through the TRCC to address any missing impaired-driving data and develop solutions.

VII. Impaired Driving Assessment

Under the FAST Act, states considered as "high-range," with a VMT of .60 or more, for impaired-driving-related fatalities are required to conduct a NHTSA-facilitated Impaired Driving Assessment within the three years prior to the application due date to qualify for Section 405d Impaired Driving Countermeasures funding. According to the most recent FARS data, from 2018 to 2020, South Carolina's average VMT alcohol-impaired driving fatality rate was approximately 0.53, which classifies the state as *mid-range*. Although South Carolina has had a number of Impaired Driving Program Assessments, the state has been classified as *mid-range* since the FFY 2021 application period. Thus, the state has not been required to complete a new assessment since the last one was conducted on October 28-November 1, 2019. The SC DPS OHSJP coordinated, with the assistance of NHTSA, the 2019 Impaired Driving Assessment. (Please see **Attachment 10** for a copy of the Final Assessment Report.)

The recommendations from the Assessment will continue to be utilized to formulate additional strategies to improve impaired driving countermeasures in the state of South Carolina. The OHSJP

officially states that this Impaired Driving Plan was presented to the SC Impaired Driving Prevention Council for review and was approved at its June 14, 2022 meeting.

The following section contains a listing of all recommendations issued to the state by the Impaired Driving Assessment Team. The recommendations are listed under headings for the major program areas outlined in the *Impaired Driving Section* of NHTSA's *Uniform Guidelines for State Highway Safety Programs* document, and they are covered by the Impaired Driving Assessment. The categories are Program Management and Strategic Planning, Prevention, Criminal Justice System, Communication Program, Alcohol and Other Drug Misuse: Screening, Assessment, Treatment and Rehabilitation, and Program Evaluation and Data. It should be noted that the South Carolina Impaired Driving Prevention Council (SCIDPC), the state's impaired driving task force, has four subcommittees: Education and Prevention; Enforcement, Prosecution, and Adjudication; Treatment, Rehabilitation, and Diversion; and Legislative. Each subcommittee has a Chair and Vice-Chair. The Executive Group of the SCIDPC, composed of each subcommittee's Chair and Vice Chair, will meet to discuss and assign each recommendation, which was not specific to the OHSJP's areas of responsibility (Program Management and Strategic Planning), to a subcommittee based on that group's interest/expertise. The subcommittees are responsible for providing and proposing possible avenues in which the state can implement each assigned recommendation. Thus, the SCIDPC will use the recommendations provided by the Assessment Team as a blueprint by which its work will be guided.

VIII. SC 2019 Impaired Driving Assessment Recommendations

Please see the list below of the recommendations from the NHTSA-facilitated 2019 South Carolina Impaired Driving Program Assessment. As mentioned earlier, the recommendations are listed under headings for the major program areas outlined in the *Impaired Driving Section* of NHTSA's *Uniform Guidelines for State Highway Safety Programs*, Highway Safety Program Guideline No. 8. The South Carolina Impaired Driving Prevention Council will utilize the recommendations provided by the Assessment Team as blueprint by which its work will be guided. (Please see **Attachment 10** for a copy of the Final Assessment Report.)

I. Program Management and Strategic Planning

A. State and Tribal DWI Task Forces or Commissions

- **Convene a Governor's Alcohol and Drug Impaired Driving Task Force that includes both traditional and non-traditional members such as highway safety experts, law enforcement, judiciary, driver licensing services, treatment, alcohol beverage control, businesses, insurance companies, medical and health care representatives, advocacy groups, the media, and higher education, to review existing laws and regulations and make recommendations to the Governor and State Legislature**
- Conduct a self-assessment of the Impaired Driving Prevention Council
- Update the Impaired Driving Prevention Council Charter

- **Create a South Carolina *Impaired Driving Strategic Plan* sponsored by the Impaired Driving Prevention Council**

B. Strategic Planning

- Utilize additional data to enhance the problem identification process to expand the impaired driving priorities in the Highway Safety Plan
- Increase the outreach during the solicitation period for the *Highway Safety Plan* grant applications
- Hold a coordination meeting of the various state agencies that are providing grants and technical assistance to local communities in the area of impaired driving

C. Program Management

- Recruit and fill the current vacant positions in the Office of Highway Safety and Justice Programs

D. Resources

- **Require Driving Under the Influence offenders, regardless of the final disposition of the conviction stemming from a Driving Under the Influence arrest, to pay fines and fees that support the impaired driving countermeasure system**
- Hold a coordination meeting of the various state agencies that are providing grants and technical assistance to local communities in the area of impaired driving

II. Prevention

A. Responsible Alcohol Service

- Enact comprehensive dram shop liability laws
- Enforce the restriction on sales of alcoholic beverages that resemble non-alcoholic beverages
- **Enact legislation to require responsible beverage server training as a condition of liquor licensure**

B. Community-Based Programs

B-1. Schools

- Add questions to the South Carolina Student Prevention Surveys addressing perception of harm from driving after drinking and self-reported driving after drinking
- Provide schools with information about impaired driving in South Carolina for use in Health and Safety curricula

- Provide Drug Impairment Training for Educational Professionals for school personnel in South Carolina
- Establish a South Carolina college substance abuse and impaired driving consortium

B-2. Employers

- Provide the South Carolina Department of Public Safety, State Transport Police, Distracted Reckless Impaired Visibility Enforcement program to employers throughout the State

B-3. Community Coalitions and Traffic Safety Programs

- Support and expand the resources of Alcohol and Drug Commissions, Alcohol Enforcement Teams, and Law Enforcement Networks
- Ensure that members of the traffic safety and impaired driving communities are actively involved in all local substance abuse coalitions such as Drug Free Community and Partnership for Success coalitions
- Ensure that Department of Public Safety Local Community Advisory Councils include representation and participation of local substance abuse coalitions and local Alcohol and Drug Abuse Commissions
- Conduct evaluations of any implemented prevention strategies, that have not already been shown to be evidence-based

B-4. Transportation Alternatives

- No recommendation(s).

III. Criminal Justice System

A. Laws

- Deploy a public information campaign about the public health and justice system costs of poorly drafted laws that are not efficient or effective in addressing and deterring impaired driving
- Initiate a statutory review which recommends simple and effective language that leads to a reduction of impaired driving incidents

B. Enforcement

- Evaluate current recruiting and retention strategies to encourage longevity within the law enforcement profession
- **Increase impaired driving enforcement**
- Expand Advanced Roadside Impaired Driving Enforcement training efforts for patrol officers (State, County, and Municipalities)
- **Assign a prosecutor to each of the seven Troop locations**

- Expand the Drug Recognition Expert Program and increase the number of evaluations in jurisdictions where prosecutors are assigned cases
- Encourage Drug Recognition Expert support by developing regional coordinators in high-volume impaired driving arrest jurisdictions
- Develop Drug Recognition Enforcement call-out procedures to ensure Drug Recognition Experts are being notified for response
- **Amend the current law regarding the stringent evidentiary use of video in impaired driving cases**

C. Prosecution

- Increase the number of solicitors and their deputies that specialize in Driving Under the Influence cases
- **Pilot a program to provide paralegal assistants to law enforcement who prosecute cases without assistance in summary courts**

D. Adjudication

- Analyze and publish the court data that is increasingly available to identify the gaps and fill needs in the adjudicatory process
- Elucidate and examine the process for transfer of cases from the summary courts to circuit courts or the Court of Appeals
- Develop a Judicial Outreach Liaison plan
- Sponsor at least one state of the art training about Driving Under the Influence issues and technology at the Annual Conference of the South Carolina Summary Court Judges Association

E. Administrative Sanctions and Drivers Licensing Programs

E-1. Administrative License Revocation and Vehicle Sanctions

- **Expand the use of the Ignition Interlock Device program to include all first-time offenders upon conviction regardless of blood alcohol concentration**

E-2. Programs

- Enact legislation to require responsible beverage server training to detect fraudulent identification as a condition of liquor licensure
- Evaluate Graduated Driver License driver crash involvement statistics to determine if South Carolina age requirements for licensure should be increased
- Evaluate Graduated Driver License driver crash involvement to determine if electronic devices should be restricted while operating a motor vehicle for inexperienced drivers

IV. Communication Program

- Perform program evaluation to determine the appropriate highway safety countermeasures and related communication campaigns to deter impaired driving,

reduce alcohol-related traffic fatalities and serious injuries, and lessen societal costs

V. Alcohol and Other Drug Misuse: Screening, Assessment, Treatment and Rehabilitation

A. Screening and Assessment

A-1. Criminal Justice System

- Conduct screening for all Driving Under the Influence offenders prior to a court appearance, and provide information to the court for sentencing and/or conditions of probation

A-2. Medical and Other Settings

- Expand the South Carolina Screening, Brief Intervention and Referral to Treatment project in all hospital emergency departments in South Carolina
- Implement Screening, Brief Intervention and Referral to Treatment in all healthcare settings such as family practices, as well as on college and high school campuses and jails throughout South Carolina
- Enact legislation to require healthcare providers to report injured drivers for whom the hospital toxicology screening results indicating a BAC at or above 0.08
- Repeal the South Carolina alcohol exclusion statute

B. Treatment and Rehabilitation

- **Enhance the current Reckless Driving statute to require mandatory enrollment in and completion of the Alcohol and Drug Safety Action Program (ADSAP) when Driving Under the Influence in the initial charge**
- **Enhance the current Reckless Driving statute to require the recording of the initial charge when the initial charge was Driving Under the Influence for the purpose of enhancement of sentencing**
- Provide judicial education on the nature of the Alcohol and Drug Safety Action Program and the requirements for compliance with the mandate to participate
- Implement additional DUI Courts as defined by the National Center for DWI Courts, *Ten Guiding Principles*

VI. Program Evaluation and Data

A. Evaluation

- Use evidence-based practices to establish law enforcement grantee performance measures following the federal policy guidance for this activity
- Continue to perform program evaluation to determine the appropriate highway safety countermeasures and related projects to deter impaired driving and reduce traffic fatalities and serious injuries

B. Data and Records

- Continue to pursue ways to link medical data access (pre-hospital, trauma registry, medical emergency department, inpatient) with crash information to create a more complete view of the impacts of impaired driving
- Obtain toxicology information for the Fatality Analysis Reporting System data to ensure the most accurate estimate of alcohol-related fatalities is resulting from the imputation model
- **Obtain driver toxicology results from surviving drivers involved in fatal and serious injury crashes**
- Incorporate information about injuries of all levels (specifically serious injuries) in addition to fatalities into products shared with partners and the public

C. Driver Records Systems

- No recommendation(s).

2022 Impaired Driving Prevention Council

First	Last	Title	Organization	Committee Assignment
Jarrold	Bruder (Vice-Chair)	Executive Director	SC Sheriffs' Association	Law Enforcement
Douglas	Lax	Compliance Associate	SC Trucking Association	Administration, Advisory
Brad	Hutto	Senator	SC Senate	Administration, Legislation
J. J.	Gentry	Staff Attorney	SC Senate/Senate Judiciary Committee	Administration, Legislation
Carolyn	Fisher	Safety & Operations Engineer	Federal Highway Administration, South Carolina Division	Advisory
Steven	Burritt	Regional Executive Director	Mothers Against Drunk Driving (MADD) South Carolina/North Carolina	Advocacy, Victim Services
Amelia	Dozier	Program Manager – DUI Treatment Court	5 th Judicial Circuit Solicitor's Office	Criminal Justice - Adjudication
Colette	Andrews	Program Manager – Alcohol Education Program	5 th Judicial Circuit Solicitor's Office	Prevention, Education
Walter "Terry"	Leverette	Summary Court Representative	SC Court Administration	Criminal Justice - Adjudication
Matthew	Buchanan	General Counsel	SC Dept. of Probation, Parole and Pardon Services	Criminal Justice, Probation, Ignition Interlock Device Program
T. Mark	Childress	Director of Ignition Interlock Device Program	SC Dept. of Probation, Parole and Pardon Services	Criminal Justice, Probation, Ignition Interlock Device Program
Dick	Jenkins	Retired	Retired from SCDOT	Data/Traffic Records
Shirley	Rivers	Deputy Director/Procedures & Compliance	SCDMV	Data/Traffic Records

Brandy	Duncan	General Counsel	SCDMV	Data/Traffic Records
Emily	Thomas	Highway Safety Data and Research Manager	SCDOT, Highway Safety Office	Data/Traffic Records
Robert “Bob”	McCurdy	Deputy Director, Court Services	SC Court Administration	Criminal Justice
Mark	Keel	Chief	SC Law Enforcement Division (SLED)	Law Enforcement
Robert G.	Woods, IV	Director of South Carolina Department of Public Safety	SCDPS	Law Enforcement, Communication/Data Traffic Records
Col. C.N.	Williamson	Commander	SCDPS, SC Highway Patrol	Law Enforcement
Col. Dean	Dill	Commander	State Transport Police, SCDPS	Law Enforcement, Communication/Data, Traffic Records
Phil	Riley	Director of Office of Highway Safety and Justice Programs, SCDPS	SCDPS, OHSJP	Law Enforcement, Communication, Data/Traffic Records, Highway Safety Office, Education
Joi	Brunson	Grants Administration Manager	SCDPS, OHSJP	Law Enforcement, Communication, Data/Traffic Records, Highway Safety Office, Education
William “Brent”	Kelly	Special Programs Manager	SCDPS, OHSJP	Law Enforcement, Communication, Data/Traffic Records, Highway Safety Office, Education
Shawnee	Garrick	Highway Safety Grant Program Manager	SCDPS, OHSJP	Law Enforcement, Communication, Data/Traffic Records, Highway Safety Office, Education
Jasmine	Simmons	Highway Safety Planning and Evaluation Coordinator	SCDPS, OHSJP	Law Enforcement, Communication, Data/Traffic Records, Highway Safety Office, Education
Greg	Griggs	Law Enforcement Support Services Program Manager	SCDPS, OHSJP	Law Enforcement, Communication, Data/Traffic Records, Highway Safety Office, Education
Sabrina	Culp	Impaired Driving Countermeasures Program Coordinator	SCDPS, OHSJP	Law Enforcement, Communication, Data/Traffic Records, Highway Safety Office, Education

Harold “Eddie”	Moore	Law Enforcement Liaison	SCDPS, OHSJP	Law Enforcement, Communication, Data/Traffic Records, Highway Safety Office, Education
Rachel	Urconis	Public Affairs Manager	SCDPS, OHSJP	Law Enforcement, Communication, Data/Traffic Records, Highway Safety Office, Education
Lisa	Catalanotto	Director	SC Commission on Prosecution Coordination	Prosecution
Mattison	Gamble	State Judicial Outreach Liaison	NHTSA/ABA	Adjudication
Sara Lee	Drawdy	Traffic Safety Resource Prosecutor	SC Commission on Prosecution Coordination	Prosecution
Sabrina	Gast	York County Coroner	York County Coroner, President of the SC Coroner’s Association	Public Health, Criminal Justice
Laura	Aldinger	Executive Director	Behavioral Health Services Association (BHSA)	Public Health, Treatment, Rehabilitation
Melissa	Reck	Training & Development Coordinator	Southeastern Chapter of the National Safety Council	Safety, Traffic Safety, and Home and Community Safety
Maria	Bates	Executive Director; At-Large Representative, BHSA	Hazel Pittman Center	Treatment, Rehabilitation, Prevention, Data
Crystal	Gordon	Prevention Consultant, Prevention and Intervention Services	SC Dept. of Alcohol and Other Drug Abuse Services (SC DAODAS)	Treatment, Rehabilitation, Prevention, Data
Gayle	Aycock	President and CEO of LRADAC/Vice-President of BHSA	Lexington/Richland Alcohol and Drug Abuse Center (LRADAC), BHSA	Treatment, Rehabilitation, Prevention, Data
Michelle	Nienhius	Manager of Prevention Services	SC DAODAS	Treatment, Rehabilitation, Prevention, Data
Lee	Dutton	Chief of Staff	SC DAODAS	Treatment, Rehabilitation, Prevention, Data

Michael	George	SC AET Liaison	SC DAODAS	Treatment, Rehabilitation, Prevention
Joe	Lumpkin	Former Vice-Chairman of the SCIDPC		
David	Stumbo	8 th Circuit Solicitor	8 th Judicial Circuit Solicitor's Office	Administration/Legislation
Crystal	Salley	Victim Advocate	SCDPS, Families of Highway Fatalities	Advocacy, Victim Services
Karl	Bitzky	Rates Analyst	SC Dept. of Insurance	Administration, Advisory
Lt. Jeremy	Messinger	Traffic Safety Unit Supervisor	South Carolina Criminal Justice Academy	Safety, Traffic Safety, Law Enforcement
Jack	Johnson	DRE Coordinator, Impaired Driving Countermeasures Training Coordinator	South Carolina Criminal Justice Academy	Safety, Traffic Safety, Law Enforcement
Terre	Marshall	Deputy Director of Health Services	SC Department of Corrections	Treatment, Rehabilitation, Criminal Justice
Kenya	Mingo	Corporate Compliance/Program Development Officer	SC Primary Health Care Association	Public Health, Administration
Carlean	Glover	Federal Program Manager	US Motor Carriers/Federal Motor Carrier Safety Administration	Traffic Safety, Advisory
Laura	Hudson	Executive Director	South Carolina Crime Victims' Council	Advocacy, Victim Services
Tiffany	Wright	Public Relations Manager	AAA Carolinas	Data/Traffic Records, Traffic Safety
Lara	Peck	Injury Prevention Coordinator	PrismaHealth Richland Hospital	Public Health, Administration
Aimee	Hourigan	Director of Substance Abuse Prevention & Education, Office of the Dean of Students	University of South Carolina	Education, Prevention

Lt. Debbie	Banks	Lieutenant, Implied Consent Department Forensic Sciences Division	SLED	Criminal Justice, Data/Traffic Records
Randy	Brown	Special Agent, Implied Consent Department Forensic Sciences Division	SLED	Criminal Justice, Data/Traffic Records
Dustin	Smith	Lieutenant, Supervisor, Toxicology Department	SLED	Criminal Justice, Data/Traffic Records
Ashley	Bodiford	Region 2 Capacity Coach	LRADAC	Treatment, Rehabilitation, Prevention, Data
Christine	Christopherson	Court Education Administrator	SC Court Administration	Criminal Justice - Adjudication
Mark	Childress	Director, Ignition Interlock Device Program	SCDPPPS	TBA
Debbie	Curtis	Deputy Director	SC Attorney General's Office, Dept. of Crime Victim Compensation	Criminal Justice

Charter of the
South Carolina Impaired Driving Prevention Council (SCIDPC)

Founded August 2004
Amended March 2012

PREAMBLE

South Carolina ranks as one of the highest states in the nation in regards to the problem of impaired driving, despite various enforcement, educational, and legislative efforts to improve this situation. The seriousness and depth of the impaired driving problem were confirmed by a multi-disciplinary team of national experts who conducted a National Highway Traffic Safety Administration (NHTSA) sanctioned study of South Carolina's impaired driving situation in September 2002. The Impaired Driving Assessment recommended that a DUI workgroup be formed to "meet regularly to identify problems and discuss programs or methods of sharing resources, changing laws, or improving programs or processes." Attendees at the 2003 Alcohol Symposium also recommended formation of such a workgroup.

ARTICLE ONE: PURPOSE

The South Carolina Impaired Driving Prevention Council (SCIDPC) serves as a DUI workgroup. It provides leadership and guidance for citizens seeking to significantly reduce the number of collisions, injuries, and deaths caused by impaired drivers. It provides qualitative input and assistance to the Legislature, state agencies, and other organizations combating impaired driving and its consequences.

ARTICLE TWO: MEMBERSHIP

2.1 MEMBERS: The SCIDPC shall be comprised of agencies, offices, and organizations from public and private sectors of state leadership, each of whom possess a demonstrated interest in impaired driving prevention. The following agencies, offices, and organizations are members.

- Office of the Governor
- South Carolina Department of Public Safety
- South Carolina Department of Transportation
- South Carolina Department of Motor Vehicles
- South Carolina Department of Corrections
- South Carolina Department of Alcohol and Other Drug Abuse Services
- Speaker of the House, South Carolina Legislature
- President Pro Tem of the Senate, South Carolina Legislature
- South Carolina Department of Insurance
- South Carolina Commission on Prosecution Coordination
- South Carolina Solicitors Association
- South Carolina Department of Probation, Parole and Pardon Services
- South Carolina Criminal Justice Academy
- South Carolina State Law Enforcement Division
- South Carolina Department of Education

- South Carolina Judicial Department
- South Carolina Attorney General's Office
- South Carolina Sheriffs' Association
- South Carolina Law Enforcement Officers' Association (SCLEOA)
- South Carolina Police Chiefs' Association
- South Carolina Summary Court Judges' Association
- South Carolina Campus Law Enforcement Association
- South Carolina Coroner's Association
- South Carolina Trucking Association
- Behavioral Health Services Association
- South Carolina Victims Assistance Network
- South Carolina Mothers Against Drunk Driving (MADD)
- Families of Highway Fatalities
- State Office of Victim Assistance
- American College of Emergency Physicians
- Primary Care Physician Association
- American Automobile Association (AAA) of the Carolinas
- Safety Council of South Carolina (SC Chapter of the National Safety Council)
- South Carolina Hospitality Association
- Federal Highway Administration
- National Highway Traffic Safety Administration
- Federal Motor Carrier Safety Administration
- The two immediate past SCIDPC chairmen
- The two immediate past SCIDPC vice chairmen

2.2 TERM: Each member will serve a term of two calendar years and may be reappointed.

2.3 VOTING: Each member will have one vote. For a vote to take place, representatives of at least eleven members must be physically present.

2.4 RESIGNATION: Any member shall have the right to resign his or her position on the SCIDPC. Any resignation should be provided to the Chairman with thirty days' notice. The Chairman may request that another designee be appointed to replace a member for poor attendance.

2.5 DESIGNEES: Designees are permitted and shall have full voting power, except that there will be no designees for the two immediate past chairmen and vice chairmen.

ARTICLE THREE: MEETINGS

3.1 REGULAR MEETINGS: SCIDPC shall meet semi-annually at a time and location specified by the chairman.

3.2 SPECIAL MEETINGS: In addition to semi-annual meetings, special meetings for a stated purpose may be called by the chairman.

3.3 NOTICE: Notice of each meeting will be given at least seven calendar days in advance, by mail and/or email.

3.4 LOCATION: Meetings shall be held at a location place chosen by the chairman, with due consideration given to the convenience of all members and staff suitable for the occasion.

3.5 PROCEDURE: SCIDPC shall follow parliamentary procedure as set forth in Robert's Rules of Order, newly revised, except when they conflict with this charter.

3.6 MINUTES: SCIDPC shall take and maintain meeting minutes, including a record of the members present.

3.7 PLANNING: The Department of Public Safety's Office of Highway Safety will serve as a resource and provide logistical support for meeting location, preparations, notice, and minutes.

3.8 ATTENDANCE: Member organizations are allowed to have multiple representatives attend meetings. On such occasions the member organization must designate one person as the voting member.

ARTICLE FOUR: OFFICERS

4.1 CHAIRMAN AND VICE CHAIRMAN: There shall be a chairman and vice chairman. The chairman and vice chairman shall serve for a period of two years and may be reelected.

4.2 SECRETARY: The duties of the Secretary shall be assumed by the staff of the Department of Public Safety's Office of Highway Safety.

4.4 VACANCIES: Should a chairman resign prior to the expiration of his or her term, the vice chairman shall automatically become chairman and shall serve until the predecessor's term would have expired. Should a vice chairman resign prior to the expiration of his or her term, the chairman shall appoint an interim vice chairman to serve until the next regular meeting, at which time the members shall elect a vice chairman to serve until the predecessor's term would have expired.

ARTICLE FIVE: COMMITTEES

5.1 COMMITTEES: The following committees should be organized, chaired, and populated as necessary to accomplish the goals of the SCIDPC:

- Education/Prevention
- Enforcement/Prosecution/Adjudication
- Legislation
- Treatment/Rehabilitation/Diversion

5.2 SPECIAL COMMITTEES: The chairman shall appoint or disband such special committees as necessary for the efficient operation of the SCIDPC.

5.3 EXECUTIVE COMMITTEE: There shall be an Executive Committee, composed of the following persons, to accomplish the goals of the SCIDPC.

- Chairman
- Vice chairman
- Immediate past chairman
- Immediate past vice chairman
- Four committee chairmen or designees

5.4 COMMITTEE VOTING: Member organizations may be represented on multiple committees and may have designees attend committee meetings. Each member organization will have one vote per committee.

ARTICLE SIX: AMENDMENTS

6.1 This charter may be altered, amended, or repealed and a new charter may be adopted by a vote of the membership representing a quorum thereof at any regular meeting of the SCIDPC when a proposed amendment has been distributed with notice of such meeting.

6.2 For purposes of this Article, one-third of the membership plus one member constitute a quorum.

PREVENTION OF UNDERAGE DRINKING AND ACCESS TO ALCOHOL ACT

BRIEF OVERVIEW

Effective 1/1/08:

- Creates a keg registration system
 - Purchaser must complete a form and sign a statement acknowledging they will not give the alcohol to underage youth
 - Merchant must attach a tag to keg with a number matching that on the form and may not refund deposit if tag is not still intact
 - Illegal to possess keg w/o proper tag or to remove or damage tag
- Creates mandatory use of ignition interlocks (essentially a breathalyzer to start the car), at offender's expense, for 2nd and subsequent DUI offenders of any age.

Effective 7/1/07:

- Makes consumption and attempt to purchase illegal for youth
- Raises fine for underage beer/wine offenses to equal liquor offenses
- Makes youth convicted of alcohol offenses attend a DAODAS-approved alcohol intervention program
- Increases driver's license suspension to 4 months (1st offense) and 1 year (2nd offense) for underage alcohol offenses
- Increases fine for selling to an underage person. Violators must also attend a DAODAS-approved merchant education program.
- Removes requirement in sale law for law enforcement to charge youth with possession when they participate in compliance checks.
- Raises penalties for transferring any type of alcohol to an underage person

Attachment IDC-4

Code of Laws of South Carolina 1976 Annotated
Title 61. Alcohol and Alcoholic Beverages (Refs & Annos)
Chapter 4. Beer, Ale, Porter, and Wine (Refs & Annos)
Article 19. Keg Registration

Code 1976 § 61-4-1910

§ 61-4-1910. Definitions.

Effective: June 2, 2009
Currentness

For purposes of this article:

- (1) “Keg” means a metal container of beer with a capacity of 5.16 gallons or more that is designed to dispense beer directly from the container in an off-premises location.
- (2) “Retail licensee” means the holder of a retail beer or wine license issued by the Department of Revenue.

Credits

HISTORY: 2007 Act No. 103, § 3; 2009 Act No. 44, § 1, eff June 2, 2009.

Code 1976 § 61-4-1910, SC ST § 61-4-1910

Current through 2022 Act No. 216, except Act Nos. 149, 151, 171-172, 174- 175, 177, 188, 198, 200, 202, 210, and 213-214, subject to final approval by the Legislative Council, technical revisions by the Code Commissioner, and publication in the Official Code of Laws.

End of Document

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SECTION 61-4-1920. Keg registration requirements; underage transfer statement; returned kegs; deposit.

(A) A retail licensee shall not sell a keg of beer without:

(1) recording the date of sale, the keg identification number, the name, address, and birth date of the purchaser, and the driver's license or identification card number presented by the purchaser;

(2) requiring the purchaser to sign a statement attesting to the accuracy of the purchaser's information, acknowledging that, unless otherwise permitted by law, it is unlawful to transfer beer to a person under the age of twenty-one, and that, unless otherwise permitted by law, the beer in the keg will not be consumed by a person under the age of twenty-one; and

(3) attaching an identification tag to the keg with the name, address, and license number of the retail licensee and the keg identification number. An identification tag must consist of paper, plastic, metal, or durable material that is not easily damaged or destroyed. An identification tag must be attached to the keg at the time of the sale with a nylon tie or cording, wire tie or other metal attachment device, or other durable means of tying or attaching the tag to the keg.

(B) The Department of Revenue shall prescribe and provide the form to be used that contains the keg identification information and the purchaser's statement. The Department of Revenue also shall prescribe and provide the keg identification tag and the manner in which the tag must be attached to the keg.

(C) The retail licensee shall maintain the keg identification form and the purchaser's statement form for a minimum of ninety days from the date the keg is purchased. These forms must be available during normal business hours for inspection by the Department of Revenue and appropriate law enforcement agencies.

(D) The retail licensee shall record the date of return of a keg on the proper identification form. After the keg is returned, it shall be the responsibility of the retail licensee to remove the tag. The purchaser shall receive a receipt from the retail licensee that the keg was returned with the tag appropriately affixed. If there is no tag affixed to the keg or if the identification number is not legible, the retail licensee shall indicate this fact on the proper keg identification and purchaser statement form.

(E) A retail licensee must accept all returned kegs, and upon the licensee's discretion, may not refund the deposit for a keg that has an altered identification number.

(F) A retail licensee who violates the provisions of this section is subject to suspension or revocation of his beer or wine license or monetary penalties pursuant to Section 61-4-250. A person who violates a provision of this section:

(1) for a first offense, must be fined not less than two hundred dollars nor more than three hundred dollars; and

(2) for a second or subsequent offense, must be fined not less than four hundred dollars nor more than five hundred dollars.

HISTORY: 2007 Act No. 103, Section 3.

SECTION 61-4-1930. Possession of untagged keg; penalty.

(A) A person may not knowingly possess a keg that does not have the proper tag with all information accurately recorded, unless the person can demonstrate by a preponderance of the evidence that the keg was not correctly tagged by the seller pursuant to the requirements of Section 61-4-1920.

(B) A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than five hundred dollars or imprisoned for not more than thirty days, or both.

(C) The provisions of this section do not apply to any manufacturer, shipper, wholesaler, or licensee.

HISTORY: 2007 Act No. 103, Section 3.

SECTION 61-4-1940. Removal or alteration of tag; penalty.

(A) A person may not purposefully remove, alter, obliterate, or allow to be removed, altered, or obliterated, a keg tag or other information recorded on the tag.

(B) A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than five hundred dollars or imprisoned for not more than thirty days, or both.

(C) The provisions of this section do not apply to any manufacturer, shipper, wholesaler, licensee, the Department of Revenue, or other appropriate law enforcement agency.

HISTORY: 2007 Act No. 103, Section 3.

SECTION 61-6-4075. Purchase of alcoholic beverage for minor; penalty.

It is unlawful for a person who purchases alcoholic liquors while on licensed premises to give the alcoholic liquors to a person to whom it cannot lawfully be sold on the premises. A person who violates the provisions of this section, upon conviction:

(1) for a first offense, must be fined not less than two hundred dollars nor more than three hundred dollars or imprisoned not more than thirty days, or both; and

(2) for a second or subsequent offense, must be fined not less than four hundred dollars nor more than five hundred dollars or imprisoned not more than thirty days, or both.

HISTORY: 2007 Act No. 103, Section 4.

SECTION 61-6-4085. Charges against seller and minor purchaser; compliance tester exception.

(A) If a person is charged with a violation of the unlawful sale of alcoholic liquors to minors pursuant to Section 61-6-4080, the minor also must be charged with a violation of the unlawful purchase or possession of alcoholic liquors pursuant to Section 63-19-2450. In addition, if the minor provided false information as to his age pursuant to Section 63-19-2450(A) or if an adult violated the provisions of Section 61-6-4075 regarding purchasing alcoholic liquors for a person who cannot lawfully buy them, these persons also must be charged with their violations.

(B) A person may not be charged with a violation of Section 61-6-4080 if the provisions of subsection (A) are not met.

(C) Nothing in this section requires that charges made pursuant to this section be prosecuted to conclusion; but rather this determination must be made in the manner provided by law.

(D) Notwithstanding the provisions of subsections (A) and (B), a person under the age of twenty-one may be recruited and authorized by a law enforcement agency to test an establishment's compliance with laws relating to the unlawful transfer or sale of alcoholic liquors to a minor. The testing must be under the direct supervision of a law enforcement agency, and the agency must have the person's parental consent. If the requirements of this subsection are met, a person may be charged with a violation of Section 61-6-4080 without the requirement that the minor also be charged.

HISTORY: 2007 Act No. 103, Section 5.

SECTION 63-19-2440. Beer and wine purchase, consumption, or possession.

(A) It is unlawful for a person under the age of twenty-one to purchase, attempt to purchase, consume, or knowingly possess beer, ale, porter, wine, or other similar malt or fermented beverage. Possession is prima facie evidence that it was knowingly possessed. Notwithstanding another provision of law, if the law enforcement officer has probable cause to believe that a person is under age twenty-one and has consumed alcohol, the law enforcement officer or the person may request that the person submit to any available alcohol screening test using a device approved by the State Law Enforcement Division. A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not less than one hundred dollars nor more than two hundred dollars or must be imprisoned for not more than thirty days, or both.

(B) A person who violates the provisions of this section also is required to successfully complete a DAODAS approved alcohol prevention education or intervention program. The program must be a minimum of eight hours and the cost to the person may not exceed one hundred fifty dollars.

(C) A person eighteen years of age and over lawfully employed to serve or remove beer, wine, or alcoholic beverages in establishments licensed to sell these beverages is not considered to be in unlawful

possession of the beverages during the course and scope of his duties as an employee. The provisions of this subsection do not affect the requirement that a bartender must be at least twenty-one years of age.

(D) This section does not apply to an employee lawfully engaged in the sale or delivery of these beverages in an unopened container.

(E) The provisions of this section do not apply to a student who:

- (1) is eighteen years of age or older;
- (2) is enrolled in an accredited college or university and a student in a culinary course that has been approved through review by the State Commission on Higher Education;
- (3) is required to taste, but not consume or imbibe, any beer, ale, porter, wine, or other similar malt or fermented beverage as part of the required curriculum; and
- (4) tastes a beverage pursuant to item (3) only for instructional purposes during classes that are part of the curriculum of the accredited college or university.

The beverage must remain at all times in the possession and control of an authorized instructor of the college or university who must be twenty-one years of age or older. Nothing in this subsection may be construed to allow a student under the age of twenty-one to receive any beer, ale, porter, wine, or other similar malt or fermented beverage unless the beverage is delivered as part of the student's required curriculum and the beverage is used only for instructional purposes during classes conducted pursuant to the curriculum.

(F) The provisions of this section do not apply to a person under the age of twenty-one who is recruited and authorized by a law enforcement agency to test an establishment's compliance with laws relating to the unlawful transfer or sale of beer or wine to a minor. The testing must be under the direct supervision of a law enforcement agency, and the agency must have the person's parental consent.

HISTORY: 2008 Act No. 361, Section 2.

SECTION 63-19-2450. Alcoholic beverages purchase, consumption, or possession.

(A) It is unlawful for a person under the age of twenty-one to purchase, attempt to purchase, consume, or knowingly possess alcoholic liquors. Possession is prima facie evidence that it was knowingly possessed. It is also unlawful for a person to falsely represent his age for the purpose of procuring alcoholic liquors. Notwithstanding another provision of law, if the law enforcement officer has probable cause to believe that a person is under age twenty-one and has consumed alcohol, the law enforcement officer or the person may request that the person submit to any available alcohol screening test using a device approved by the State Law Enforcement Division.

(B) A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not less than one hundred dollars nor more than two hundred dollars or must be imprisoned for not more than thirty days, or both.

(C) A person who violates the provisions of this section also is required to successfully complete a DAODAS approved alcohol prevention education or intervention program. The program must be a minimum of eight hours and the cost to the person may not exceed one hundred fifty dollars.

(D) The provisions of this section do not apply to a student who:

- (1) is eighteen years of age or older;
- (2) is enrolled in an accredited college or university and a student in a culinary course that has been approved through review by the State Commission on Higher Education;
- (3) is required to taste, but not consume or imbibe, any alcoholic liquor as part of the required curriculum; and
- (4) tastes the liquor pursuant to item (3) only for instructional purposes during classes that are part of the curriculum of the accredited college or university.

The alcoholic liquor must remain at all times in the possession and control of an authorized instructor of the college or university who must be twenty-one years of age or older. Nothing in this subsection may be construed to allow a student under the age of twenty-one to receive alcoholic liquor unless it is delivered

as part of the student's required curriculum, and it is used only for instructional purposes during classes conducted pursuant to the curriculum.

(E) The provisions of this section do not apply to a person under the age of twenty-one who is recruited and authorized by a law enforcement agency to test an establishment's compliance with the laws relating to the unlawful transfer or sale of alcoholic liquors to a minor. The testing must be under the direct supervision of a law enforcement agency, and the agency must have the person's parental consent.

HISTORY: 2008 Act No. 361, Section 2.

SECTION 56-1-746. Suspension of driver's license for alcohol-related offenses; penalties; special restricted licenses.

(A) The Department of Motor Vehicles shall suspend the driver's license of a person convicted of an offense contained in Sections 56-1-510(2), 56-1-510(5), 56-1-515, 61-4-60, 63-19-2440, and 63-19-2450 as follows:

- (1) for a conviction for a first offense, for a period of one hundred twenty days; and
- (2) for a conviction for a second or subsequent offense, for a period of one year.

(B) For the purposes of determining a prior offense, a conviction for an offense enumerated in subsection (A) within ten years of the date of the violation is considered a prior offense.

(C) Notwithstanding the provisions of Section 56-1-460, a person convicted pursuant to the provisions of this section must be punished pursuant to Section 56-1-440 and is not required to furnish proof of financial responsibility as provided for in Section 56-9-500. The conviction may not result in an insurance penalty pursuant to the Merit Rating Plan promulgated by the Department of Insurance.

(D)(1) If an individual is employed or enrolled in a college or university, or a court-ordered drug program, while his driver's license is suspended pursuant to this section, he may apply for a special restricted driver's license permitting him to drive only to and from work, his place of education, or the court-ordered drug program, and in the course of his employment, education, or a court-ordered drug program during the period of suspension. The department may issue the special restricted driver's license only upon a showing by the individual that he is employed or enrolled in a college, university, or court-ordered drug program, that he lives further than one mile from his place of employment, education, or court-ordered drug program, and that there is no adequate public transportation between his residence and his place of employment, his place of education, or court-ordered drug program.

(2) If the department issues a special restricted driver's license, it shall designate reasonable restrictions on the times during which and routes on which the individual may operate a motor vehicle. A change in the employment hours, place of employment, status as a student, status of attendance in his court-ordered drug program, or residence must be reported immediately to the department by the licensee.

(3) The fee for a special restricted driver's license is one hundred dollars, but no additional fee is due because of changes in the place and hours of employment, education, or residence. Twenty dollars of this fee must be deposited in the state general fund and eighty dollars must be placed by the Comptroller General into the State Highway Fund as established by Section 57-11-20, to be distributed as provided in Section 11-43-167.

(4) The operation of a motor vehicle outside the time limits and route imposed by a special restricted license by the person issued that license is a violation of Section 56-1-460.

HISTORY: 1990 Act No. 602, Section 5; 1992 Act No. 421, Section 2; 1993 Act No. 181, Section 1332; 1996 Act No. 459, Section 106; 2001 Act No. 79, Section 2.G; 2002 Act No. 348, Section 14; 2002 Act No. 354, Section 7; 2007 Act No. 103, Section 8, eff July 1, 2007; 2016 Act No. 275 (S.1258), Section 24, eff July 1, 2016.

SECTION 61-4-50. Sales to underage persons.

(A) It is unlawful for a person to sell beer, ale, porter, wine, or other similar malt or fermented beverage to a person under twenty-one years of age. A person who makes a sale in violation of this section, upon conviction:

(1) for a first offense, must be fined not less than two hundred dollars nor more than three hundred dollars or imprisoned not more than thirty days, or both; and

(2) for a second or subsequent offense, must be fined not less than four hundred dollars nor more than five hundred dollars or imprisoned not more than thirty days, or both.

(B) Failure of a person to require identification to verify a person's age is prima facie evidence of the violation of this section.

(C) A person who violates the provisions of this section also is required to successfully complete a DAODAS approved merchant alcohol enforcement education program. The program must be a minimum of two hours and the cost to the person may not exceed fifty dollars.

HISTORY: 1996 Act No. 415, Section 1; 2007 Act No. 103, Section 9.

SECTION 61-4-60. False information about age.

It is unlawful for a person to whom beer or wine cannot be lawfully sold to knowingly give false information concerning his age for the purpose of purchasing beer or wine. A person who violates the provisions of this section, upon conviction, must be fined not less than one hundred dollars nor more than two hundred dollars or be imprisoned for not more than thirty days, or both.

HISTORY: 1996 Act No. 415, Section 1; 2007 Act No. 103, Section 10.

SECTION 61-4-80. Purchase of beer or wine for a person to whom it cannot lawfully be sold.

It is unlawful for a person who purchases beer or wine while on licensed premises to give the beer or wine to a person to whom beer or wine cannot lawfully be sold on the premises. A person who violates this section, upon conviction:

(1) for a first offense, must be fined not less than two hundred dollars nor more than three hundred dollars or imprisoned not more than thirty days, or both; and

(2) for a second or subsequent offense, must be fined not less than four hundred dollars nor more than five hundred dollars or imprisoned not more than thirty days, or both.

HISTORY: 1996 Act No. 415, Section 1; 2007 Act No. 103, Section 11.

SECTION 61-4-90. Transfer of beer or wine for underage person's consumption.

(A) It is unlawful for a person to transfer or give to a person under the age of twenty-one years for the purpose of consumption of beer or wine in the State, unless the person under the age of twenty-one is recruited and authorized by a law enforcement agency to test a person's compliance with laws relating to the unlawful transfer or sale of beer and wine to a minor. A person who violates this section is guilty of a misdemeanor and, upon conviction:

(1) for a first offense, must be fined not less than two hundred dollars nor more than three hundred dollars or imprisoned not more than thirty days, or both; and

(2) for a second or subsequent offense, must be fined not less than four hundred dollars nor more than five hundred dollars or imprisoned not more than thirty days, or both.

(B) A person found guilty of a violation of Section 61-6-4070 and this section may not be sentenced under both sections for the same offense.

(C) The provisions of this section do not apply to a:

(1) spouse over the age of twenty-one giving beer or wine to his spouse under the age of twenty-one in their home;

(2) parent or guardian over the age of twenty-one giving beer or wine to his children or wards under the age of twenty-one in their home; or

(3) person giving beer or wine to another person under the age of twenty-one in conjunction with a religious ceremony or purpose if the beer or wine was lawfully purchased.

(D) A person eighteen years of age and over lawfully employed to serve or remove beer, wine, or alcoholic beverages in establishments licensed to sell these beverages are not considered to be in unlawful possession of the beverages during the course and scope of their duties as an employee. The provisions of this subsection do not affect the requirement that a bartender must be at least twenty-one years of age.

(E) This section does not apply to an employee lawfully engaged in the sale or delivery of these beverages in an unopened container.

(F) The provisions of this section do not apply to a student who:

(1) is eighteen years of age or older;

(2) is enrolled in an accredited college or university and a student in a culinary course that has been approved through review by the State Commission on Higher Education;

(3) is required to taste, but not consume or imbibe, any beer, ale, porter, wine, or other similar malt or fermented beverage as part of the required curriculum; and

(4) tastes a beverage pursuant to item (3) only for instructional purposes during classes that are part of the curriculum of the accredited college or university.

The beverage must remain at all times in the possession and control of an authorized instructor of the college or university who must be twenty-one years of age or older. Nothing in this subsection may be construed to allow a student under the age of twenty-one to receive any beer, ale, porter, wine, or other similar malt or fermented beverage unless the beverage is delivered as part of the student's required curriculum and the beverage is used only for instructional purposes during classes conducted pursuant to the curriculum.

HISTORY: 1996 Act No. 415, Section 1; 1999 Act No. 1, Section 5; 2007 Act No. 103, Section 12.

SECTION 61-4-100. Criminal charges brought against both seller and purchaser.

(A) If a person is charged with a violation of the unlawful sale of beer or wine to minors pursuant to Section 61-4-50, the minor also must be charged with a violation of the unlawful purchase or possession of beer or wine pursuant to Section 63-19-2440. In addition, if the minor violated false information as to age pursuant to Section 61-4-60 or if an adult violated the unlawful purchase of beer or wine for a person who cannot lawfully buy pursuant to Section 61-4-80, these persons also must be charged with their violations.

(B) A person may not be charged with a violation of Section 61-4-50 if the provisions of subsection (A) are not met.

(C) Nothing in this section requires that charges made pursuant to this section be prosecuted to conclusion; but rather this determination must be made in the manner provided by law.

(D) Notwithstanding the provisions of subsections (A) and (B), a person under the age of twenty-one may be recruited and authorized by a law enforcement agency to test an establishment's compliance with laws relating to the unlawful transfer or sale of beer or wine to a minor. The testing must be under the direct supervision of a law enforcement agency, and the agency must have the person's parental consent. If the requirements of this subsection are met, a person may be charged with a violation of Section 61-4-50 without the requirement that the minor also be charged.

HISTORY: 1996 Act No. 415, Section 1; 2007 Act No. 103, Section 13.

SECTION 61-6-4070. Transfer to person under the age of twenty-one years.

(A) It is unlawful for a person to transfer or give to a person under the age of twenty-one years for the purpose of consumption of alcoholic liquors in the State unless the person under the age of twenty-one is recruited and authorized by a law enforcement agency to test a person's compliance with laws relating to

the unlawful transfer or sale of alcoholic liquors to a minor. A person who violates this section is guilty of a misdemeanor and, upon conviction:

(1) for a first offense, must be fined not less than two hundred dollars nor more than three hundred dollars or imprisoned not more than thirty days, or both; and

(2) for a second or subsequent offense, must be fined not less than four hundred dollars nor more than five hundred dollars or imprisoned not more than thirty days, or both.

(B) A person found guilty of a violation of Section 61-4-90 and this section may not be sentenced under both sections for the same offense.

(C) The provisions of this section do not apply to a:

(1) spouse over the age of twenty-one giving alcoholic liquors to his spouse under the age of twenty-one in their home;

(2) parent or guardian over the age of twenty-one giving alcoholic liquors to his children or wards under the age of twenty-one in their home; or

(3) person giving alcoholic liquors to another person under the age of twenty-one in conjunction with a religious ceremony or purpose if the alcoholic liquors were lawfully purchased.

(D) A person eighteen years of age and over lawfully employed to serve or remove beer, wine, or alcoholic beverages in establishments licensed to sell these beverages are not considered to be in unlawful possession of the beverages during the course and scope of their duties as an employee. The provisions of this subsection do not affect the requirement that a bartender must be at least twenty-one years of age.

(E) This section does not apply to an employee lawfully engaged in the sale or delivery of these beverages in an unopened container.

(F) The provisions of this section do not apply to a student who:

(1) is eighteen years of age or older;

(2) is enrolled in an accredited college or university and a student in a culinary course that has been approved through review by the State Commission on Higher Education;

(3) is required to taste, but not consume or imbibe, any beer, ale, porter, wine, or other similar malt or fermented beverage as part of the required curriculum; and

(4) tastes a beverage pursuant to item (3) only for instructional purposes during classes that are part of the curriculum of the accredited college or university.

The beverage must remain at all times in the possession and control of an authorized instructor of the college or university who must be twenty-one years of age or older. Nothing in this subsection may be construed to allow a student under the age of twenty-one to receive any beer, ale, porter, wine, or other similar malt or fermented beverage unless the beverage is delivered as part of the student's required curriculum and the beverage is used only for instructional purposes during classes conducted pursuant to the curriculum.

HISTORY: 1996 Act No. 415, Section 1; 1999 Act No. 1, Section 4; 2007 Act No. 103, Section 14.

SECTION 61-6-4080. Sale to person under the age of twenty-one years; penalty; completion of merchant education program.

(A) A person engaged in the sale of alcoholic liquors who knowingly sells the alcoholic liquors to a person under the age of twenty-one is guilty of a misdemeanor and, upon conviction:

(1) for a first offense, must be fined not less than two hundred dollars nor more than three hundred dollars or imprisoned not more than thirty days, or both; and

(2) for a second or subsequent offense, must be fined not less than four hundred dollars nor more than five hundred dollars or imprisoned not more than thirty days, or both.

(B) Failure of a person to require identification to verify a person's age is prima facie evidence of a violation of this section.

(C) A person who violates the provisions of this section also is required to successfully complete a DAODAS approved merchant alcohol enforcement education program. The program must be a minimum of two hours and the cost to the person may not exceed fifty dollars.

HISTORY: 1996 Act No. 415, Section 1; 2007 Act No. 103, Section 15.

SECTION 63-19-2460. Alcoholic beverages in home; religious use exception.

No provision of law prohibiting the use or possession of beer, wine, or alcoholic beverages by minors shall apply to any minor in the home of his parents or guardian or to any such beverage used for religious ceremonies or purposes so long as such beverage was legally purchased.

HISTORY: 2008 Act No. 361, Section 2.

Code of Laws of South Carolina 1976 Annotated
Title 59. Education
Chapter 104. Initiatives for Research and Academic Excellence
Article 1. Excellence for Students

Code 1976 § 59-104-20

§ 59-104-20. Palmetto Fellows Scholarship Program established; adjudication of delinquency; drug and alcohol offenses.

Effective: May 6, 2021

Currentness

(A) The Palmetto Fellows Scholarship Program is established to foster scholarship among the state's post-secondary students and retain outstanding South Carolina high school graduates in the State through awards based on scholarship and achievement. Measures must be taken to ensure equitable minority participation in this program. Recipients of these scholarships are designated Palmetto Fellows. Each Palmetto Fellow shall receive a scholarship in an amount not to exceed six thousand seven hundred dollars. These scholarships in combination with all other grants and scholarships shall not exceed the cost of attendance at the institution attended. The commission shall promulgate regulations and establish procedures to administer the program and request annual state appropriations for the program.

(B) Students, either new or continuing, must not have been adjudicated delinquent or been convicted or pled guilty or nolo contendere to any felonies or any second or subsequent alcohol or drug-related offenses under the laws of this or any other state or under the laws of the United States in order to be eligible for a Palmetto Fellows Scholarship, except that a high school or college student otherwise qualified who has been adjudicated delinquent or has been convicted or pled guilty or nolo contendere to a second or subsequent alcohol or drug-related misdemeanor offense nevertheless shall be eligible or continue to be eligible for such scholarships after the expiration of one academic year from the date of the adjudication, conviction, or plea.

(C) Of the funds made available for higher education Palmetto Fellows Scholarships for any year, a percentage thereof must be allocated for students attending South Carolina independent colleges of higher learning in this State. This percentage must be equivalent to the percentage of the independent colleges' share of the total South Carolina resident undergraduate full-time enrollment (FTE) of all public and independent higher education institutions in South Carolina based on the previous year's data as determined by the Commission on Higher Education and the South Carolina Tuition Grants Commission.

(D) After expending funds appropriated for Palmetto Fellows Scholarships from all other sources, there is automatically appropriated from the general fund of the State whatever amount is necessary to provide Palmetto Fellows Scholarships to all persons meeting the requirements of this section.

(E) A Palmetto Fellows Scholarship is available to an eligible resident student who attends or will attend an eligible public or independent institution.

(F) For purposes of subsection (E):

(1) "Public or independent institution" means a:

(a) South Carolina public institution defined in Section 59-103-5, and an independent institution as defined in Section 59-113-50; or

(b) public or independent bachelor's level institution chartered before 1962 whose major campus and headquarters are located within South Carolina.

(2) "Resident student" means a:

(a) student who is either a member of a class graduating from a high school located in this State, a home school student who has successfully completed a high school home school program in this State in the manner required by law, or a student graduating from a preparatory high school outside this State, while a dependent of a parent or guardian who is a legal resident of this State and has custody of the dependent; and

(b) student classified as a resident of South Carolina for in-state tuition purposes under Chapter 112 of this title at the time of enrollment at the institution.

(G) In addition to qualifications established by regulation, to qualify for a Palmetto Fellows Scholarship, a student shall:

(1) meet the following three criteria:

(a) a minimum score of 1200 on the Scholastic Aptitude Test (SAT) or an equivalent ACT score;

(b) a cumulative 3.5 grade point ratio on the Uniform Grading Scale at the end of the junior or senior year; and

(c) rank in the top six percent of the class at the end of the sophomore, junior, or senior year. When calculating eligibility for Palmetto Fellows Scholarships in schools where the top six percent of the graduating class is two students or less, the top two students must be considered for the scholarship regardless of class rank. The top six percent of the graduating class must meet all Palmetto Fellows Scholarship eligibility requirements in order to receive a scholarship. If the top six percent of the class is not a whole number of students, the Commission on Higher Education shall round up to the next whole number of students eligible; or

(2) meet the following two criteria:

(a) a minimum score of 1400 on the Scholastic Aptitude Test (SAT) or an equivalent ACT score; and

(b) a cumulative 4.0 grade point ratio on the Uniform Grading Scale at the end of the junior or senior year.

Qualifying scores must be certified by the high school on the Palmetto Fellows Scholarship application by the scholarship application deadline. For the purposes of meeting the rank criteria pursuant to this subsection, the existing high school rank of a

South Carolina resident attending an out-of-state high school may be used provided it is calculated pursuant to a state-approved, standardized grading scale at the respective out-of-state high school. If the Commission on Higher Education determines that a state-approved standardized grading scale substantially deviates from the South Carolina Uniform Grading Scale, the state-approved standardized grading scale shall not be used to meet the eligibility requirements for the Palmetto Fellows Scholarship.

(H) Notwithstanding another provision of law, a student who met the initial eligibility requirements to receive a Palmetto Fellows Scholarship Award as a senior in high school and has met the continuing eligibility requirements shall receive the award. A student who received a Palmetto Fellows Scholarship Award as a senior in high school but declined the award is eligible to reapply for the annual scholarship, providing he meets all of the initial and continuing academic eligibility requirements of the Palmetto Fellows program, if he transfers to a qualifying South Carolina institution of higher learning. The number of semesters or academic years a student attended an out-of-state institution are to be deducted from the number of semesters or academic years a student is eligible for the scholarship. All funding provided for Palmetto Fellows Scholarships regardless of its source or allocation must be used to implement the provisions of this subsection. A student who uses a Palmetto Fellows Scholarship to attend an eligible two-year institution shall receive a maximum of four continuous semesters, and may continue to use the scholarship to attend an eligible four-year institution, subject to maximum number of semesters for which the student may be eligible for the scholarship.

(I) The Commission on Higher Education shall, by regulation, define alternative qualifications for an exceptionally gifted student who is a resident of South Carolina and is accepted into an institution of higher learning without having attended or graduated from high school.

Credits

HISTORY: 1988 Act No. 629, § 1; 1996 Act No. 359, § 10; 1996 Act No. 458, Part II, § 20B; 2000 Act No. 289, § 3(A); 2002 Act No. 356, § 3G; 2005 Act No. 162, § 1, eff June 14, 2005; 2007 Act No. 103, § 17, eff July 1, 2007; 2008 Act No. 178, § 1, eff February 13, 2008; 2008 Act No. 353, § 2, Pt 1.B.1, eff July 1, 2008; 2021 Act No. 36 (H.3017), § 1, eff May 6, 2021.

Code 1976 § 59-104-20, SC ST § 59-104-20

Current through 2022 Act No. 216, except Act Nos. 149, 151, 171-172, 174- 175, 177, 188, 198, 200, 202, 210, and 213-214, subject to final approval by the Legislative Council, technical revisions by the Code Commissioner, and publication in the Official Code of Laws.

SECTION 59-113-20. Qualifications of applicants for grants.

The State of South Carolina shall grant an amount, as provided in this chapter, to any applicant who meets the following qualifications:

- (a) has been a resident of South Carolina for at least one year;
- (b) is of good moral character;
- (c) has demonstrated qualities of academic merit and financial need;
- (d) has been accepted by or is registered in a South Carolina independent institution of higher learning as a full-time student whose academic programs are not comprised solely of sectarian instruction;
- (e) is not enrolled in a course of study leading to a degree in theology, divinity, or religious education; and
- (f) has not been adjudicated delinquent or been convicted or pled guilty or nolo contendere to any felonies or any second or subsequent alcohol or drug-related offenses under the laws of this or any other state or under the laws of the United States in order to be eligible for a South Carolina tuition grant, except that a high school or college student otherwise qualified who has been adjudicated delinquent or has been convicted or pled guilty or nolo contendere to a second or subsequent alcohol or drug-related misdemeanor offense nevertheless shall be eligible or continue to be eligible for such grants after the expiration of one academic year from the date of the adjudication, conviction, or plea.

HISTORY: 1962 Code Section 22-92; 1970 (56) 2579; 2000 Act No. 289, Section 3(B); 2007 Act No. 103, Section 18, eff July 1, 2007.

Effect of Amendment

The 2007 amendment, in item (f), added "second or subsequent" in two places.

SECTION 59-142-10. Need based grants; qualifications.

(A) The State shall fund a need-based grant for a student who enrolls as an undergraduate in a public institution of higher learning in this State, who applies for the need-based grant, and who meets the following qualifications:

- (1) meets domicile requirements, as defined in Section 59-112-20, with the additional requirement of at least twelve consecutive months of residency in the State of South Carolina immediately preceding enrollment;
- (2) is accepted by and enrolled or registered in a state public institution of higher learning as a first degree full-time or part-time student in a certificate, or diploma of at least one year in length, or undergraduate degree program;
- (3) is of good moral character;
- (4) has not been adjudicated delinquent or been convicted or pled guilty or nolo contendere to any felonies or any second or subsequent alcohol or drug-related offenses under the laws of this or any other state or under the laws of the United States in order to be eligible for a South Carolina need-based grant, except that a high school or college student otherwise qualified who has been adjudicated delinquent or has been convicted or pled guilty or nolo contendere to a second or subsequent alcohol or drug-related misdemeanor offense nevertheless shall be eligible or continue to be eligible for such grants after the expiration of one academic year from the date of the adjudication, conviction, or plea; and
- (5) is found to be in financial need according to federal Title IV regulations.

(B) To maintain continued eligibility for the state need-based grants, once enrolled a student shall:

- (1) complete a minimum of twenty-four semester hours an academic year if a full-time student and twelve semester hours an academic year if a part-time student and make satisfactory academic progress toward a degree as determined by the institution; and
- (2) have not been adjudicated delinquent or been convicted or pled guilty or nolo contendere to any felonies or any second or subsequent alcohol or drug-related offenses under the laws of this or any other state or under the laws of the United States in order to be eligible for a South Carolina need-based grant, except that a high school or college student otherwise qualified who has been adjudicated delinquent or has

been convicted or pled guilty or nolo contendere to a second or subsequent alcohol or drug-related misdemeanor offense nevertheless shall be eligible or continue to be eligible for such grants after the expiration of one academic year from the date of the adjudication, conviction, or plea; and be eligible for the need-based grants for a maximum of four academic years of two semesters.

HISTORY: 1996 Act No. 458, Part II, Section 20A; 1997 Act No. 155, Part II, Section 20A; 2000 Act No. 289, Section 3(C); 2007 Act No. 103, Sections 19, 20, eff July 1, 2007.

Effect of Amendment

The 2007 amendment, in subsections (A) and paragraph (B)(2), added "second or subsequent" in two places and, in paragraph (B)(2), merged the text of paragraph (3) into the last sentence of paragraph (2).

SECTION 59-149-90. Adjudication of delinquency or for drug or alcohol offenses; additional degrees.

(A) Students must not have been adjudicated delinquent or been convicted or pled guilty or nolo contendere to any felonies or any second or subsequent alcohol or drug-related offenses under the laws of this or any other state or under the laws of the United States in order to be eligible for a LIFE Scholarship, except that a high school or college student otherwise qualified who has been adjudicated delinquent or has been convicted or pled guilty or nolo contendere to a second or subsequent alcohol or drug-related misdemeanor offense nevertheless shall be eligible or continue to be eligible for such scholarships after the expiration of one academic year from the date of the adjudication, conviction, or plea.

(B) Regardless of the number of hours attempted, once the student has earned a bachelor's degree, he is ineligible for a LIFE Scholarship to seek another degree.

HISTORY: 1998 Act No. 418, Section 1; 1999 Act No. 100, Part II, Section 73; 2000 Act No. 289, Section 2; 2007 Act No. 103, Section 21, eff July 1, 2007.

Effect of Amendment

The 2007 amendment, in subsection (A), added "second or subsequent" in two places.

SECTION 59-149-100. Scholarship eligibility for study-abroad or out-of-state program; summer school.

Students enrolled in an eligible public or independent institution qualify for a LIFE Scholarship, even though they may not be physically present in South Carolina during all or part of the school term for which the LIFE Scholarship applies. The student's institution must approve for credit a study-abroad or out-of-state program. Summer school may be substituted for one fall or spring semester in any year in a planned program of study.

HISTORY: 1998 Act No. 418, Section 1.

SECTION 61-4-590. Revocation or suspension of permits; department investigation and determination.

(A) The department has jurisdiction to revoke or suspend permits authorizing the sale of beer or wine. The department may, on its own initiative or on complaint signed and sworn to by two or more freeholders resident for the preceding six months in the community in which the licensed premises are located or by a local peace officer, all of whom are charged with the duty of reporting immediately to the department a violation of the provisions of Section 61-4-580, revoke or suspend the permit pursuant to the South Carolina Revenue Procedures Act. The decision of the Administrative Law Court is not automatically superseded or stayed by the filing of a petition for judicial review.

(B) In addition to the notice requirements contained in the Administrative Procedures Act, the department may not suspend or revoke a licensee's permit authorizing the sale of beer or wine until the division has conducted and completed an investigation, and the department has made a departmental determination, as defined in Section 12-60-30, that the licensee's permit should be revoked or suspended.

HISTORY: 1996 Act No. 415, Section 1; 2007 Act No. 103, Section 22; 2007 Act No. 107, Section 1.

Code of Laws of South Carolina 1976 Annotated

Title 56. Motor Vehicles

Chapter 5. Uniform Act Regulating Traffic on Highways

Article 23. Reckless Homicide; Reckless Driving; Driving While Under the Influence of Intoxicating Liquor, Drugs or Narcotics

Code 1976 § 56-5-2941

§ 56-5-2941. Ignition interlock device.

Effective: November 19, 2018

Currentness

(A) The Department of Motor Vehicles shall require a person who is a resident of this State and who is convicted of violating the provisions of Sections 56-5-2930, 56-5-2933, 56-5-2945, 56-5-2947 except if the conviction was for Section 56-5-750, or a law of another state that prohibits a person from driving a motor vehicle while under the influence of alcohol or other drugs, to have installed on any motor vehicle the person drives, except a moped, an ignition interlock device designed to prevent driving of the motor vehicle if the person has consumed alcoholic beverages. This section does not apply to a person convicted of a first offense violation of Section 56-5-2930 or 56-5-2933, unless the person submitted to a breath test pursuant to Section 56-5-2950 and had an alcohol concentration of fifteen one-hundredths of one percent or more. The department may waive the requirements of this section if the department determines that the person has a medical condition that makes the person incapable of properly operating the installed device. If the department grants a medical waiver, the department shall suspend the person's driver's license for the length of time that the person would have been required to hold an ignition interlock restricted license. The department may withdraw the waiver at any time that the department becomes aware that the person's medical condition has improved to the extent that the person has become capable of properly operating an installed device. The department also shall require a person who has enrolled in the Ignition Interlock Device Program in lieu of the remainder of a driver's license suspension or denial of the issuance of a driver's license or permit to have an ignition interlock device installed on any motor vehicle the person drives, except a moped.

The length of time that a device is required to be affixed to a motor vehicle as set forth in Sections 56-1-286, 56-5-2945, 56-5-2947 except if the conviction was for Sections 56-5-750, 56-5-2951, and 56-5-2990.

(B) Notwithstanding the pleadings, for purposes of a second or a subsequent offense, the specified length of time that a device is required to be affixed to a motor vehicle is based on the Department of Motor Vehicle's records for offenses pursuant to Section 56-1-286, 56-5-2930, 56-5-2933, 56-5-2945, 56-5-2947 except if the conviction was for Section 56-5-750, 56-5-2950, or 56-5-2951.

(C) If a resident of this State is convicted of violating a law of another state that prohibits a person from driving a motor vehicle while under the influence of alcohol or other drugs, and, as a result of the conviction, the person is subject to an ignition interlock device requirement in the other state, the person is subject to the requirements of this section for the length of time that would have been required for an offense committed in South Carolina, or for the length of time that is required by the other state, whichever is longer.

(D) If a person from another state becomes a resident of South Carolina while subject to an ignition interlock device requirement in another state, the person only may obtain a South Carolina driver's license if the person enrolls in the South Carolina Ignition

Interlock Device Program pursuant to this section. The person is subject to the requirements of this section for the length of time that would have been required for an offense committed in South Carolina, or for the length of time that is required by the other state, whichever is longer.

(E) The person must be subject to an Ignition Interlock Device Point System managed by the Department of Probation, Parole and Pardon Services. A person accumulating a total of:

(1) two points or more, but less than three points, must have the length of time that the device is required extended by two months;

(2) three points or more, but less than four points, must have the length of time that the device is required extended by four months, shall submit to a substance abuse assessment pursuant to Section 56-5-2990, and shall successfully complete the plan of education and treatment, or both, as recommended by the certified substance abuse program. Should the person not complete the recommended plan, or not make progress toward completing the plan, the Department of Motor Vehicles shall suspend the person's ignition interlock restricted license until the plan is completed or progress is being made toward completing the plan;

(3) four points or more must have the person's ignition interlock restricted license suspended for a period of six months, shall submit to a substance abuse assessment pursuant to Section 56-5-2990, and successfully shall complete the plan of education and treatment, or both, as recommended by the certified substance abuse program. Should the person not complete the recommended plan or not make progress toward completing the plan, the Department of Motor Vehicles shall leave the person's ignition interlock restricted license in suspended status, or, if the license has already been reinstated following the six-month suspension, shall resuspend the person's ignition interlock restricted license until the plan is completed or progress is being made toward completing the plan. The Department of Alcohol and Other Drug Abuse Services is responsible for notifying the Department of Motor Vehicles of a person's completion and compliance with education and treatment programs. Upon reinstatement of driving privileges following the six-month suspension, the Department of Probation, Parole and Pardon Services shall reset the person's point total to zero points, and the person shall complete the remaining period of time on the ignition interlock device.

(F) The cost of the device must be borne by the person. However, if the person is indigent and cannot afford the cost of the device, the person may submit an affidavit of indigency to the Department of Probation, Parole and Pardon Services for a determination of indigency as it pertains to the cost of the device. The affidavit of indigency form must be made publicly accessible on the Department of Probation, Parole and Pardon Services' Internet website. If the Department of Probation, Parole and Pardon Services determines that the person is indigent as it pertains to the device, the Department of Probation, Parole and Pardon Services may authorize a device to be affixed to the motor vehicle and the cost of the initial installation and standard use of the device to be paid for by the Ignition Interlock Device Fund managed by the Department of Probation, Parole and Pardon Services. Funds remitted to the Department of Probation, Parole and Pardon Services for the Ignition Interlock Device Fund also may be used by the Department of Probation, Parole and Pardon Services to support the Ignition Interlock Device Program. For purposes of this section, a person is indigent if the person is financially unable to afford the cost of the ignition interlock device. In making a determination whether a person is indigent, all factors concerning the person's financial conditions should be considered including, but not limited to, income, debts, assets, number of dependents claimed for tax purposes, living expenses, and family situation. A presumption that the person is indigent is created if the person's net family income is less than or equal to the poverty guidelines established and revised annually by the United States Department of Health and Human Services published in the Federal Register. "Net income" means gross income minus deductions required by law. The determination of indigency is subject to periodic review at the discretion of the Department of Probation, Parole and Pardon Services.

(G) The ignition interlock service provider shall collect and remit monthly to the Ignition Interlock Device Fund a fee as determined by the Department of Probation, Parole and Pardon Services not to exceed thirty dollars per month for each month the person is required to drive a vehicle with a device. A service provider who fails to properly remit funds to the Ignition Interlock Device Fund may be decertified as a service provider by the Department of Probation, Parole and Pardon Services. If a service provider is decertified for failing to remit funds to the Ignition Interlock Device Fund, the cost for removal and replacement of a device must be borne by the service provider.

(H)(1) The person shall have the device inspected every sixty days to verify that the device is affixed to the motor vehicle and properly operating, and to allow for the preparation of an ignition interlock device inspection report by the service provider indicating the person's alcohol content at each attempt to start and running retest during each sixty-day period. Failure of the person to have the interlock device inspected every sixty days must result in one ignition interlock device point.

(2) Only a service provider authorized by the Department of Probation, Parole and Pardon Services to perform inspections on ignition interlock devices may conduct inspections. The service provider immediately shall report devices that fail inspection to the Department of Probation, Parole and Pardon Services. The report must contain the person's name, identify the vehicle upon which the failed device is installed, and the reason for the failed inspection.

(3) If the inspection report reflects that the person has failed to complete a running retest, the person must be assessed one ignition interlock device point.

(4) If any inspection report or any photographic images collected by the device shows that the person has violated subsection (M), (O), or (P), the person must be assessed one and one-half ignition interlock device points.

(5) The inspection report must indicate the person's alcohol content at each attempt to start and running retest during each sixty-day period. If the report reflects that the person violated a running retest by having an alcohol concentration of:

(a) two one-hundredths of one percent or more but less than four one-hundredths of one percent, the person must be assessed one-half ignition interlock device point;

(b) four one-hundredths of one percent or more but less than fifteen one-hundredths of one percent, the person must be assessed one ignition interlock device point; or

(c) fifteen one-hundredths of one percent or more, the person must be assessed two ignition interlock device points.

(6) A person may appeal less than four ignition interlock device points received to an administrative hearing officer with the Department of Probation, Parole and Pardon Services through a process established by the Department of Probation, Parole and Pardon Services. The administrative hearing officer's decision on appeal is final and no appeal from such decision is allowed.

(I)(1) If a person's license is suspended due to the accumulation of four or more ignition interlock device points, the Department of Probation, Parole and Pardon Services must provide a notice of assessment of ignition interlock points which must advise the

person of his right to request a contested case hearing before the Office of Motor Vehicle Hearings. The notice of assessment of ignition interlock points also must advise the person that, if he does not request a contested case hearing within thirty days of the issuance of the notice of assessment of ignition interlock points, he waives his right to the administrative hearing and the person's driver's license is suspended pursuant to subsection (E).

(2) The person may seek relief from the Department of Probation, Parole and Pardon Services' determination that a person's license is suspended due to the accumulation of four or more ignition interlock device points by filing a request for a contested case hearing with the Office of Motor Vehicle Hearings pursuant to the Administrative Procedures Act. The filing of the request for a contested case hearing will stay the driver's license suspension pending the outcome of the hearing. However, the filing of the request for a contested case hearing will not stay the requirements of the person having the ignition interlock device.

(3) At the contested case hearing:

(a) the assessment of driver's license suspension can be upheld;

(b) the driver's license suspension can be overturned, or any or all of the contested ignition interlock points included in the device inspection report that results in the contested suspension can be overturned, and the penalties as specified pursuant to subsection (E) will then be imposed accordingly.

(4) A contested case hearing must be held after the request for the hearing is received by the Office of Motor Vehicle Hearings. Nothing in this section prohibits the introduction of evidence at the contested case hearing on the issue of the accuracy of the ignition interlock device. However, if the ignition interlock device is found to not be in working order due to failure of regular maintenance and upkeep by the person challenging the accumulation of ignition interlock points pursuant to the requirement of the ignition interlock program, such allegation cannot serve as a basis to overturn point accumulations.

(5) A written order must be issued by the Office of Motor Vehicle Hearings to all parties either reversing or upholding the assessment of ignition interlock points.

(6) A contested case hearing is governed by the Administrative Procedures Act, and a person has a right to appeal the decision of the hearing officer pursuant to that act to the Administrative Law Court in accordance with its appellate rules. The filing of an appeal does not stay the ignition interlock requirement.

(J) Five years from the date of the person's driver's license reinstatement and every five years thereafter, a fourth or subsequent offender whose license has been reinstated pursuant to Section 56-1-385 may apply to the Department of Probation, Parole and Pardon Services for removal of the ignition interlock device and the removal of the restriction from the person's driver's license. The Department of Probation, Parole and Pardon Services may, for good cause shown, notify the Department of Motor Vehicles that the person is eligible to have the restriction removed from the person's license.

(K)(1) Except as otherwise provided in this section, it is unlawful for a person who is subject to the provisions of this section to drive a motor vehicle that is not equipped with a properly operating, certified ignition interlock device. A person who violates this subsection:

(a) for a first offense, is guilty of a misdemeanor, and, upon conviction, must be fined not less than one thousand dollars or imprisoned not more than one year. The person must have the length of time that the ignition interlock device is required extended by six months;

(b) for a second offense, is guilty of a misdemeanor, and, upon conviction, must be fined not less than five thousand dollars or imprisoned not more than three years. The person must have the length of time that the ignition interlock device is required extended by one year; and

(c) for a third or subsequent offense, is guilty of a felony, and, upon conviction, must be fined not less than ten thousand dollars or imprisoned not more than ten years. The person must have the length of time that the ignition interlock device is required extended by three years.

(2) No portion of the minimum sentence imposed pursuant to this subsection may be suspended.

(3) Notwithstanding any other provision of law, a first or second offense punishable pursuant to this subsection may be tried in summary court.

(L)(1) A person who is required in the course and scope of the person's employment to drive a motor vehicle owned by the person's employer may drive the employer's motor vehicle without installation of an ignition interlock device, provided that the person's use of the employer's motor vehicle is solely for the employer's business purposes.

(2) This subsection does not apply to:

(a) a person convicted of a second or subsequent violation of Section 56-5-2930, 56-5-2933, 56-5-2945, or a law of another state that prohibits a person from driving a motor vehicle while under the influence of alcohol or other drugs, unless the person's driving privileges have been suspended for not less than one year or the person has had an ignition interlock device installed for not less than one year on each of the motor vehicles owned or operated, or both, by the person.

(b) a person who is self employed or to a person who is employed by a business owned in whole or in part by the person or a member of the person's household or immediate family unless during the defense of a criminal charge, the court finds that the vehicle's ownership by the business serves a legitimate business purpose and that titling and registration of the vehicle by the business was not done to circumvent the intent of this section.

(3) Whenever the person operates the employer's vehicle pursuant to this subsection, the person shall have with the person a copy of the Department of Motor Vehicles' form specified by Section 56-1-400(B).

(4) This subsection will be construed in parallel with the requirements of Section 56-1-400(B). A waiver issued pursuant to this subsection will be subject to the same review and revocation as described in Section 56-1-400(B).

(M) It is unlawful for a person to tamper with or disable, or attempt to tamper with or disable, an ignition interlock device installed on a motor vehicle pursuant to this section. Obstructing or obscuring the camera lens of an ignition interlock device

constitutes tampering. A person who violates this subsection is guilty of a misdemeanor and, upon conviction, must be fined not more than five hundred dollars or imprisoned not more than thirty days, or both.

(N) It is unlawful for a person to knowingly rent, lease, or otherwise provide a person who is subject to this section with a motor vehicle without a properly operating, certified ignition interlock device. This subsection does not apply if the person began the lease contract period for the motor vehicle prior to the person's arrest for a first offense violation of Section 56-5-2930 or 56-5-2933. A person who violates this subsection is guilty of a misdemeanor, and, upon conviction, must be fined not more than five hundred dollars or imprisoned not more than thirty days, or both.

(O) It is unlawful for a person who is subject to the provisions of this section to solicit or request another person, or for a person to solicit or request another person on behalf of a person who is subject to the provisions of this section, to engage an ignition interlock device to start a motor vehicle with a device installed pursuant to this section or to conduct a running retest while the vehicle is in operation. A person who violates this subsection is guilty of a misdemeanor, and, upon conviction, must be fined not more than five hundred dollars or imprisoned not more than thirty days, or both.

(P) It is unlawful for another person on behalf of a person subject to the provisions of this section to engage an ignition interlock device to start a motor vehicle with a device installed pursuant to this section or to conduct a running retest while that vehicle is in operation. A person who violates this subsection is guilty of a misdemeanor, and, upon conviction, must be fined not more than five hundred dollars or imprisoned not more than thirty days, or both.

(Q) Only ignition interlock devices certified by the Department of Probation, Parole and Pardon Services may be used to fulfill the requirements of this section.

(1) The Department of Probation, Parole and Pardon Services shall certify whether a device meets the accuracy requirements and specifications provided in guidelines or regulations adopted by the National Highway Traffic Safety Administration, as amended from time to time. All devices certified to be used in South Carolina must be set to prohibit the starting of a motor vehicle when an alcohol concentration of two one-hundredths of one percent or more is measured and all running retests must record violations of an alcohol concentration of two one-hundredths of one percent or more, and must capture a photographic image of the driver as the driver is operating the ignition interlock device. The photographic images recorded by the ignition interlock device may be used by the Department of Probation, Parole and Pardon Services to aid in the Department of Probation, Parole and Pardon Services' management of the Ignition Interlock Device Program; however, neither the Department of Probation, Parole and Pardon Services, the Department of Probation, Parole and Pardon Services' employees, nor any other political subdivision of this State may be held liable for any injury caused by a driver or other person who operates a motor vehicle after the use or attempted use of an ignition interlock device.

(2) The Department of Probation, Parole and Pardon Services shall maintain a current list of certified ignition interlock devices and manufacturers. The list must be updated at least quarterly. If a particular certified device fails to continue to meet federal requirements, the device must be decertified, may not be used until it is compliant with federal requirements, and must be replaced with a device that meets federal requirements. The cost for removal and replacement must be borne by the manufacturer of the noncertified device.

(3) Only ignition interlock installers certified by the Department of Probation, Parole and Pardon Services may install and service ignition interlock devices required pursuant to this section. The Department of Probation, Parole and Pardon Services shall maintain a current list of vendors that are certified to install the devices.

(R) In addition to availability under the Freedom of Information Act, any Department of Probation, Parole and Pardon Services policy concerning ignition interlock devices must be made publicly accessible on the Department of Probation, Parole and Pardon Services' Internet website. Information obtained by the Department of Probation, Parole and Pardon Services and ignition interlock service providers regarding a person's participation in the Ignition Interlock Device Program is to be used for internal purposes only and is not subject to the Freedom of Information Act. A person participating in the Ignition Interlock Device Program or the person's family member may request that the Department of Probation, Parole and Pardon Services provide the person or family member with information obtained by the department and ignition interlock service providers. The Department of Probation, Parole and Pardon Services may release the information to the person or family member at the department's discretion. The Department of Probation, Parole and Pardon Services and ignition interlock service providers must purge all photographic images collected by the device no later than twelve months from the date of the person's completion of the Ignition Interlock Device Program. The Department of Probation, Parole and Pardon Services may retain the images past twelve months if there are any pending appeals or contested case hearings involved with that person, and at their conclusion must purge the images. The Department of Probation, Parole and Pardon Services and ignition interlock service providers must purge all personal information regarding a person's participation in the Ignition Interlock Device Program no later than twelve months from the date of the person's completion of the Ignition Interlock Device Program except for that information which is relevant for pending legal matters.

(S) The Department of Probation, Parole and Pardon Services shall develop policies including, but not limited to, the certification, use, maintenance, and operation of ignition interlock devices and the Ignition Interlock Device Fund.

(T) This section shall apply retroactively to any person currently serving a suspension or denial of the issuance of a license or permit due to a suspension listed in subsection (A).

Credits

HISTORY: 2000 Act No. 390, § 12; 2007 Act No. 103, § 23.A, eff January 1, 2008; 2008 Act No. 285, § 1, eff January 1, 2009; 2014 Act No. 158 (S.137), § 9, eff October 1, 2014; 2015 Act No. 34 (S.590), § 3, eff June 1, 2015; 2017 Act No. 89 (H.3247), § 34, eff November 19, 2018.

Code 1976 § 56-5-2941, SC ST § 56-5-2941

Current through 2022 Act No. 216, except Act Nos. 149, 151, 171-172, 174- 175, 177, 188, 198, 200, 202, 210, and 213-214, subject to final approval by the Legislative Council, technical revisions by the Code Commissioner, and publication in the Official Code of Laws.

Code of Laws of South Carolina 1976 Annotated
Title 56. Motor Vehicles
Chapter 1. Driver's License
Article 1. General Provisions

Code 1976 § 56-1-400

§ 56-1-400. Surrender of license; issuance of new license; endorsing suspension and ignition interlock device on license.

Effective: July 1, 2016

Currentness

(A) The Department of Motor Vehicles, upon suspending or revoking a license, shall require that the license be surrendered to the department. At the end of the suspension period, other than a suspension for reckless driving, driving under the influence of intoxicants, driving with an unlawful alcohol concentration, felony driving under the influence of intoxicants, or pursuant to the point system, the department shall issue a new license to the person. If the person has not held a license within the previous nine months, the department shall not issue or restore a license which has been suspended for reckless driving, driving under the influence of intoxicants, driving with an unlawful alcohol concentration, felony driving under the influence of intoxicants, or for violations under the point system, until the person has filed an application for a new license, submitted to an examination as upon an original application, and satisfied the department, after an investigation of the person's driving ability, that it would be safe to grant the person the privilege of driving a motor vehicle on the public highways. The department, in the department's discretion, where the suspension is for a violation under the point system, may waive the examination, application, and investigation. A record of the suspension must be endorsed on the license issued to the person, showing the grounds of the suspension. If a person is permitted to operate a motor vehicle only with an ignition interlock device installed pursuant to Section 56-5-2941, the restriction on the license issued to the person must conspicuously identify the person as a person who only may drive a motor vehicle with an ignition interlock device installed, and the restriction must be maintained on the license for the duration of the period for which the ignition interlock device must be maintained pursuant to Sections 56-1-286, 56-5-2945, and 56-5-2947 except if the conviction was for Section 56-5-750, 56-5-2951, or 56-5-2990. For purposes of Title 56, the license must be referred to as an ignition interlock restricted license. The fee for an ignition interlock restricted license is one hundred dollars, which shall be placed by the Comptroller General into the State Highway Fund as established by Section 57-11-20, to be distributed as provided in Section 11-43-167. Unless the person establishes that the person is entitled to the exemption set forth in subsection (B), no ignition interlock restricted license may be issued by the department without written notification from the authorized ignition interlock service provider that the ignition interlock device has been installed and confirmed to be in working order. If a person chooses to not have an ignition interlock device installed when required by law, the license will remain suspended indefinitely. If the person subsequently decides to have the ignition interlock device installed, the device must be installed for the length of time set forth in Sections 56-1-286, 56-5-2945, and 56-5-2947 except if the conviction was for Section 56-5-750, 56-5-2951, or 56-5-2990. This provision does not affect nor bar the reckoning of prior offenses for reckless driving and driving under the influence of intoxicating liquor or narcotic drugs, as provided in Article 23, Chapter 5 of this title.

(B)(1) A person who does not own a vehicle, as shown in the Department of Motor Vehicles' records, and who certifies that the person:

(a) cannot obtain a vehicle owner's permission to have an ignition interlock device installed on a vehicle;

(b) will not be driving a vehicle other than a vehicle owned by the person's employer; and

(c) will not own a vehicle during the ignition interlock period, may petition the department, on a form provided by the department, for issuance of an ignition interlock restricted license that permits the person to operate a vehicle specified by the employee according to the employer's needs as contained in the employer's statement during the days and hours specified in the employer's statement without having to show that an ignition interlock device has been installed.

(2) The form must contain:

(a) identifying information about the employer's noncommercial vehicles that the person will be operating;

(b) a statement that explains the circumstances in which the person will be operating the employer's vehicles; and

(c) the notarized signature of the person's employer.

(3) This subsection does not apply to:

(a) a person convicted of a second or subsequent violation of Section 56-5-2930, 56-5-2933, 56-5-2945, or a law of another state that prohibits a person from driving a motor vehicle while under the influence of alcohol or other drugs, unless the person's driving privileges have been suspended for not less than one year or the person has had an ignition interlock device installed for not less than one year on each of the motor vehicles owned or operated, or both, by the person.

(b) a person who is self-employed or to a person who is employed by a business owned in whole or in part by the person or a member of the person's household or immediate family unless during the defense of a criminal charge, the court finds that the vehicle's ownership by the business serves a legitimate business purpose and that titling and registration of the vehicle by the business was not done to circumvent the intent of this section.

(4) Whenever the person operates the employer's vehicle pursuant to this subsection, the person shall have with the person a copy of the form specified by this subsection.

(5) The determination of eligibility for the waiver is subject to periodic review at the discretion of the department. The department shall revoke a waiver issued pursuant to this exemption if the department determines that the person has been driving a vehicle other than the vehicle owned by the person's employer or has been operating the person's employer's vehicle outside the locations, days, or hours specified by the employer in the department's records. The person may seek relief from the department's determination by filing a request for a contested case hearing with the Office of Motor Vehicle Hearings pursuant to the Administrative Procedures Act and the rules of procedure for the Office of Motor Vehicle Hearings.

(C) A person whose license has been suspended or revoked for an offense within the jurisdiction of the court of general sessions shall provide the department with proof that the fine owed by the person has been paid before the department may issue the person a license. Proof that the fine has been paid may be a receipt from the clerk of court of the county in which the conviction occurred stating that the fine has been paid in full.

Credits

HISTORY: 1962 Code § 46-186; 1952 Code §§ 46-179, 46-349; 1942 Code § 5996; 1932 Code § 5996; 1930 (36) 1057; 1949 (46) 466; 1955 (49) 177; 1959 (51) 421; 1965 (54) 461; 1984 Act No. 478, § 1; 1993 Act No. 181, § 1318; 1996 Act No. 459, § 91; 2007 Act No. 103, § 23.B, eff January 1, 2008; 2008 Act No. 285, § 2, eff January 1, 2009; 2014 Act No. 158 (S.137), § 3, eff October 1, 2014; 2015 Act No. 34 (S.590), § 1, eff June 1, 2015; 2016 Act No. 275 (S.1258), § 20, eff July 1, 2016.

Code 1976 § 56-1-400, SC ST § 56-1-400

Current through 2022 Act No. 216, except Act Nos. 149, 151, 171-172, 174- 175, 177, 188, 198, 200, 202, 210, and 213-214, subject to final approval by the Legislative Council, technical revisions by the Code Commissioner, and publication in the Official Code of Laws.

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Code of Laws of South Carolina 1976 Annotated

Title 56. Motor Vehicles

Chapter 5. Uniform Act Regulating Traffic on Highways

Article 23. Reckless Homicide; Reckless Driving; Driving While Under the Influence of Intoxicating Liquor,
Drugs or Narcotics

Code 1976 § 56-5-2949

§ 56-5-2949. Policies, procedures and regulations on the SLED internet website.

Effective: February 10, 2009

Currentness

In addition to availability under the Freedom of Information Act, any South Carolina Law Enforcement Division policy, procedure, or regulation concerning breath alcohol testing or breath site video recording which is in effect on or after July 1, 2000, must be made publicly accessible on the SLED Internet web site. A policy, procedure, or regulation may be removed from the SLED web site only after five years from the effective date of the subsequent revision.

Credits

HISTORY: 2000 Act No. 390, § 13; 2007 Act No. 103, § 23.C, eff January 1, 2008; 2008 Act No. 201, § 16, eff February 10, 2009.

Code 1976 § 56-5-2949, SC ST § 56-5-2949

Current through 2022 Act No. 216, except Act Nos. 149, 151, 171-172, 174- 175, 177, 188, 198, 200, 202, 210, and 213-214, subject to final approval by the Legislative Council, technical revisions by the Code Commissioner, and publication in the Official Code of Laws.

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SECTION 56-1-285. Revocation or refusal to renew license for nonpayment of fees.

The Department of Motor Vehicles may revoke or refuse to renew the driving privilege of a person for failure to remit a tax or fee administered by the department. Upon payment of all taxes and fees administered by the department, and the payment of any applicable fee, the department may reinstate a person's driving privilege.

HISTORY: 1996 Act No. 459, Section 77.

Code of Laws of South Carolina 1976 Annotated
Title 56. Motor Vehicles
Chapter 1. Driver's License
Article 1. General Provisions

Code 1976 § 56-1-286

§ 56-1-286. Suspension of license or permit or denial of issuance of license or permit to persons under the age of twenty-one who drive motor vehicles with certain amount of alcohol concentration.

Effective: July 1, 2016

Currentness

(A) The Department of Motor Vehicles shall suspend the driver's license, permit, or nonresident operating privilege of, or deny the issuance of a license or permit to a person under the age of twenty-one who drives a motor vehicle and has an alcohol concentration of two one-hundredths of one percent or more. In cases in which a law enforcement officer initiates suspension proceedings for a violation of this section, the officer has elected to pursue a violation of this section and is subsequently prohibited from prosecuting the person for a violation of Section 63-19-2440, 63-19-2450, 56-5-2930, or 56-5-2933, arising from the same incident.

(B) A person under the age of twenty-one who drives a motor vehicle in this State is considered to have given consent to chemical tests of the person's breath or blood for the purpose of determining the presence of alcohol.

(C) A law enforcement officer who has arrested a person under the age of twenty-one for a violation of Chapter 5 of this title (Uniform Act Regulating Traffic on Highways), or any other traffic offense established by a political subdivision of this State, and has reasonable suspicion that the person under the age of twenty-one has consumed alcoholic beverages and driven a motor vehicle may order the testing of the person arrested to determine the person's alcohol concentration.

A law enforcement officer may detain and order the testing of a person to determine the person's alcohol concentration if the officer has reasonable suspicion that a motor vehicle is being driven by a person under the age of twenty-one who has consumed alcoholic beverages.

(D) A test must be administered at the direction of the primary investigating law enforcement officer. At the officer's direction, the person first must be offered a breath test to determine the person's alcohol concentration. If the person physically is unable to provide an acceptable breath sample because the person has an injured mouth or is unconscious or dead, or for any other reason considered acceptable by licensed medical personnel, a blood sample may be taken. The breath test must be administered by a person trained and certified by the South Carolina Criminal Justice Academy, pursuant to the State Law Enforcement Division's policies. The primary investigating officer may administer the test. Blood samples must be obtained by physicians licensed by the State Board of Medical Examiners, registered nurses licensed by the State Board of Nursing, or other medical personnel trained to obtain these samples in a licensed medical facility. Blood samples must be obtained and handled in accordance with procedures approved by the division. The division shall administer the provisions of this subsection and shall promulgate regulations necessary to carry out the subsection's provisions. The costs of the tests administered at the officer's direction must be paid from the state's general fund. However, if the person is subsequently convicted of violating Section 56-5-2930, 56-5-2933, or 56-5-2945, then, upon conviction, the person shall pay twenty-five dollars for the costs of the tests. The twenty-five dollars

must be placed by the Comptroller General into a special restricted account to be used by the State Law Enforcement Division to offset the costs of administration of the breath testing devices, breath testing site video program, and toxicology laboratory.

The person tested or giving samples for testing may have a qualified person of the person's choice conduct additional tests at the person's expense and must be notified in writing of that right. A person's request or failure to request additional blood tests is not admissible against the person in any proceeding. The person's failure or inability to obtain additional tests does not preclude the admission of evidence relating to the tests or samples taken at the officer's direction. The officer shall provide affirmative assistance to the person to contact a qualified person to conduct and obtain additional tests. Affirmative assistance shall, at a minimum, include providing transportation for the person to the nearest medical facility which provides blood tests to determine a person's alcohol concentration. If the medical facility obtains the blood sample but refuses or fails to test the blood to determine the person's alcohol concentration, the State Law Enforcement Division shall test the blood and provide the result to the person and to the officer. Failure to provide affirmative assistance upon request to obtain additional tests bars the admissibility of the breath test result in a judicial or administrative proceeding.

(E) A qualified person and the person's employer who obtain samples or administer the tests or assist in obtaining samples or administering of tests at the primary investigating officer's direction are immune from civil and criminal liability unless the obtaining of samples or the administering of tests is performed in a negligent, reckless, or fraudulent manner. A person may not be required by the officer ordering the tests to obtain or take any sample of blood or urine.

(F) If a person refuses upon the primary investigating officer's request to submit to chemical tests as provided in subsection (C), the department shall suspend the person's license, permit, or nonresident operating privilege, or deny the issuance of a license or permit to the person for:

(1) six months; or

(2) one year, if the person, within the three years preceding the violation of this section, has been previously convicted of violating Section 56-5-2930, 56-5-2933, 56-5-2945, or a law of another state that prohibits a person from driving a motor vehicle while under the influence of alcohol or other drugs, or the person has had a previous suspension imposed pursuant to Section 56-1-286, 56-5-2951, or 56-5-2990.

(G) If a person submits to a chemical test and the test result indicates an alcohol concentration of two one-hundredths of one percent or more, the department shall suspend the person's license, permit, or nonresident operating privilege, or deny the issuance of a license or permit to the person for:

(1) three months; or

(2) six months, if the person, within the three years preceding the violation of this section, has been previously convicted of violating Section 56-5-2930, 56-5-2933, 56-5-2945, or a law of another state that prohibits a person from driving a motor vehicle while under the influence of alcohol or other drugs, or the person has had a previous suspension imposed pursuant to Section 56-1-286, 56-5-2951, or 56-5-2990.

(H) A person's driver's license, permit, or nonresident operating privilege must be restored when the person's period of suspension pursuant to subsection (F) or (G) has concluded, even if the person has not yet completed the Alcohol and Drug

Safety Action Program in which the person is enrolled. After the person's driving privilege is restored, the person shall continue to participate in the Alcohol and Drug Safety Action Program in which the person is enrolled. If the person withdraws from or in any way stops making satisfactory progress toward the completion of the Alcohol and Drug Safety Action Program, the person's license must be suspended until the person completes the Alcohol and Drug Safety Action Program. A person shall be attending or have completed an Alcohol and Drug Safety Action Program pursuant to Section 56-5-2990 before the person's driving privilege may be restored at the conclusion of the suspension period.

(I) A test may not be administered or samples taken unless, upon activation of the video recording equipment and prior to the commencement of the testing procedure, the person has been given a written copy of and verbally informed that:

(1) the person does not have to take the test or give the samples but that the person's privilege to drive must be suspended or denied for at least six months if the person refuses to submit to the tests, and that the person's refusal may be used against the person in court;

(2) the person's privilege to drive must be suspended for at least three months if the person takes the test or gives the samples and has an alcohol concentration of two one-hundredths of one percent or more;

(3) the person has the right to have a qualified person of the person's own choosing conduct additional independent tests at the person's expense;

(4) the person has the right to request a contested case hearing within thirty days of the issuance of the notice of suspension; and

(5) the person shall enroll in an Alcohol and Drug Safety Action Program within thirty days of the issuance of the notice of suspension if the person does not request a contested case hearing or within thirty days of the issuance of notice that the suspension has been upheld at the contested case hearing.

The primary investigating officer promptly shall notify the department of a person's refusal to submit to a test requested pursuant to this section as well as the test result of a person who submits to a test pursuant to this section and registers an alcohol concentration of two one-hundredths of one percent or more. The notification must be in a manner prescribed by the department.

(J) If the test registers an alcohol concentration of two one-hundredths of one percent or more or if the person refuses to be tested, the primary investigating officer shall issue a notice of suspension, and the suspension is effective beginning on the date of the alleged violation of this section. The person, within thirty days of the issuance of the notice of suspension, shall enroll in an Alcohol and Drug Safety Action Program pursuant to Section 56-5-2990 if the person does not request an administrative hearing. If the person does not request an administrative hearing and does not enroll in an Alcohol and Drug Safety Action Program within thirty days, the suspension remains in effect, and a temporary alcohol license must not be issued. If the person drives a motor vehicle during the period of suspension without a temporary alcohol license, the person must be penalized for driving while the person's license is suspended pursuant to Section 56-1-460.

(K) Within thirty days of the issuance of the notice of suspension the person may:

(1) obtain a temporary alcohol license by filing with the Department of Motor Vehicles a form for this purpose. A one hundred dollar fee must be assessed for obtaining a temporary alcohol license. Twenty-five dollars of the fee collected by

the Department of Motor Vehicles must be distributed to the Department of Public Safety for supplying and maintaining all necessary vehicle videotaping equipment. The remaining seventy-five dollars must be placed by the Comptroller General into the State Highway Fund as established by Section 57-11-20, to be distributed as provided in Section 11-43-167. The temporary alcohol license allows the person to drive a motor vehicle without any restrictive conditions pending the outcome of the contested case hearing provided for in this section or the final decision or disposition of the matter; and

(2) request a contested case hearing before the Office of Motor Vehicle Hearings pursuant to its rules of procedure.

At the contested case hearing if:

(a) the suspension is upheld, the person shall enroll in an Alcohol and Drug Safety Action Program and the person's driver's license, permit, or nonresident operating privilege must be suspended or the person must be denied the issuance of a license or permit for the remainder of the suspension periods provided for in subsections (F) and (G); or

(b) the suspension is overturned, the person's driver's license, permit, or nonresident operating privilege must be reinstated.

(L) The periods of suspension provided for in subsections (F) and (G) begin on the day the notice of suspension is issued, or at the expiration of any other suspensions, and continue until the person applies for a temporary alcohol license and requests an administrative hearing.

(M) If a person does not request a contested case hearing, the person has waived the person's right to the hearing and the person's suspension must not be stayed but shall continue for the periods provided for in subsections (F) and (G).

(N) The notice of suspension must advise the person of the requirement to enroll in an Alcohol and Drug Safety Action Program and of the person's right to obtain a temporary alcohol license and to request a contested case hearing. The notice of suspension also must advise the person that, if the person does not request a contested case hearing within thirty days of the issuance of the notice of suspension, the person shall enroll in an Alcohol and Drug Safety Action Program, and the person waives the person's right to the contested case hearing, and the suspension continues for the periods provided for in subsections (F) and (G).

(O) A contested case hearing must be held after the request for the hearing is received by the Office of Motor Vehicle Hearings. The scope of the hearing is limited to whether the person:

(1) was lawfully arrested or detained;

(2) was given a written copy of and verbally informed of the rights enumerated in subsection (I);

(3) refused to submit to a test pursuant to this section; or

(4) consented to taking a test pursuant to this section, and the:

(a) reported alcohol concentration at the time of testing was two one-hundredths of one percent or more;

(b) individual who administered the test or took samples was qualified pursuant to this section;

(c) test administered and samples taken were conducted pursuant to this section; and

(d) the machine was operating properly.

Nothing in this section prohibits the introduction of evidence at the contested case hearing on the issue of the accuracy of the breath test result.

The Department of Motor Vehicles and the arresting officer shall have the burden of proof in contested case hearings conducted pursuant to this section. If neither the Department of Motor Vehicles nor the arresting officer appears at the contested case hearing, the hearing officer shall rescind the suspension of the person's license, permit, or nonresident's operating privilege regardless of whether the person requesting the contested case hearing or the person's attorney appears at the contested case hearing.

A written order must be issued to all parties either reversing or upholding the suspension of the person's license, permit, or nonresident's operating privilege, or denying the issuance of a license or permit. If the suspension is upheld, the person must receive credit for the number of days the person's license was suspended before the person received a temporary alcohol license and requested the contested case hearing.

(P) A contested case hearing is a contested proceeding under the Administrative Procedures Act, and a person has a right to appeal the decision of the hearing officer pursuant to that act to the Administrative Law Court in accordance with its appellate rules. The filing of an appeal shall stay the suspension until a final decision is issued.

(Q) A person who is unconscious or otherwise in a condition rendering him incapable of refusal is considered to be informed and not to have withdrawn the consent provided for in subsection (B) of this section.

(R) When a nonresident's privilege to drive a motor vehicle in this State has been suspended under the procedures of this section, the department shall give written notice of the action taken to the motor vehicle administrator of the state of the person's residence and of any state in which he has a license or permit.

(S) A person required to submit to a test must be provided with a written report including the time of arrest, the time of the tests, and the results of the tests before any proceeding in which the results of the tests are used as evidence. A person who obtains additional tests shall furnish a copy of the time, method, and results of any additional tests to the officer before any trial, hearing, or other proceeding in which the person attempts to use the results of the additional tests as evidence.

(T) A person whose driver's license or permit is suspended under this section is not required to file proof of financial responsibility.

(U) The department shall administer the provisions of this section, not including subsection (D), and shall promulgate regulations necessary to carry out its provisions.

(V) Notwithstanding any other provision of law, no suspension imposed pursuant to this section is counted as a demerit or result in any insurance penalty for automobile insurance purposes if at the time the person was stopped, the person whose license is suspended had an alcohol concentration that was less than eight one-hundredths of one percent.

Credits

HISTORY: 1998 Act No. 434, § 2; 2000 Act No. 390, §§ 3-5; 2001 Act No. 79, § 2.C; 2003 Act No. 61, § 4; 2006 Act No. 381, § 8, eff June 13, 2006; 2008 Act No. 201, § 2, eff February 10, 2009; 2012 Act No. 212, § 2, eff June 7, 2012; 2012 Act No. 264, § 2, eff June 18, 2012; 2014 Act No. 158 (S.137), § 2, eff October 1, 2014; 2016 Act No. 275 (S.1258), § 17, eff July 1, 2016.

Code 1976 § 56-1-286, SC ST § 56-1-286

Current through 2022 Act No. 216, except Act Nos. 149, 151, 171-172, 174- 175, 177, 188, 198, 200, 202, 210, and 213-214, subject to final approval by the Legislative Council, technical revisions by the Code Commissioner, and publication in the Official Code of Laws.

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Code of Laws of South Carolina 1976 Annotated
Title 56. Motor Vehicles
Chapter 1. Driver's License
Article 3. Point System for Evaluating Operating Records of Drivers

Code 1976 § 56-1-746

§ 56-1-746. Suspension of driver's license for alcohol-related offenses; penalties; special restricted licenses.

Effective: July 1, 2016

Currentness

(A) The Department of Motor Vehicles shall suspend the driver's license of a person convicted of an offense contained in Sections 56-1-510(2), 56-1-510(5), 56-1-515, 61-4-60, 63-19-2440, and 63-19-2450 as follows:

- (1) for a conviction for a first offense, for a period of one hundred twenty days; and
- (2) for a conviction for a second or subsequent offense, for a period of one year.

(B) For the purposes of determining a prior offense, a conviction for an offense enumerated in subsection (A) within ten years of the date of the violation is considered a prior offense.

(C) Notwithstanding the provisions of Section 56-1-460, a person convicted pursuant to the provisions of this section must be punished pursuant to Section 56-1-440 and is not required to furnish proof of financial responsibility as provided for in Section 56-9-500. The conviction may not result in an insurance penalty pursuant to the Merit Rating Plan promulgated by the Department of Insurance.

(D)(1) If an individual is employed or enrolled in a college or university, or a court-ordered drug program, while his driver's license is suspended pursuant to this section, he may apply for a special restricted driver's license permitting him to drive only to and from work, his place of education, or the court-ordered drug program, and in the course of his employment, education, or a court-ordered drug program during the period of suspension. The department may issue the special restricted driver's license only upon a showing by the individual that he is employed or enrolled in a college, university, or court-ordered drug program, that he lives further than one mile from his place of employment, education, or court-ordered drug program, and that there is no adequate public transportation between his residence and his place of employment, his place of education, or court-ordered drug program.

- (2) If the department issues a special restricted driver's license, it shall designate reasonable restrictions on the times during which and routes on which the individual may operate a motor vehicle. A change in the employment hours, place of employment, status as a student, status of attendance in his court-ordered drug program, or residence must be reported immediately to the department by the licensee.

(3) The fee for a special restricted driver's license is one hundred dollars, but no additional fee is due because of changes in the place and hours of employment, education, or residence. Twenty dollars of this fee must be deposited in the state general fund and eighty dollars must be placed by the Comptroller General into the State Highway Fund as established by Section 57-11-20, to be distributed as provided in Section 11-43-167.

(4) The operation of a motor vehicle outside the time limits and route imposed by a special restricted license by the person issued that license is a violation of Section 56-1-460.

Credits

HISTORY: 1990 Act No. 602, § 5; 1992 Act No. 421, § 2; 1993 Act No. 181, § 1332; 1996 Act No. 459, § 106; 2001 Act No. 79, § 2.G; 2002 Act No. 348, § 14; 2002 Act No. 354, § 7; 2007 Act No. 103, § 8, eff July 1, 2007; 2016 Act No. 275 (S.1258), § 24, eff July 1, 2016.

Code 1976 § 56-1-746, SC ST § 56-1-746

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SECTION 56-1-288. Tax refund garnishment for failure to comply with financial responsibility.

The Department of Motor Vehicles may garnish a person's income tax refund instead of revoking a person's driver's license or vehicle registration for failure to satisfy financial responsibility requirements of Title 56.

HISTORY: 1996 Act No. 459, Section 78.

SECTION 56-1-290. Revocation for operating unlicensed taxis in certain counties.

In addition to the grounds for suspension or revocation of license set forth elsewhere in this article and in Chapter 5 of this title, the Department of Motor Vehicles shall forthwith revoke for a period of six months the license of any person upon receiving satisfactory evidence of the conviction of any such person who has been found guilty of operating a vehicle for hire without a license in violation of Section 58-23-1210.

HISTORY: 1962 Code Section 46-176; 1954 (48) 1791; 1993 Act No. 181, Section 1306; 1996 Act No. 459, Section 79.

SECTION 56-1-292. Suspension for failure to pay for gasoline.

In addition to the grounds for suspension or revocation of a driver's license provided in this article and in Chapter 5 of this title, the Department of Motor Vehicles shall suspend the driver's license of a person upon receiving satisfactory evidence that the person has been convicted of a violation of Section 16-13-185 and that the sentencing judge has imposed a sentence which includes a suspension of the person's driver's license.

HISTORY: 2000 Act No. 223, Section 2.

SECTION 56-1-300. Suspension or revocation of license without preliminary hearing.

In addition to other authority of law, the Department of Motor Vehicles may suspend or revoke the license of a driver without preliminary hearing upon a showing by its records or other sufficient evidence that licensee:

(1) Has been convicted of an offense for which mandatory revocation or suspension is required upon conviction; or

(2) Has been convicted of an offense in another state which if committed in this State would be grounds for suspension or revocation.

HISTORY: 1962 Code Section 46-177; 1959 (51) 421; 1993 Act No. 181, Section 1307; 1996 Act No. 459, Section 80.

SECTION 56-1-310. Suspension or revocation of nonresident's driving privilege.

The privilege of driving a motor vehicle on the highways of this State given to a nonresident under this article shall be subject to suspension or revocation by the Department of Motor Vehicles in like manner and for like cause as a driver's license issued under the laws of this State may be suspended or revoked.

HISTORY: 1962 Code Section 46-178; 1959 (51) 421; 1993 Act No. 181, Section 1308; 1996 Act No. 459, Section 81.

Attachment IDC-6

SECTION 56-5-2920. Reckless driving; penalties; suspension of driver's license for second or subsequent offense.

Any person who drives any vehicle in such a manner as to indicate either a wilful or wanton disregard for the safety of persons or property is guilty of reckless driving. The Department of Motor Vehicles, upon receiving satisfactory evidence of the conviction, of the entry of a plea of guilty or the forfeiture of bail of any person charged with a second and subsequent offense for the violation of this section shall forthwith suspend the driver's license of any such person for a period of three months. Only those offenses which occurred within a period of five years including and immediately preceding the date of the last offense shall constitute prior offenses within the meaning of this section. Any person violating the provisions of this section shall, upon conviction, entry of a plea of guilty or forfeiture of bail, be punished by a fine of not less than twenty-five dollars nor more than two hundred dollars or by imprisonment for not more than thirty days.

HISTORY: 1962 Code Section 46-342; 1952 Code Section 46-342; 1949 (46) 466; 1958 (50) 1686; 1981 Act No. 76, Section 9.

SECTION 56-5-2930. Operating motor vehicle while under influence of alcohol or drugs; penalties; enrollment in Alcohol and Drug Safety Action Program; prosecution.

(A) It is unlawful for a person to drive a motor vehicle within this State while under the influence of alcohol to the extent that the person's faculties to drive a motor vehicle are materially and appreciably impaired, under the influence of any other drug or a combination of other drugs or substances which cause impairment to the extent that the person's faculties to drive a motor vehicle are materially and appreciably impaired, or under the combined influence of alcohol and any other drug or drugs or substances which cause impairment to the extent that the person's faculties to drive a motor vehicle are materially and appreciably impaired. A person who violates the provisions of this section is guilty of the offense of driving under the influence and, upon conviction, entry of a plea of guilty or of nolo contendere, or forfeiture of bail must be punished as follows:

(1) for a first offense, by a fine of four hundred dollars or imprisonment for not less than forty-eight hours nor more than thirty days. However, in lieu of the forty-eight hour minimum imprisonment, the court may provide for forty-eight hours of public service employment. The minimum forty-eight hour imprisonment or public service employment must be served at a time when the person is not working and does not interfere with his regular employment under terms and conditions the court considers proper. However, the court may not compel an offender to perform public service employment in lieu of the minimum forty-eight hour sentence. If the person's alcohol concentration is at least ten one-hundredths of one percent but less than sixteen one-hundredths of one percent, then the person must be punished by a fine of five hundred dollars or imprisonment for not less than seventy-two hours nor more than thirty days. However, in lieu of the seventy-two hour minimum imprisonment, the court may provide for seventy-two hours of public service employment. The minimum seventy-two hour imprisonment or public service employment must be served at a time when the person is not working and does not interfere with his regular employment under terms and conditions as the court considers proper. However, the court may not compel an offender to perform public service employment in lieu of the minimum sentence. If the person's alcohol concentration is sixteen one-hundredths of one percent or more, then the person must be punished by a fine of one thousand dollars or imprisonment for not less than thirty days nor more than ninety days. However, in lieu of the thirty-day minimum imprisonment, the court may provide for thirty days of public service employment. The minimum thirty days imprisonment or public service employment must be served at a time when the person is not working and does not interfere with his regular employment under terms and conditions as the court considers proper. However, the court may not compel an offender to perform public service employment instead of the thirty-day minimum sentence. Notwithstanding the provisions of Sections 22-3-540, 22-3-545, and 22-3-550, a first offense charged for this item may be tried in magistrates court;

(2) for a second offense, by a fine of not less than two thousand one hundred dollars nor more than five thousand one hundred dollars, and imprisonment for not less than five days nor more than one year. However, the fine imposed by this item must not be suspended in an amount less than one thousand one hundred dollars. If the person's alcohol concentration is at least ten one-hundredths of one percent but less than sixteen one-hundredths of one percent, then the person must be punished by a fine of not less than two thousand five hundred dollars nor more than five thousand five hundred dollars and imprisonment for not less than thirty days nor more than two years. However, the fine imposed by this item must not be suspended in an amount less than one thousand one hundred dollars. If the person's alcohol concentration is sixteen one-hundredths of one percent or more, then the person must be punished by a fine of not less than three thousand five hundred dollars nor more than six thousand five hundred dollars and imprisonment for not less than ninety days nor more than three years. However, the fine imposed by this item must not be suspended in an amount less than one thousand one hundred dollars;

(3) for a third offense, by a fine of not less than three thousand eight hundred dollars nor more than six thousand three hundred dollars, and imprisonment for not less than sixty days nor more than three years. If the person's alcohol concentration is at least ten one-hundredths of one percent but less than sixteen one-hundredths of one percent, then the person must be punished by a fine of not less than five thousand dollars nor more than seven thousand five hundred dollars and imprisonment for not less than ninety days nor more than four years. If the person's alcohol concentration is sixteen one-hundredths of one percent or more, then the person must be punished by a fine of not less than seven thousand five hundred dollars nor more than ten thousand dollars and imprisonment for not less than six months nor more than five years; or

(4) for a fourth or subsequent offense, by imprisonment for not less than one year nor more than five years. If the person's alcohol concentration is at least ten one-hundredths of one percent but less than sixteen one-hundredths of one percent, then the person must be punished by imprisonment for not less than two years nor more than six years. If the person's alcohol concentration is sixteen one-hundredths of one percent or more, then the person must be punished by imprisonment for not less than three years nor more than seven years.

(B) No part of the minimum sentences provided in this section may be suspended. Instead of public service employment the court may invoke another sentence provided in this section. For a second or subsequent offense of this section, the service of the minimum sentence is mandatory. However, the judge may provide for the sentence to be served upon terms and conditions as he considers proper including, but not limited to, weekend service or nighttime service in any fashion he considers necessary.

(C) The fine for a first offense must not be suspended. The court is prohibited from suspending a monetary fine below that of the next preceding minimum monetary fine.

(D) For the purposes of this section, a conviction, entry of a plea of guilty or of nolo contendere, or forfeiture of bail for the violation of a law or ordinance of this or another state or a municipality of this or another state that prohibits a person from driving a motor vehicle while under the influence of intoxicating liquor, drugs, or narcotics, including, but not limited to, this section, or prohibits a person from driving a motor vehicle with an unlawful alcohol concentration, including, but not limited to, Section 56-5-2933, constitutes a prior offense of this section. Only those violations which occurred within a period of ten years including and immediately preceding the date of the last violation constitute prior violations within the meaning of this section.

(E) Upon imposition of a sentence of public service, the defendant may apply to the court to be allowed to perform his public service in his county of residence if he has been sentenced to public service in a county where he does not reside.

(F) One hundred dollars of each fine imposed pursuant to this section must be placed by the Comptroller General into a special restricted account to be used by the Department of Public Safety for the Highway Patrol.

(G) Two hundred dollars of the fine imposed pursuant to subsection (A)(3) must be placed by the Comptroller General into a special restricted account to be used by the State Law Enforcement Division to offset the costs of administration of the breath testing devices, breath testing site video program, and toxicology laboratory.

(H) A person convicted of violating this section, whether for a first offense or subsequent offense, must enroll in and successfully complete an Alcohol and Drug Safety Action Program certified by the Department of Alcohol and Other Drug Abuse Services. An assessment of the extent and nature of the alcohol and drug abuse problem of the applicant must be prepared and a plan of education or treatment, or both, must be developed for the applicant. The Alcohol and Drug Safety Action Program shall determine if the applicant successfully has completed the services. The applicant must attend the first Alcohol and Drug Safety Action Program available after the date of enrollment. The Department of Alcohol and Other Drug Abuse Services shall determine the cost of services provided by each certified Alcohol and Drug Safety Action Program. Each applicant shall bear the cost of services recommended in the applicant's plan of education or treatment. The cost may not exceed five hundred dollars for education services, two thousand dollars for treatment services, and two thousand five hundred dollars in total for all services. An applicant may not be denied services due to an inability to pay. Inability to pay for services may not be used as a factor in determining if the applicant has successfully completed services. An applicant who is unable to pay for services shall perform fifty hours of community service as arranged by the Alcohol and Drug Safety Action Program, which may use the completion of this community service as a factor in determining if the applicant successfully has completed services. The court must be notified whether an offender failed to enroll in a certified program within thirty days or failed to participate in the plan of education or treatment. The court may hold the individual in contempt of court if the individual cannot show cause as to why no enrollment occurred within the mandated thirty days or why no progress has been made on the plan of education or treatment.

(I) A person charged for a violation of this section may be prosecuted pursuant to Section 56-5-2933 if the original testing of the person's breath or collection of other bodily fluids was performed within two hours of the time of arrest and reasonable suspicion existed to justify the traffic stop. A person may not be prosecuted for both a violation of this section and a violation of Section 56-5-2933 for the same incident. A person who violates the provisions of this section is entitled to a jury trial and is afforded the right to challenge certain factors including the following:

- (1) whether or not the person was lawfully arrested or detained;
- (2) the period of time between arrest and testing;
- (3) whether or not the person was given a written copy of and verbally informed of the rights enumerated in Section 56-5-2950;
- (4) whether the person consented to taking a test pursuant to Section 56-5-2950, and whether the:
 - (a) reported alcohol concentration at the time of testing was eight one-hundredths of one percent or more;
 - (b) individual who administered the test or took samples was qualified pursuant to Section 56-5-2950;
 - (c) tests administered and samples obtained were conducted pursuant to Section 56-5-2950 and regulations adopted pursuant to Section 56-5-2951(O) and Section 56-5-2953(F); and
 - (d) machine was working properly.

(J) Nothing contained in this section prohibits the introduction of:

- (1) the results of any additional tests of the person's breath or other bodily fluids;
- (2) any evidence that may corroborate or question the validity of the breath or bodily fluid test result including, but not limited to:
 - (a) evidence of field sobriety tests;
 - (b) evidence of the amount of alcohol consumed by the person; and
 - (c) evidence of the person's driving;
- (3) a video recording of the person's conduct at the incident site and breath testing site taken pursuant to Section 56-5-2953 which is subject to redaction under the South Carolina Rules of Evidence; or
- (4) any other evidence of the state of a person's faculties to drive a motor vehicle which would call into question the results of a breath or bodily fluid test.

At trial, a person charged with a violation of this section is allowed to present evidence relating to the factors enumerated above and the totality of the evidence produced at trial may be used by the jury to

determine guilt or innocence. A person charged with a violation of this section must be given notice of intent to prosecute under the provisions of this section at least thirty calendar days before his trial date.

(K) For the purpose of this section, any offense carrying a penalty of imprisonment of ninety days or less may be tried in magistrates court.

(L) In cases in which enhanced penalties for higher levels of alcohol concentration may be applicable, upon the determination of guilt, the finder of fact shall determine the alcohol concentration and the judge shall apply the appropriate penalty. In cases involving jury trials, upon the return of a guilty verdict by the jury, the judge shall instruct the jury to make a finding of fact as to the following: "We the jury find the alcohol concentration of the defendant to be (1) at least eight one-hundredths of one percent but less than ten one-hundredths of one percent; (2) at least ten one-hundredths of one percent but less than sixteen one-hundredths of one percent; or (3) sixteen one hundredths of one percent or more." Based on the jury's finding of fact, the judge shall apply the appropriate penalty. If the jury cannot reach a unanimous verdict as to the finding of fact, then the judge shall sentence the defendant based on the nonenhanced penalties.

HISTORY: 1962 Code Section 46-343; 1952 Code Section 46-343; 1949 (46) 466; 1954 (48) 1782; 1987 Act No. 179 Section 1; 1998 Act No. 434, Section 4; 2000 Act No. 390, Section 7; 2008 Act No. 201, Section 4, eff February 10, 2009.

SECTION 56-5-2933. Driving with an unlawful alcohol concentration; penalties; enrollment in Alcohol and Drug Safety Action Program; prosecution.

(A) It is unlawful for a person to drive a motor vehicle within this State while his alcohol concentration is eight one-hundredths of one percent or more. A person who violates the provisions of this section is guilty of the offense of driving with an unlawful alcohol concentration and, upon conviction, entry of a plea of guilty or of nolo contendere, or forfeiture of bail must be punished as follows:

(1) for a first offense, by a fine of four hundred dollars or imprisonment for not less than forty-eight hours nor more than thirty days. However, in lieu of the forty-eight hour minimum imprisonment, the court may provide for forty-eight hours of public service employment. The minimum forty-eight hour imprisonment or public service employment must be served at a time when the person is not working and does not interfere with his regular employment under terms and conditions the court considers proper. However, the court may not compel an offender to perform public service employment in lieu of the minimum forty-eight hour sentence. If the person's alcohol concentration is at least ten one-hundredths of one percent but less than sixteen one-hundredths of one percent, then the person must be punished by a fine of five hundred dollars or imprisonment for not less than seventy-two hours nor more than thirty days. However, in lieu of the seventy-two hour minimum imprisonment, the court may provide for seventy-two hours of public service employment. The minimum seventy-two hour imprisonment or public service employment must be served at a time when the person is not working and does not interfere with his regular employment under terms and conditions as the court considers proper. However, the court may not compel an offender to perform public service employment in lieu of the minimum sentence. If the person's alcohol concentration is sixteen one-hundredths of one percent or more, then the person must be punished by a fine of one thousand dollars or imprisonment for not less than thirty days nor more than ninety days. However, in lieu of the thirty-day minimum imprisonment, the court may provide for thirty days of public service employment. The minimum thirty days imprisonment or public service employment must be served at a time when the person is not working and does not interfere with his regular employment under terms and conditions as the court considers proper. However, the court may not compel an offender to perform public service employment instead of the thirty-day minimum sentence. Notwithstanding the provisions of Sections 22-3-540, 22-3-545, and 22-3-550, a first offense charged for this item may be tried in magistrates court;

(2) for a second offense, by a fine of not less than two thousand one hundred dollars nor more than five thousand one hundred dollars, and imprisonment for not less than five days nor more than one year. However, the fine imposed by this item must not be suspended in an amount less than one thousand one hundred dollars. If the person's alcohol concentration is at least ten one-hundredths of one percent but less

than sixteen one-hundredths of one percent, then the person must be punished by a fine of not less than two thousand five hundred dollars nor more than five thousand five hundred dollars and imprisonment for not less than thirty days nor more than two years. However, the fine imposed by this item must not be suspended in an amount less than one thousand one hundred dollars. If the person's alcohol concentration is sixteen one-hundredths of one percent or more, then the person must be punished by a fine of not less than three thousand five hundred dollars nor more than six thousand five hundred dollars and imprisonment for not less than ninety days nor more than three years. However, the fine imposed by this item must not be suspended in an amount less than one thousand one hundred dollars;

(3) for a third offense, by a fine of not less than three thousand eight hundred dollars nor more than six thousand three hundred dollars, and imprisonment for not less than sixty days nor more than three years. If the person's alcohol concentration is at least ten one-hundredths of one percent but less than sixteen one-hundredths of one percent, then the person must be punished by a fine of not less than five thousand dollars nor more than seven thousand five hundred dollars and imprisonment for not less than ninety days nor more than four years. If the person's alcohol concentration is sixteen one-hundredths of one percent or more, then the person must be punished by a fine of not less than seven thousand five hundred dollars nor more than ten thousand dollars and imprisonment for not less than six months nor more than five years; or

(4) for a fourth or subsequent offense, by imprisonment for not less than one year nor more than five years. If the person's alcohol concentration is at least ten one-hundredths of one percent but less than sixteen one-hundredths of one percent, then the person must be punished by imprisonment for not less than two years nor more than six years. If the person's alcohol concentration is sixteen one-hundredths of one percent or more, then the person must be punished by imprisonment for not less than three years nor more than seven years.

(B) No part of the minimum sentences provided in this section may be suspended. Instead of public service employment the court may invoke another sentence provided in this section. For a second or subsequent offense of this section, the service of the minimum sentence is mandatory. However, the judge may provide for the sentence to be served upon terms and conditions as he considers proper including, but not limited to, weekend service or nighttime service in any fashion he considers necessary.

(C) The fine for a first offense must not be suspended. The court is prohibited from suspending a monetary fine below that of the next preceding minimum monetary fine.

(D) For the purposes of this chapter a conviction, entry of a plea of guilty or of nolo contendere, or forfeiture of bail for the violation of a law or ordinance of this or another state or a municipality of this or another state that prohibits a person from driving a motor vehicle while under the influence of intoxicating liquor, drugs, or narcotics, including, but not limited to, Section 56-5-2930, or prohibits a person from driving a motor vehicle with an unlawful alcohol concentration, including, but not limited to, this section, constitutes a prior offense of this section. Only those violations which occurred within a period of ten years including and immediately preceding the date of the last violation constitute prior violations within the meaning of this section.

(E) Upon imposition of a sentence of public service, the defendant may apply to the court to be allowed to perform his public service in his county of residence if he has been sentenced to public service in a county where he does not reside.

(F) One hundred dollars of each fine imposed pursuant to this section must be placed by the Comptroller General into a special restricted account to be used by the Department of Public Safety for the Highway Patrol.

(G) Two hundred dollars of the fine imposed pursuant to subsections (A)(3) must be placed by the Comptroller General into a special restricted account to be used by the State Law Enforcement Division to offset the costs of administration of the breath testing devices, breath testing site video program, and toxicology laboratory.

(H) A person convicted of violating this section, whether for a first offense or subsequent offense, must enroll in and successfully complete an Alcohol and Drug Safety Action Program certified by the Department of Alcohol and Other Drug Abuse Services. An assessment of the extent and nature of the alcohol and drug abuse problem of the applicant must be prepared and a plan of education or treatment, or

both, must be developed for the applicant. The Alcohol and Drug Safety Action Program shall determine if the applicant successfully has completed the services. The applicant must attend the first Alcohol and Drug Safety Action Program available after the date of enrollment. The Department of Alcohol and Other Drug Abuse Services shall determine the cost of services provided by each certified Alcohol and Drug Safety Action Program. Each applicant shall bear the cost of services recommended in the applicant's plan of education or treatment. The cost may not exceed five hundred dollars for education services, two thousand dollars for treatment services, and two thousand five hundred dollars in total for all services. An applicant may not be denied services due to an inability to pay. Inability to pay for services may not be used as a factor in determining if the applicant successfully has completed services. An applicant who is unable to pay for services shall perform fifty hours of community service as arranged by the Alcohol and Drug Safety Action Program, which may use the completion of this community service as a factor in determining if the applicant successfully has completed services. The court must be notified whether an offender failed to enroll in a certified program within thirty days or failed to participate in the plan of education or treatment. The court may hold the individual in contempt of court if the individual cannot show cause as to why no enrollment occurred within the mandated thirty days or why no progress has been made on the plan of education or treatment.

(I) A person charged for a violation of Section 56-5-2930 may be prosecuted pursuant to this section if the original testing of the person's breath or collection of other bodily fluids was performed within two hours of the time of arrest and reasonable suspicion existed to justify the traffic stop. A person may not be prosecuted for both a violation of Section 56-5-2930 and a violation of this section for the same incident. A person who violates the provisions of this section is entitled to a jury trial and is afforded the right to challenge certain factors including the following:

- (1) whether or not the person was lawfully arrested or detained;
- (2) the period of time between arrest and testing;
- (3) whether or not the person was given a written copy of and verbally informed of the rights enumerated in Section 56-5-2950;
- (4) whether the person consented to taking a test pursuant to Section 56-5-2950, and whether the:
 - (a) reported alcohol concentration at the time of testing was eight one-hundredths of one percent or more;
 - (b) individual who administered the test or took samples was qualified pursuant to Section 56-5-2950;
 - (c) tests administered and samples obtained were conducted pursuant to Section 56-5-2950 and regulations adopted pursuant to Section 56-5-2951(O) and Section 56-5-2953(F); and
 - (d) machine was working properly.

(J) Nothing contained in this section prohibits the introduction of:

- (1) the results of any additional tests of the person's breath or other bodily fluids;
- (2) any evidence that may corroborate or question the validity of the breath or bodily fluid test result including, but not limited to:
 - (a) evidence of field sobriety tests;
 - (b) evidence of the amount of alcohol consumed by the person; and
 - (c) evidence of the person's driving;
- (3) a video recording of the person's conduct at the incident site and breath testing site taken pursuant to Section 56-5-2953 which is subject to redaction under the South Carolina Rules of Evidence; or
- (4) any other evidence of the state of a person's faculties to drive which would call into question the results of a breath or bodily fluid test.

At trial, a person charged with a violation of this section is allowed to present evidence relating to the factors enumerated above and the totality of the evidence produced at trial may be used by the jury to determine guilt or innocence. A person charged with a violation of this section must be given notice of intent to prosecute under the provisions of this section at least thirty calendar days before his trial date.

(K) For the purpose of this section, any offense carrying a penalty of imprisonment of ninety days or less may be tried in magistrates court.

(L) In cases in which enhanced penalties for higher levels of alcohol concentration may be applicable, upon the determination of guilt, the finder of fact shall determine the alcohol concentration and the judge shall apply the appropriate penalty.

HISTORY: 2000 Act No. 390; 2003 Act No. 61, Section 5; 2008 Act No. 201, Section 5, eff February 10, 2009.

SECTION 56-5-2934. Compulsory process to obtain witnesses and documents; breath testing software.

Notwithstanding any other provision of law, a person charged with a violation of Section 56-5-2930, 56-5-2933, or 56-5-2945 who is being tried in any court of competent jurisdiction in this State has the right to compulsory process for obtaining witnesses, documents, or both, including, but not limited to, state employees charged with the maintenance of breath testing devices in this State and the administration of breath testing pursuant to this article. This process may be issued under the official signature of the magistrate, judge, clerk, or other officer of the court of competent jurisdiction. The term "documents" includes, but is not limited to, a copy of the computer software program of breath testing devices. SLED must produce all breath testing software in a manner that complies with any and all licensing agreements. This section does not limit a person's ability to obtain breath testing software directly from the manufacturer or distributor.

HISTORY: 2000 Act No. 390, Section 9; 2003 Act No. 61, Section 15; 2008 Act No. 201, Section 6, eff February 10, 2009.

SECTION 56-5-2935. Right to jury trial.

Notwithstanding any other provision of law, a person charged with a violation of Section 56-5-2930, 56-5-2933, or 56-5-2945 who is being tried in any court of competent jurisdiction in this State must have the right of trial by jury. A person charged with one or more of these offenses shall enjoy the right to a speedy and public trial by an impartial jury, to be fully informed of the nature and cause of the accusation, to be confronted with the witnesses against him, to have compulsory process for obtaining witnesses, documents, or both, and the right to be fully heard in his defense by himself or by his counsel or, by both.

HISTORY: 2000 Act No. 390, Section 10.

SECTION 56-5-2936. Implementation of compulsory testimony requirement postponed; training of employees.

Notwithstanding any other provision of law, the State Law Enforcement Division is not required to implement the provisions of Section 56-5-2934 as contained in Section 9 of Act 390 of 2000 pertaining to the compulsory process for obtaining witnesses including, but not limited to, state employees charged with the maintenance of breath testing devices in this State and the administration of breath testing pursuant to Chapter 5 of Title 56 of the 1976 Code, until the time the General Assembly is adequately able to fund the program or by December 31, 2002, whichever first occurs. Provided, however, by December 31, 2002, the State Law Enforcement Division must have at least three state employees trained and prepared for the purpose of appearing in court and testifying on the maintenance of breath testing devices and the administration of breath testing pursuant to Chapter 5, Title 56 of the 1976 Code.

HISTORY: 2002 Act No. 165, Section 1.

**THE STATE OF SOUTH CAROLINA
In The Court of Appeals**

The State, Appellant,

v.

Randy Vickery, Respondent.

Appeal From Greenwood County
Eugene Griffith, Circuit Court Judge

Opinion No. 5025
Heard March 20, 2012 – August 22, 2012

REVERSED AND REMANDED

Assistant Attorney General Alan Wilson, Chief
Deputy Attorney General John W. McIntosh, Senior
Assistant Deputy Attorney General Salley W. Elliott,
Assistant Attorney General William M. Blich, Jr., of
Columbia, for Appellant.

Chief Appellate Defender Robert M. Dudek, of
Columbia, for Respondent.

KONDUROS, J.: In this criminal case, the State appeals the trial court's suppression of evidence arising out of a driver's license checkpoint because it alleges the checkpoint was constitutional. We reverse and remand.

FACTS/PROCEDURAL HISTORY

Sometime between 9 p.m. April 25, 2009, and 3 a.m. April 26, 2009, officers with the Greenwood Police Department conducted a license checkpoint at the intersection of New Market Street and Milwee Avenue in Greenwood, South Carolina. During that checkpoint, while detaining Randy Jason Vickery for suspicion of driving under the influence, officers spotted methamphetamines and drug paraphernalia in his vehicle and arrested him. That same night, the Greenwood Police Department conducted three other checkpoints in the same vicinity from 9 p.m. until 3 a.m. The four checkpoints produced a total of fifty-six violations, including forty-eight traffic cases and eight criminal cases.

Vickery was indicted for possession of methamphetamine with intent to distribute and possession of methamphetamine with intent to distribute within proximity of a school. At trial, Vickery made a motion to suppress the evidence discovered as a result of the stop, challenging the stop's constitutionality, arguing it violated the Fourth Amendment. The State presented the testimony of Officer Robbie Byrd. Officer Byrd testified he was employed by the Greenwood Police Department in the traffic unit. He stated that on the night of April 25, 2009, through the morning of April 26, he conducted traffic safety checkpoints. He testified that checkpoint locations were determined based on "traffic flow, speeding complaints, loud music complaints, anything such as that nature, primarily just involving traffic." He indicated that the checkpoint locations were selected by Lieutenant Jennifer Bass, who was over the traffic unit, and Major James Marshall. He stated that they had contact with the citizens who were complaining about speeding and loud music coming from cars. Officer Byrd stated the primary purpose of the checkpoints was to check for traffic safety, such as child restraints, seatbelts, driver's licenses, vehicle tags, and the proper credentials. He testified the officers would stop each car that came through the checkpoint and check each driver's license. He further testified the four checkpoints that

night resulted in forty-eight traffic cases and two drug cases. He testified the stops that produced no violations lasted no longer than a minute.

Following Officer Byrd's testimony, Vickery argued the State had not laid the proper foundation to establish the checkpoint's constitutionality under Brown v. Texas, 443 U.S. 47 (1979), and Michigan Department of State Police v. Sitz, 496 U.S. 444 (1990). He argued State v. Groome, 378 S.C. 615, 664 S.E.2d 460 (2008), was "adamant" the State must present empirical data gathered prior to the checkpoint to justify setting up the checkpoint. He maintained the State only provided empirical data on the "back side, what the results were, but they have produced nothing to indicate why the Greenwood Police Department wanted to set up a checkpoint here." He asserted the State needed to provide information as to how many tickets were written and people had been arrested on the road in the month or year prior to the checkpoint. He stated those who established the checkpoints needed to testify and supply the empirical data.

The State responded and agreed Sitz, while critical of the searching examination of effectiveness by trial courts, "retains the requirement that the State produce empirical data to support the roadblock." It argued the report marked Court Exhibit Number 1 established how the checkpoint was effective and what the results were. Vickery argued that report "would probably be very good empirical data for the next checkpoint that they want to have at this location." He asserted that the State was arguing that if it set up a checkpoint and arrested forty-eight people, then it was a good checkpoint. Vickery argued, "It's data on the front side [that case law requires], not on the back side."

Before adjourning for lunch, the trial court stated it was going to take the matter under advisement and would leave the record open if the State wished to see if the file contained any additional empirical data. Following the break, the State called Major Urban Mitchell to testify. He stated he was in charge of the administration division of the Greenwood Police Department. He stated that the position involved records, training, evidence, and crime scenes and included gathering statistics. The State introduced, for the purposes of the hearing, several traffic enforcement activity reports that included the intersection of New Market and Milwee or an intersection

located two blocks away. Major Mitchell testified that the police department had determined that conducting traffic safety checkpoints was an effective way to manage traffic problems. On cross-examination, Major Mitchell could not say how many of the fifty-six violations on April 26 occurred at the intersection of New Market and Milwee but admitted fifty-six tickets at the police headquarters could be obtained to show which of the incidents occurred at that intersection.

The trial court found the State presented

insufficient empirical data justifying the authorization and implementation of the roadblock in question Except for the traffic testimony offered by Major Mitchell, no testimony was offered by the State about the number of tickets, wrecks, and/or citizen complaints related to traffic concerns at the intersection of New Market Street and Milwee Avenue prior to the roadblock in question. Testimony by the State's witnesses indicates that the Greenwood Police Department relied on general knowledge of the neighborhood to justify the roadblock in question.

The trial court further found:

[T]he Traffic Enforcement Activity Reports contain some empirical data regarding the intersection of New Market Street and Milwee Avenue, but the data presented is insufficient to constitutionally justify the roadblock on April 25, 2009, at which [Vickery] was stopped and arrested. The record is absent of any specific evidence for the Court to determine the number of cases which resulted from the roadblock in question. Furthermore, the evidence in the record is insufficient for the Court to determine the effectiveness of the roadblock in question. No

testimony was presented about how many vehicles passed through the roadblock in question.

The court determined the roadblock "did not violate [Vickery's] Fourth Amendment rights because its primary purpose was traffic safety enforcement." However, the court found the roadblock did violate his Fourth Amendment rights because

the State provided insufficient empirical data to support the effectiveness of the roadblock in question. Without sufficient empirical data to justify the implementation of the roadblock and without sufficient data derived from conducting this roadblock, the Court is unable to do the necessary comparison analysis to determine the effectiveness of this roadblock as required under Brown v. Texas, 443 U.S. 47 (1979).

Accordingly, the trial court granted Vickery's motion to suppress and suppressed all drugs and drug paraphernalia located in Vickery's vehicle and on his person, as well as all statements made, observations of his behavior, and recordings. This appeal followed.

STANDARD OF REVIEW

"In criminal cases, the appellate court sits to review errors of law only." State v. Baccus, 367 S.C. 41, 48, 625 S.E.2d 216, 220 (2006). Thus, an appellate court is bound by the trial court's factual findings unless they are clearly erroneous. Id. The South Carolina Supreme Court has articulated the standard of review to apply to Fourth Amendment search and seizure cases. State v. Brockman, 339 S.C. 57, 66, 528 S.E.2d 661, 666 (2000). The court has specifically rejected the de novo standard the United States Supreme Court set forth in Ornelas v. United States, 517 U.S. 690 (1996), for reviewing determinations of reasonable suspicion and probable cause in the context of warrantless searches and seizures. State v. Williams, 351 S.C. 591, 597, 571 S.E.2d 703, 706 (Ct. App. 2002). The Brockman court determined the trial court's ruling would be reviewed like any other factual

finding: reversed if there is clear error and affirmed if any evidence supports the ruling. 339 S.C. at 66, 528 S.E.2d at 666.

On appeals from a motion to suppress based on Fourth Amendment grounds, this Court applies a deferential standard of review and will reverse if there is clear error. However, this deference does not bar this Court from conducting its own review of the record to determine whether the trial judge's decision is supported by the evidence.

State v. Tindall, 388 S.C. 518, 521, 698 S.E.2d 203, 205 (2010) (citation omitted). Under the clear error standard, "an appellate court will not reverse a trial court's finding of fact simply because it would have decided the case differently." State v. Pichardo, 367 S.C. 84, 96, 623 S.E.2d 840, 846 (Ct. App. 2005). Rather, the appellate court must determine whether, based on the evidence, it is left with the definite and firm conviction the trial court committed a mistake. Id. Accordingly, we will apply an any evidence standard to the trial court's ruling. Williams, 351 S.C. at 597, 571 S.E.2d at 707.

LAW/ANALYSIS

The State contends the trial court erred in suppressing the stop by finding the State failed to produce sufficient empirical data to justify the effectiveness of the checkpoint. We agree.

The Fourth Amendment guarantees a person the right to be secure from unreasonable searches and seizures. U.S. Const. amend IV; State v. Butler, 343 S.C. 198, 201, 539 S.E.2d 414, 416 (Ct. App. 2000). "[T]he Fourth Amendment protects against unreasonable searches and seizures, including seizures that involve only a brief detention." State v. Pichardo, 367 S.C. 84, 97, 623 S.E.2d 840, 847 (Ct. App. 2005) (citing United States v. Mendenhall, 446 U.S. 544 (1980)). "[S]topping a vehicle at a checkpoint constitutes a seizure of a person within the meaning of the Fourth Amendment." United States v. Brugal, 209 F.3d 353, 356 (4th Cir. 2000) (citing Mich.

Dep't of State Police v. Sitz, 496 U.S. 444, 450 (1990); United States v. Martinez-Fuerte, 428 U.S. 543, 556 (1976)).

Constitutional challenges to checkpoint seizures turn on whether the initial stop at the checkpoint was reasonable. . . . Whether particular checkpoint seizures are reasonable is determined by balancing the gravity of the public interest sought to be advanced and the degree to which the seizures do advance that interest against the extent of the resulting intrusion upon the liberty interests of those stopped.

Id. (citing Sitz, 496 U.S. at 449-55).

The United States Supreme Court has applied this balancing analysis and "upheld the constitutionality of government checkpoints set up to detect drunken drivers, see [Sitz, 496 U.S. at 454], and illegal immigrants, see Martinez-Fuerte, 428 U.S. at 556–67 . . . , so long as they involve no more than an 'initial stop . . . and the associated preliminary questioning and observation by checkpoint officers.'" Id. at 356-57 (quoting Sitz, 496 U.S. at 450-51) (second ellipses added by court). "The seizure at the sobriety checkpoint upheld in Sitz lasted approximately twenty-five seconds, and the seizures at the immigration checkpoint upheld in Martinez-Fuerte lasted three to five minutes." Id. at 357 (citations omitted).

"The [United States] Supreme Court has also recognized that a state has a substantial interest in enforcing licensing and registration laws, though that interest is not substantial enough to justify roving patrol stops as an enforcement mechanism." Id. (citing Prouse, 440 U.S. at 658-59). However, the Court suggested in Prouse, "checkpoints to check driver's licenses would be permissible even in the absence of articulable and reasonable suspicion that a driver was unlicensed." Id. (citing Prouse, 440 U.S. at 663; Texas v. Brown, 460 U.S. 730, 743 (1983) (plurality opinion) (noting that the circumstances surrounding stop at driver's license roadblock gave "no suggestion that the roadblock was a pretext whereby evidence of a narcotics

violation might be uncovered in 'plain view' in the course of a check for driver's licenses")).

Drawing on these authorities, courts have concluded that a brief stop at a checkpoint for the limited purpose of verifying a driver's license, vehicle registration, and proof of insurance is a reasonable intrusion into the lives of motorists and their passengers even in the absence of reasonable suspicion that a motorist or passenger is engaged in illegal activity.

Id. (citing United States v. Galindo-Gonzales, 142 F.3d 1217, 1221 (10th Cir. 1998) (finding brief detention of motorist to inspect driver's license, vehicle registration, and insurance information at an established license checkpoint comports with the Fourth Amendment); United States v. McFayden, 865 F.2d 1306, 1310-13 (D.C. Cir. 1989) (finding a roadblock to inspect drivers' licenses and vehicle registrations met the Fourth Amendment standard of reasonableness)).

[T]he Court has determined that the gravity of the public interests that such stops seek to advance and the general efficacy of checkpoint stops in advancing those interests outweigh the minimal intrusions on protected Fourth Amendment liberty interests that are caused by the brief stops required for such limited questioning and observation. But, the Court has also cautioned that "[d]etention of particular motorists for more extensive . . . testing may require satisfaction of an individualized suspicion standard."

Norwood v. Bain, 143 F.3d 843, 848 (4th Cir. 1998) (ellipsis and last set of brackets by court) (quoting Sitz, 496 U.S. at 451), vacated, aff'd this ground on reh'g en banc, 166 F.3d 243, 245 (4th Cir. 1999). "[A] claim that a particular exercise of discretion in locating or operating a checkpoint is unreasonable is subject to post-stop judicial review." Martinez-Fuerte, 428 U.S. at 559.

In State v. Groome, 378 S.C. 615, 619, 664 S.E.2d 460, 462 (2008), the trial court found a roadblock violated the Fourth Amendment under Brown v. Texas, 443 U.S. 47 (1979). The Groome court noted "Brown established a three part balancing test for determining the constitutionality of a traffic checkpoint: 1) the gravity of the public interest served by the seizure; 2) the degree to which the seizure serves the public interest; and, 3) the severity of the interference with individual liberty." Id. at 619, 664 S.E.2d at 462. The trial court held the first and third factors easily weighed in the State's favor but found the State presented no evidence on the second factor. Id.

On appeal, the State argued the trial court abused its discretion in finding the State failed to meet the second Brown factor, the "effectiveness" requirement. Id.

The State argues that it need not introduce evidence about the specific effectiveness of this roadblock because, by its very nature, every license check roadblock determines whether the driver is legally licensed. The State's position that license check roadblocks are ipso facto constitutional, thereby eliminating the requirement of effectiveness from the Brown formula relies upon [Sitz]. While Sitz does criticize "searching examination of effectiveness" by trial courts, it retains the requirement that the State produce empirical data to support the effectiveness of its roadblock. Sitz, [496 U.S.] at 454 ("unlike [Prouse], this case [does not involve] a complete absence of empirical data. . ."). The record supports the trial court's finding that the State failed to produce any evidence satisfying the second prong of the Brown test.

Groome, 378 S.C. at 619-20, 664 S.E.2d at 462 (ellipsis and last set of brackets added by court).

In Sitz, 496 U.S. at 453, the Michigan Court of Appeals "consider[ed] as part of the balancing analysis the 'effectiveness' of the proposed checkpoint program." The United States Supreme Court found the court of appeals erred in concluding the checkpoint program failed the effectiveness part of the test and the failure materially discounted the State's strong interest in implementing the program. Id. The court noted, "The actual language from Brown v. Texas, upon which the Michigan courts based their evaluation of 'effectiveness,' describes the balancing factor as 'the degree to which the seizure advances the public interest.'" Id. (quoting Brown, 443 U.S. at 51). "This passage from Brown was not meant to transfer from politically accountable officials to the courts the decision as to which among reasonable alternative law enforcement techniques should be employed to deal with a serious public danger." Id. "But for purposes of Fourth Amendment analysis, the choice among such reasonable alternatives remains with the governmental officials who have a unique understanding of, and a responsibility for, limited public resources, including a finite number of police officers." Id. at 453-54. "Brown's rather general reference to 'the degree to which the seizure advances the public interest' was derived, as the opinion makes clear, from the line of cases culminating in Martinez-Fuerte, . . . Neither Martinez-Fuerte nor [Prouse], however, the two cases cited by the Court of Appeals as providing the basis for its 'effectiveness' review, . . . supports the searching examination of 'effectiveness' undertaken by the Michigan court." Id. at 454.

The Sitz court further noted:

In Delaware v. Prouse, we disapproved random stops made by Delaware Highway Patrol officers in an effort to apprehend unlicensed drivers and unsafe vehicles. We observed that no empirical evidence indicated that such stops would be an effective means of promoting roadway safety and said that "[i]t seems common sense that the percentage of all drivers on the road who are driving without a license is very small and that the number of licensed drivers who will be stopped in order to find one unlicensed operator will be large indeed."

Id. (quoting Prouse, 440 U.S. at 659-60) (alteration by court). The court "observed that the random stops involved the 'kind of standardless and unconstrained discretion [which] is the evil the Court has discerned when in previous cases it has insisted that the discretion of the official in the field be circumscribed, at least to some extent.'" Id. (quoting Prouse, 440 U.S. at 661) (alteration by court).

The Sitz court found that "[u]nlike Prouse, this case involves neither a complete absence of empirical data nor a challenge to random highway stops." Id.

During the operation of the Saginaw County checkpoint, the detention of the 126 vehicles that entered the checkpoint resulted in the arrest of two drunken drivers. Stated as a percentage, approximately 1.6 percent of the drivers passing through the checkpoint were arrested for alcohol impairment. In addition, an expert witness testified at the trial that experience in other States demonstrated that, on the whole, sobriety checkpoints resulted in drunken driving arrests of around 1 percent of all motorists stopped. By way of comparison, the record from one of the consolidated cases in Martinez-Fuerte showed that in the associated checkpoint, illegal aliens were found in only 0.12 percent of the vehicles passing through the checkpoint. The ratio of illegal aliens detected to vehicles stopped (considering that on occasion two or more illegal aliens were found in a single vehicle) was approximately 0.5 percent. We concluded that this "record . . . provides a rather complete picture of the effectiveness of the San Clemente checkpoint," and we sustained its constitutionality. We see no justification for a different conclusion here.

Id. at 454-55 (alteration by court) (citations omitted). The court determined "the balance of the State's interest in preventing drunken driving, the extent to which this system can reasonably be said to advance that interest, and the degree of intrusion upon individual motorists who are briefly stopped, weighs in favor of the state program" and found it consistent with the Fourth Amendment. Id. at 455.

In State v. Larson, 485 N.W.2d 571, 573 (Minn. Ct. App. 1992), the Minnesota Court of Appeals found "the state failed to present any evidence of the effectiveness of the checkpoint." (citing Brown, 443 U.S. at 51 (holding the court must balance "the degree to which the seizure advances the public interest"); Prouse, 440 U.S. at 659-60 (finding the State presented no empirical evidence that random driver's license checks were effective)). It noted, "Here, there was no testimony on how many driver's license or equipment violations were uncovered or other empirical data on the effectiveness of the checkpoint in advancing the public interest." Id. (emphasis added) (citing Chock v. Comm'r of Pub. Safety, 458 N.W.2d 692, 694 (Minn. Ct. App. 1990) (approving legality of sobriety checkpoint on which empirical data of effectiveness was presented)).

Vickery argued and the trial court found the State presented no evidence of empirical evidence that led to the determination of the location of the checkpoint.¹ However, the cases on point do not require the State to present pre-existing empirical data to justify setting up the checkpoint. The case law does require some basis for the location of the checkpoint. Here, Officer Byrd testified the checkpoint was placed in that location due to citizen complaints about speeding and loud music. Major Mitchell also testified he had personal knowledge of the problems at the intersection before the checkpoint was set up from seeing incident reports, traffic tickets, and statistics. Additionally, the Traffic Enforcement Activity Reports for dates prior to April 26 show that license checkpoints in the same area resulted in thirty to sixty traffic and criminal offenses on each occasion. Therefore, the

¹ The State also had the burden of showing the purpose of the stop and that it served the public interest. The checkpoint was not established by the officers conducting it but rather by their supervisors. Also, this was not a roving stop. None of these factors are at issue in this case.

trial court committed an error of law in requiring the State to present empirical data to justify the authorization and implementation of the checkpoint.

The trial court also suppressed the search because the State's empirical data regarding the effectiveness of the checkpoint was insufficient. The trial court acknowledged the State presented some empirical data regarding the intersection, but that it was insufficient to justify the roadblock. Prouse, Groome, and Sitz all require some empirical data that supports the second prong of Brown, that the seizure serves the public interest. However, none of these cases state how much evidence is considered enough. The United States Supreme Court, as well as our own supreme court, has stressed that no evidence is not enough. Here, we do have some evidence, lying somewhere between Prouse and Sitz. The two facts that seem to be lacking to paint the entire picture are how many vehicles came through this stop or all of the stops and how many of the tickets were specific to this stop location. According to Groome, the question before us is whether the record supports the trial court's finding that the State's empirical data was insufficient to satisfy the second prong of Brown. By showing the stops resulted in a total of forty-eight traffic violations and eight criminal cases including two drug arrests, the State met its burden under the second prong of Brown and the trial court erred in determining the State had to put up more evidence to show the checkpoint's effectiveness.

The purpose of the empirical data on the effectiveness is to be able to balance the effectiveness of the checkpoint with the other two prongs set forth in Brown, (1) the gravity of the public interest served by the seizure and (3) the severity of the interference with individual liberty. Here, the point of the checkpoint was to prevent traffic offenses and people driving without a license. This serves the public interest in that traffic violations and people driving without a license can cause injury to others. The severity with individual liberty was low in that the stops were marked so drivers could anticipate it and each stop lasted under a minute, if there was no violation. Weighing those two factors with the data provided as to the second factor, effectiveness, the license checkpoint did not violate the Fourth Amendment. Accordingly, the trial court's decision is

REVERSED AND REMANDED.

PIEPER and GEATHERS, JJ., concur.

**THE STATE OF SOUTH CAROLINA
In The Supreme Court**

The State, Appellant,

v.

Eston Groome, Respondent.

Appeal from Greenville County
D. Garrison Hill, Circuit Court Judge

Opinion No. 26510
Heard April 15, 2008 - Filed June 30, 2008

AFFIRMED

Attorney General Henry Dargan McMaster,
Chief Deputy Attorney General John W. McIntosh,
Assistant Deputy Attorney General Salley W. Elliott, and
Assistant Attorney General Julie M. Thames, all of Columbia, and Solicitor
Robert Mills Ariail, of Greenville, for Appellant.

J. Falkner Wilkes of Greenville, and James H. Price, III, of Price, Ashmore &
Beasley, of Greenville, for Respondent.

JUSTICE PLEICONES: The State appeals a pre-trial circuit court order suppressing drugs found after respondent was stopped at a drivers license checkpoint. We affirm.

FACTS

In response to civilian crime stoppers tips of speeding and drug activity, a Directed Patrol Unit set up a drivers license checkpoint one evening in Greenville. A Directed Patrol Unit is a specialized crime suppression group; a K-9 team with a drug dog was assigned to the road-block. The dog and his handler walked up and down the line of cars as they were stopped at the checkpoint.

Respondent was stopped and surrendered his drivers license. As the officer walked back to check respondents tag, he radioed in and learned respondents license was suspended. Respondent was asked to pull his car into a nearby parking lot, then exit it, and meet the officer at the rear of the vehicle.

The K-9 officer and dog left the line and approached respondents car. The dog alerted, the car was searched, and marijuana seeds were found on the floorboards. Respondent was placed in the back of a patrol car before being transported to the law enforcement center. After respondent exited the police vehicle at the center, the officer found a baggie containing two other bags, each having white powder in it. The baggies were found to contain 13.02 grams of cocaine. Respondent was Mirandized at the station, and admitted smoking marijuana but denied the cocaine was his.

Respondent moved to suppress the drugs alleging the roadblock was violative of the Fourth Amendment. The trial judge agreed, and the States appeal follows.

SCOPE OF REVIEW

A trial courts Fourth Amendment suppression ruling must be affirmed if supported by any evidence, and an appellate court may reverse only when there is clear error. State v. Brockman, 339 S.C. 57, 528 S.E.2d 661 (2000).

ISSUES

- 1) Whether the circuit court erred in finding the primary purpose of the checkpoint was for general crime control and therefore it was violative of the Fourth Amendment under City of Indianapolis v. Edmond, 531 U.S. 32 (2000)?
- 2) Whether the circuit court erred in holding that even if the primary purpose was a license checkpoint and there was no Edmond flaw, the roadblock none-the-less violated the Fourth Amendment under Brown v. Texas, 443 U.S. 47 (1979)?

ANALYSIS

The controlling decision in this matter is City of Indianapolis v. Edmond, 531 U.S. 32 (2000). In Edmond, the Court held that a police checkpoint whose primary purpose is general crime control- in Edmond narcotics interdiction- is unreasonable under the Fourth Amendment.

Here, the circuit court judge acknowledged there was conflicting evidence on the true purpose of the checkpoint, but was persuaded the primary purpose was general crime suppression rather than merely a drivers license checkpoint. He pointed to the following facts to support his conclusion:

- 1) the checkpoint was conducted by the Directed Patrol Unit, which is assigned specifically to deal with crime suppression issues;
- 2) a K-9 patrol unit with a nationally certified drug dog team was participating; and,
- 3) the State presented no evidence as to the plan, procedures, or duration of the roadblock, nor was any evidence of a protocol introduced and as the Supreme Court noted in Edmond, without such information “law enforcement authorities would be able to establish checkpoints for virtually any purpose so long as they include a license or sobriety check.”

The circuit court went on to find that even if the primary purpose were a license checkpoint and thus the roadblock passed constitutional muster under Edmond, the roadblock would still violate the Fourth Amendment under Brown v. Texas, 443 U.S. 47 (1979). Brown established a three part balancing test for determining the constitutionality of a traffic checkpoint:

- 1) the gravity of the public interest served by the seizure;
- 2) the degree to which the seizure serves the public interest; and,
- 3) the severity of the interference with individual liberty.

The trial judge held the first and third factors easily weighed in the States favor, but found that the State presented no evidence on the second factor.

The State first argues the trial judge erred in finding the primary purpose here was suppression of drug activity. It does not argue that there is no evidence to support the ruling, but instead contends the judge placed undue emphasis on certain facts. Under this Courts limited scope of review, the finding that the primary purpose of the roadblock was general crime suppression is supported by the evidence, and the conclusion that it violated the Fourth Amendment under Edmond must be affirmed. State v. Brockman, *supra*.

The State next argues the trial judge abused his discretion finding the State failed to meet the second Brown factor, the effectiveness requirement. The State argues that it need not introduce evidence about the specific effectiveness of this roadblock because, by its very nature, every license check roadblock determines whether the driver is legally licensed. The States position that license check roadblocks are *ipso facto* constitutional, thereby eliminating the requirement of effectiveness from the Brown formula relies upon Michigan Dept of State Police v. Sitz, 496 U.S. 444 (1990). While Sitz does criticize searching examination of effectiveness by trial courts, it retains the requirement that the State produce empirical data to support the effectiveness of its roadblock. Sitz at 454 (unlike [Delaware v. Proust, 440 U.S. 648 (1979), this case [does not involve] a complete absence of empirical data . . .). The record supports the trial courts finding that the State failed to produce any evidence satisfying the second prong of the Brown test.

CONCLUSION

There is evidence in the record supporting the trial judges finding that the primary purpose of this roadblock was general crime suppression and therefore his conclusion that the roadblock violated Edmond must be affirmed. State v. Brockman, *supra*. Even if we were to disagree with this finding, the record supports the trial judges secondary holding that the States failure to produce any evidence on the second prong of the Brown v. Texas test renders the checkpoint unconstitutional. Id. Accordingly, the order suppressing the evidence is

AFFIRMED.

MOORE, WALLER and BEATTY, JJ., concur. TOAL, C.J., dissenting in a separate opinion.

Chief Justice Toal: I respectfully dissent. I would reverse the trial courts order suppressing the evidence and hold that this checkpoint did not violate the Fourth Amendment.

In *City of Indianapolis v. Edmond*, 531 U.S. 32 (2000), the United States Supreme Court held that the Fourth Amendment prohibits law enforcement from setting up a traffic checkpoint where the programmatic primary purpose is general crime control. The relevant jurisprudence instructs that the test to determine the primary purpose of a checkpoint is an objective test, and that the examining court should consider all the available evidence in order to determine the relevant primary purpose. *Ferguson v. City of Charleston*, 532 U.S. 67, 81 (2001) (citing *Edmond*, 531 U.S. at 45-47).

In my view, there is no evidence in the record to support the trial courts finding that the primary purpose of this checkpoint was general crime control. The record shows that in accordance with

the sheriffs departments guidelines, law enforcement officers placed signs on each road approaching the checkpoint alerting drivers to the checkpoint. Law enforcement officers stopped every vehicle, detained the drivers for no more than two minutes, and only after ascertaining probable cause would they ask the driver to pull off the road into a parking lot for further questioning. Additionally, an officer testified that the purpose of the checkpoint was to verify that every driver had a valid license and registration. Considering all the evidence in the record, I do not believe that the primary purpose of this checkpoint was general crime prevention, nor do I believe that this checkpoint allowed officers to exercise standardless and unconstrained discretion. See *Delaware v. Prouse*, 440 U.S. 648, 663 (1979) (invalidating discretionary spot checking in which the officer stopped random motorists on public highways solely for the purpose of checking the drivers license and registration).

Further, in my opinion, the majority errs in suggesting that *Brown v. Texas*, 443 U.S. 47 (1979) requires the State to provide empirical data regarding the effectiveness of checkpoints or that *Mich. Dept. of State Police v. Sitz*, 496 U.S. 444 (1990) retained this requirement. In ruling on the constitutionality of a suspicionless checkpoint in which police stopped every vehicle, the *Sitz* court noted that the case did not involve a complete absence of empirical data. *Id.* at 454 However, the Supreme Court went on to hold that the second prong of the *Brown* test was not meant to transfer from politically accountable officials to the courts the decision as to which among reasonable alternative law enforcement techniques should be employed to deal with a serious public danger and that for purposes of Fourth Amendment analysis . . . [this decision] remains with the governmental officials. *Sitz*, 496 U.S. at 454.

In my view, the balance of the public interest and the severity of the interference with individual liberty clearly weighs in favor of this checkpoint. As noted by the trial court, the intrusion on individual liberty was minimal and the State has a high interest in preventing unlicensed or uninsured drivers from operating vehicles. In my opinion, this checkpoint provides an effective method of curtailing this problem in that every vehicle was stopped and every driver was required to produce their license, registration, and proof of insurance. Moreover, the fact remains that decisions regarding the techniques and methods of combating roadway dangers remains with law enforcement. See *Id.* Perhaps most significant, however, is that this checkpoint modeled the types of checkpoints that have been upheld as constitutional under the Fourth Amendment. See *Sitz*, 496 U.S. at 455 (holding that a suspicionless seizure where law enforcement briefly stopped all motorists crossing the checkpoint did not violate the Fourth Amendment); *Prouse*, 440 U.S. at 663 (distinguishing between the unconstitutional seizure of drivers without reasonable suspicion and the [q]uestioning of all oncoming traffic at roadblock-type stops); *United States v. Martinez-Fuerte*, 428 U.S. 543, 566 (1976) (holding that stops for brief questioning routinely conducted at permanent checkpoints are consistent with the Fourth Amendment). Indeed, while *Edmond* held that the Fourth Amendment prohibits a suspicionless stop whose programmatic primary purpose is general crime control, the holding [] [did] nothing to alter the constitutional status of the sobriety and border checkpoints that [the United States Supreme Court] approved in *Sitz* and *Martinez-Fuerte*, or of the type of traffic checkpoint that we suggested would be lawful in *Prouse*. *Edmond* at 47.

For these reasons, I would hold that the primary purpose of this checkpoint was not general crime prevention and that the checkpoint did not violate Appellants Fourth Amendment rights.



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AGENDA

- 12:50 p.m. – 1:00 p.m.: Welcome and Program Overview
*Sara Lee Drawdy, Traffic Safety Resource Prosecutor
South Carolina Commission on Prosecution Coordination
Columbia, South Carolina*
- 1:00 p.m. – 2:00 p.m.: Understanding South Carolina Driving Records
*Shirley Rivers, Director of Driver Services
South Carolina Department of Motor Vehicles
Blythewood, South Carolina*
(with Sara Lee Drawdy and Brandy Duncan)
- 2:00 p.m. – 2:15 p.m.: Break
- 2:15 p.m. – 3:45 p.m.: Collateral Consequences of Convictions at the DMV
*Brandy Duncan, Deputy General Counsel
South Carolina Department of Motor Vehicles
Blythewood, South Carolina*
- 3:45 p.m. – 4:00 p.m.: Break
- 4:00 p.m. – 4:45 p.m.: Administrative Hearings as a Prosecution Tool in DUI Cases
*Kendra C. Wise, Special DUI Prosecutor
City of Goose Creek
Goose Creek, South Carolina*
- 12:45 p.m.: Adjourn



**Prosecuting the Impaired Driver and the SCDMV:
“Collateral Consequences and Driving Records”**

via Zoom™ Webinar

Thursday, May 20, 2021

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More than 34 years' experience in State government

TEACHING EXPERIENCE:

Frequent guest speaker for Alcohol and Drug Safety Action Program, (ADSAP),
Summary Courts, Municipal Court Association and community groups
concerning REAL-ID

CURRENT PROFESSIONAL ACTIVITIES:

Member of the Traffic Records Coordinating Committee, (TRCC) working group,
SC Highway Heroes Task Force for Human Trafficking, Pedestrian & Bicycle
Safety Action Plans member.



SCCPC

South Carolina Commission
on Prosecution Coordination

Prosecuting the Impaired Driver: “DUI Case Law Update and Search and Seizure in Traffic cases”

(Training for Prosecutors and Officers)

Zoom™ Webinar
(Online, Live Training)
June 18, 2021

with funding provided by

South Carolina Department of Public Safety
and
National Highway Traffic Safety Administration

SCCCLE Course No. TBD
SCCJA Lesson Plan No. TBD

Application is for 1.5 Hours (90 Minutes)
(no ethics / SA / MH hours included)



**Prosecuting the Impaired Driver
“DUI Case Law Update and
Search and Seizure in Traffic Cases”**

via Zoom™ Webinar

Friday, June 18, 2021

AGENDA

- 2:00 p.m. – 2:05 p.m. Welcome and Program Overview
*Sara Lee Drawdy, Traffic Safety Resource Prosecutor
South Carolina Commission on Prosecution Coordination
Columbia, South Carolina*
- 2:05 p.m. – 2:50 p.m. DUI Case Law Update
*Josh Edwards, Assistant Attorney General
South Carolina Attorney General’s Office
Columbia, South Carolina*
- 2:50 p.m. – 3:00 p.m. Break
- 3:00 p.m. – 3:45 p.m. Search and Seizure in Traffic Cases
*William Blich, Senior Assistant Deputy Attorney General
Mark Farthing, Senior Assistant Attorney General
South Carolina Attorney General’s Office
Columbia, South Carolina*
- 3:45 p.m. – 4:00 p.m. Panel Discussion and Question and Answer Session
- 4:00 p.m. Adjourn



**Prosecuting the Impaired Driver
“DUI Case Law Update and
Search and Seizure in Traffic Cases”**

via Zoom™ Webinar

Friday, June 18, 2021

FACULTY ROSTER

William M. Blich, Jr.
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WILLIAM M. BLITCH, JR.
Senior Assistant Deputy Attorney General
South Carolina Attorney General's Office
Post Office Box 11549
Columbia, South Carolina 29211

EDUCATION:

B.S., University of South Carolina, Columbia, South Carolina (1995).
J.D., University of South Carolina School of Law, Columbia, South Carolina (1998).
M.B.A. University of South Carolina, Columbia, South Carolina (2005).

BAR ADMISSIONS:

South Carolina (1998).

PROFESSIONAL EXPERIENCE:

Private Practice Columbia, South Carolina (1998-1999); Law Clerk, Honorable Ralph King Anderson, Jr. South Carolina Court of Appeals, Columbia, South Carolina (1999 – 2000); Staff Attorney, South Carolina Supreme Court, Columbia, South Carolina (2000 – 2002); Deputy Chief Staff Attorney, South Carolina Court of Appeals, Columbia, South Carolina (2002 – 2007); Assistant Attorney General, South Carolina Attorney General's Office, Columbia, South Carolina (handling criminal appeals and assisting Internet Crimes Against Children Task Force) (2007 – 2019); and Senior Assistant Deputy Attorney General (Supervisor Criminal Appeals Section) (2019 – Present).



SARA LEE DRAWDY
Traffic Safety Resource Prosecutor
South Carolina Commission on Prosecution Coordination
Post Office Box 11561
Columbia, South Carolina 29211-1561

EDUCATION:

B.A. (Political Science with a cognate in Business), SC Honors Program, University of South Carolina, Columbia, South Carolina (1980).
J.D., University of South Carolina School of Law, Columbia, South Carolina (1983).

BAR ADMISSIONS:

South Carolina (1984); and United States District Court for the District of South Carolina (1985).

PROFESSIONAL EXPERIENCE:

Law Clerk for the Honorable J. Bratton Davis, U.S. Bankruptcy Court for South Carolina (1983 – 1984); Trust Officer, South Carolina National Bank (1984 – 1993); Assistant Solicitor and Senior Career Prosecutor in the Vehicular Crimes Unit, Thirteenth Judicial Circuit (1993 – 2019); and Traffic Safety Resource Prosecutor, South Carolina Commission on Prosecution Coordination (2019 – Present).

PROFESSIONAL TRAINING:

Courses completed at the National Advocacy Center, Columbia, South Carolina: “Prosecuting the Drugged Driver” (October 25–29, 1999); “Trial Advocacy I – Analytical Advocacy” (June 3-7, 2002); “Trial Advocacy II” (June 16-20, 2003); and “Lethal Weapon: DUI Homicide” (June 13-17, 2005).

TEACHING EXPERIENCE:

Legal Instructor, Adjunct Faculty, Greenville Technical College (Weekend College Program), Greenville, SC (1989 – 1990); Speaker for CLE Programs, TSRP training programs for officers and prosecutors, Clemson University Master of Transportation Safety Administration (MTSA) Program; and South Carolina Court Administration Summary Court Judge Orientations (2008 – Present).

PROFESSIONAL ACTIVITIES:

Member, South Carolina Impaired Driving Prevention Council (2006 – Present); and Represented the State of South Carolina at the NHTSA sponsored “Aggressive Driving and the Law” Symposium (1999).



JOSHUA A. EDWARDS
Assistant Attorney General
South Carolina Attorney General's Office
Post Office Box 11549
Columbia, South Carolina 29211

EDUCATION:

B.A., University of South Carolina, Columbia, South Carolina (2009).

J.D., University of South Carolina School of Law, Columbia, South Carolina
(2013).

BAR ADMISSIONS:

South Carolina (2013).

PROFESSIONAL EXPERIENCE:

Law Clerk to the Honorable Edgar W. Dickson, South Carolina Circuit Court,
(2013–2014); Assistant Solicitor, First Judicial Circuit (2014–2017); Assistant
Attorney General, South Carolina Attorney General's Office, Criminal Appeals
Division (2017–Present).



MARK R. FARTHING
Senior Assistant Attorney General
South Carolina Attorney General's Office
Post Office Box 11549
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EDUCATION:

B.A. (History & Government), Wofford College, Spartanburg, South Carolina (2003).
J.D., Charleston School of Law, Charleston, South Carolina (2007).

BAR ADMISSIONS:

South Carolina (2007); United States Supreme Court (2013); United States Court of Appeals for the Fourth Circuit (2013); and United States District Court for the District of South Carolina (2013).

PROFESSIONAL EXPERIENCE:

Law Clerk to the Honorable Ralph King Anderson, Jr., South Carolina Court of Appeals (2008); Law Clerk to the Honorable Ralph King Anderson, Jr., South Carolina Circuit Court (2009); and Assistant Attorney General, South Carolina Office of the Attorney General, Criminal Appeals Division (2009 – Present).

CURRENT PROFESSIONAL ACTIVITIES:

Committee Member, Supreme Court Committee to Review the South Carolina Appellate Court Rules (2016 – Present); and Member, South Carolina Office of the Attorney General Appellate Review Team (2017 – Present).



SCCPC

South Carolina Commission
on Prosecution Coordination

Prosecuting the Impaired Driver “Cops and Prosecutors in Court”

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Prosecuting the Impaired Driver “Cops and Prosecutors in Court”

via Zoom™ Webinar

Friday, August 27, 2021

AGENDA

- 9:00 a.m. – 9:05 p.m. Welcome and Program Overview
Sara Lee Drawdy, Traffic Safety Resource Prosecutor
- 9:05 a.m. – 10:35 a.m. “DUI from a Retired Judge’s Point of View”
*Caroline Streater, Retired Summary Court Judge
Streater Litigation and Dispute Litigation, LLC
Columbia, South Carolina*
- 10:35 a.m. – 10:45 a.m. Break
- 10:45 a.m. – 12:05 p.m. “DUI Detection and Standardized Field Sobriety Testing”
*Corporal C. David Terry
Drug Recognition Expert and DRE Instructor
South Carolina Department of Public Safety
Greenville, South Carolina*

*Sergeant James W. Janes
Michigan 4th Regional DRE Coordinator
Michigan State Police Training Division
Lansing, Michigan
(Pre-recorded presentation)*
- 12:05 p.m. – 12:15 p.m. Break



12:15 p.m. – 1:00 p.m.

“Courtroom Testimony”

*Sara Lee Drawdy, Traffic Safety Resource Prosecutor
South Carolina Commission on Prosecution Coordination
Columbia, South Carolina*

*Tyler D. Mesman, Assistant Prosecuting Attorney
Ottawa County Prosecutor’s Office
Hudsonville, Michigan
(Pre-recorded presentation)*

1:00 p.m.

Adjourn



**Prosecuting the Impaired Driver and the SCDMV:
“Cops and Prosecutors in Court”**

via Zoom™ Webinar

Friday, August 27, 2021

FACULTY ROSTER

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**Prosecuting the Impaired Driver and the SCDMV:
“Cops and Prosecutors in Court”**

via Zoom™ Webinar

Friday, August 27, 2021

FACULTY ROSTER

(continued)

Cpl. Charles David Terry, Jr.
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South Carolina Highway Patrol
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BEHIND THE WHEEL

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Fax (803) 343-0766 - Email: sldrawdy@cpc.sc.gov

Volume 21, Issue 1

August 2021

Page 1



2021 **National Traffic Safety Prosecutor of the Year** South Carolina's own **Matthew Shelton** 16th Circuit Solicitor's Office

Matthew Shelton, Senior Solicitor in the 16th Circuit Solicitor's Office in York, South Carolina was awarded the *2021 National Traffic Safety Prosecutor of the Year Award* in July at the National Association of Prosecution Coordinators (NAPC) annual summer conference in Norfolk, Virginia. NAPC, in cooperation with the National Highway Traffic Safety Administration (NHTSA) presents this annual award to an outstanding prosecutor who has worked tirelessly to prosecute impaired driving and vehicular homicide cases. Mr. Shelton, who was selected from a group of exceptional candidates, was nominated by 16th Circuit Solicitor Kevin Brackett who said that Shelton has dramatically impacted the quality of traffic safety in his county. Matthew was responsible for the establishment of a centralized DUI court and he worked diligently to accomplish a reduction in the backlog of pending cases in magistrate court. He also established a Traffic Education Program, and when he saw the need, he began to provide annual training for local law enforcement officers on developing and documenting cases and instruction about how to present their own DUI cases in court. Shelton has many fans across agencies within the law enforcement community who also appreciate his contributions, and who joined in supporting his nomination for the award.



(continued on page 2)

August Training Opportunity

FRIDAY, August 27 – 9:00 a.m. – 1:00 p.m.

“Prosecuting the Impaired Driver: Cops and Prosecutors in Court”

CLE & CJA

This program, offered via Zoom™ webinar, is for law enforcement officers and prosecutors of all experience levels and will address how to produce effective DUI prosecutions in court. There will be a presentation by a recently retired judge regarding courtroom procedure and tips for DUI trials; a presentation by a DRE instructor about what to focus on during roadside investigations; a presentation by a prosecutor about direct testimony and dealing with cross examination by defense attorneys.

To register:

https://www.ciclt.net/sn/events/e_signup.aspx?ClientCode=sccpc&E_ID=500283&RegType=ATT

Click on the above link, or paste into a browser if the link does not work for you.

South Carolina Attorney General Weighs in on Warrants for Blood Draws in Misdemeanor DUI Investigations

The South Carolina Attorney General's office issued an opinion on March 29, 2021 advising that there appears to be no legal impediment contained in South Carolina's Implied Consent statute (§56-5-2950) that would prohibit a law enforcement officer, upon probable cause shown, from seeking a warrant from a magistrate to obtain a blood sample from a DUI suspect in a non-felony DUI case. This opinion is advisory only, and it is not binding, but it does explain the legal basis for magistrates to issue such warrants. Law enforcement officers have previously been able to obtain search warrants for blood samples in non-felony DUI cases in some counties, but this AG Opinion may result in more magistrates and municipal court judges being willing to issue warrants for blood draws in non-felony DUI cases.

Things for Law Enforcement Officers and Prosecutors to consider:

Officers should consult with a supervisor to get guidance about when, if and how to seek warrants in non-felony DUI cases. Law enforcement agencies should also consult with the solicitors or municipal prosecutors who prosecute their DUI cases about establishing priorities and best practices for conducting these DUI investigations.

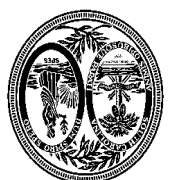
Given the limited resources of law enforcement, obtaining blood samples in non-felony DUI cases may likely need to be limited, based on logical and well considered criteria such as: repeat "breath test refusers"; "double refusals" where the subject refuses to perform both the field sobriety tests and the breath test; suspected drug impairment; functioning alcoholics whose impairment may not be observable on the video; or traffic accidents caused by the impaired driver.

Under what circumstances should a warrant for a blood sample be sought without offering a breath test? When should a DataMaster breath test be offered before taking the subject to a hospital for the collection of a blood sample pursuant to a search warrant? Consult with the prosecutors in your jurisdiction to answer these questions. The approaches may be different depending upon the specific circumstances within each Circuit.

Thought also should be given now, (before you are faced with an incident in the field), to what should be done when a warrant for a blood draw has been issued and the subject actively resists the collection of the sample. *(Should the attempt to collect the sample be abandoned in favor of an obstruction charge or contempt of a court order? A refusal to cooperate with the collection of the sample may also be used effectively against the offender at trial, especially when it resulted in the officer's decision not to forcibly take the sample.)*

Please email the South Carolina TSRP at sldrawdy@cpc.sc.gov if you would like to have a copy of the AG's Opinion. You may also email or call the South Carolina TSRP (803 832-8278) for assistance with any DUI enforcement, investigation, or prosecution issue that you encounter.

(continued from page 1) In concluding his nomination Solicitor Brackett said that the quality he most admires in Mr. Shelton is his positive attitude. "Through all the stress of our job he is one of the most upbeat and positive people I have ever known. He is relentlessly cheerful and always encouraging to his peers and those around him. He is available to help anyone at any time and works to build a sense of camaraderie and fellowship in the office." As for Matt, he says that "My favorite part of the job is passing on what I've learned to the younger attorneys in our office and helping them develop into effective advocates and trial attorneys." Watch for Matt to appear as a speaker at future TSRP Training. True to form, he agreed to assist with TSRP training events when he was asked to help.





BEHIND THE WHEEL

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Fax (803) 343-0766 - Email: sldrawdy@cpc.sc.gov

Volume 21, Issue 2

September 2021

Page 1



2021 DUI ENFORCEMENT AWARDS

Working to Reduce Deaths and Injuries



Officers / SCHP Trooper of the Year

Officer Zachariah Azari
Charleston Police Department

Patrolman Matthew Hagins
Springdale Police Department

Sergeant Casey Jones
Laurens Police Department

PFC Shawn Ludwig
Lexington Police Department

Master Trooper David P. Robertson
(SCHP Highway Patrol Troop Three)

Sergeant Brandon White
Greenwood Police Department

Rookie of the Year

Lance Corporal Jessica Dellinger
Hartsville Police Department

Agencies / SCHP Troop of the Year

Atlantic Beach Police Department
Greenwood Police Department
Goose Creek Police Department
Isle of Palms Police Department
Rock Hill Police Department
SCHP Troop Five

SC LEN of the Year

Ninth (9th) Circuit
Charleston and Berkeley Counties

State Transport Police Region of the Year

Region Six

Allendale, Bamberg, Barnwell, Beaufort, Berkeley, Charleston, Colleton, Dorchester, Hampton, Jasper, & Orangeburg Counties



Val Valenta, General Counsel for the SCDMV.

Thank you to Val Valenta!

After more than forty years of service to the State of South Carolina Val Valenta is retiring. Val became General Counsel for the SCDMV at the time of the agency's inception 18 years ago. Since that time, he has been a trusted expert upon whom legislators, prosecutors, defense attorneys and state agencies have relied for information and advice regarding DUI law. Val also served on the SCDMV's Board of Directors where he assisted in setting organizational direction and priorities for the agency. Val's career of service to the state also includes ten years with the S.C. Department of Public Service, three years with the S.C. Alcoholic Beverage Control Commission and twelve years with the S.C. Attorney General's Office. There can be no doubt that South Carolina is a better place because of his dedication and his many contributions.

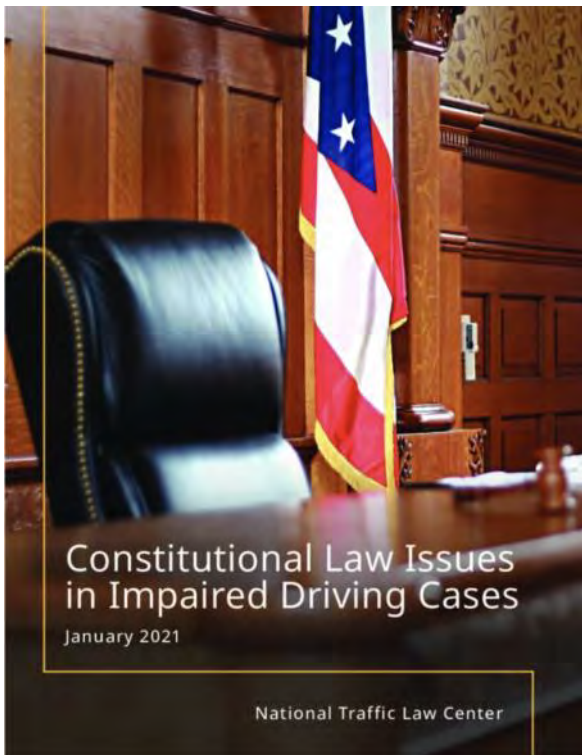
DUI Prosecution Resources



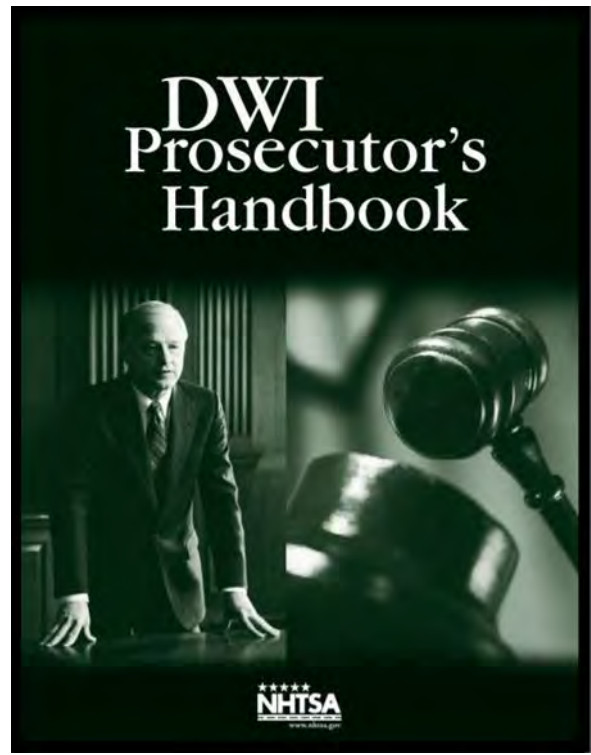
<https://ndaa.org/programs/ntlc/monographs/>

Monographs

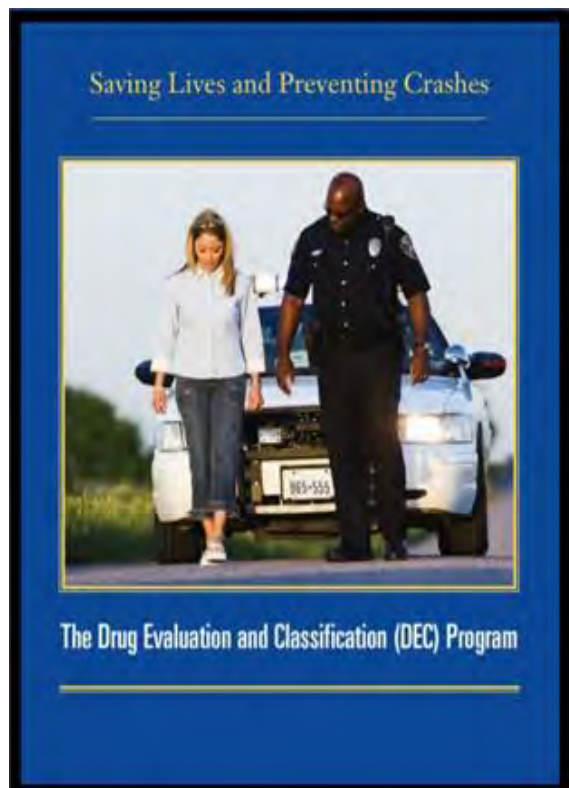
The National Traffic Law Center (NTLC), in collaboration with subject-matter experts from across the nation, publishes monographs to assist prosecutors, law enforcement, and other traffic safety professionals. **Following are a few of these monographs with links for downloading these free resources.**



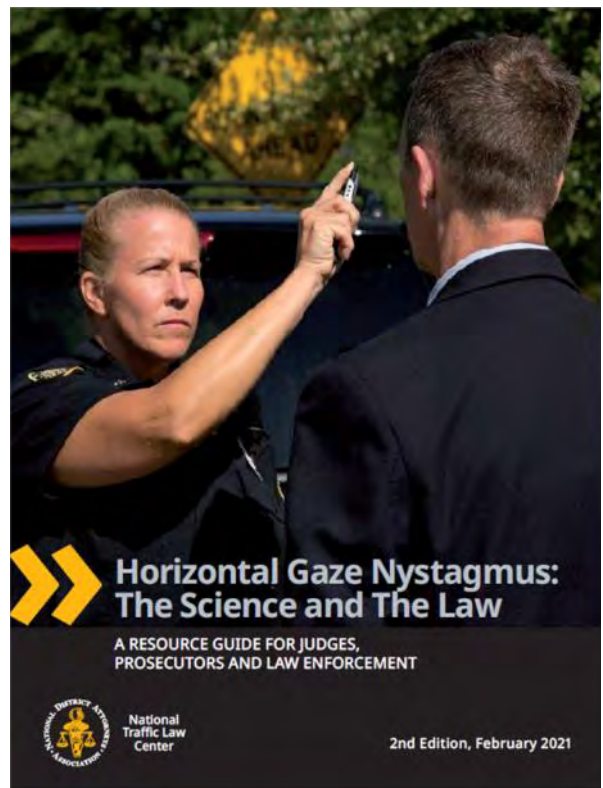
<https://ndaa.org/wp-content/uploads/Constitutional-Law-Issues-in-Impaired-Driving-Cases-Jan-2021-1.pdf>



<https://ndaa.org/wp-content/uploads/810864.pdf>

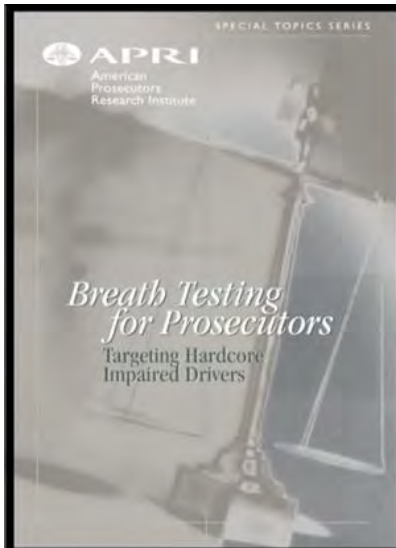


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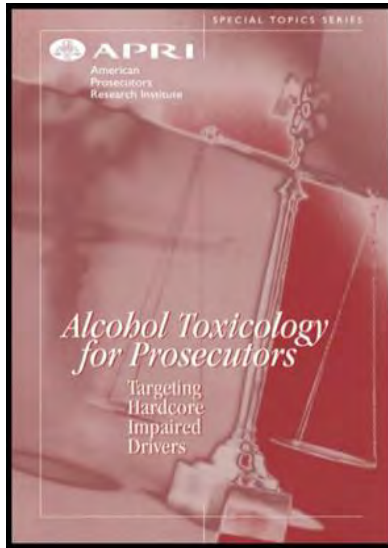


<https://ndaa.org/wp-content/uploads/HGN-The-Science-and-The-Law-Feb-2021.pdf>

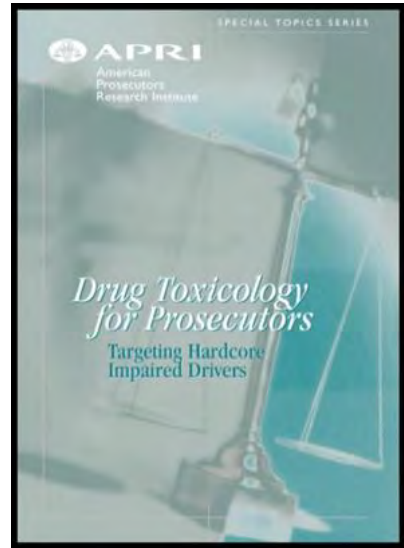
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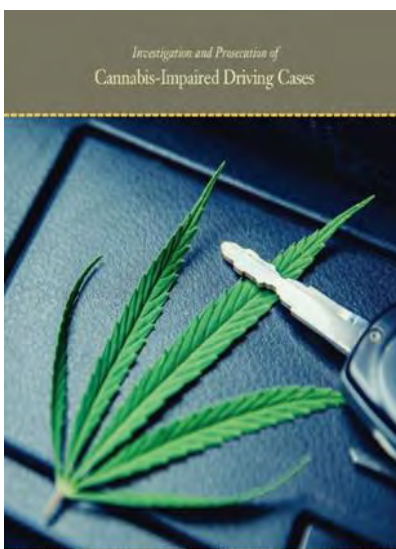
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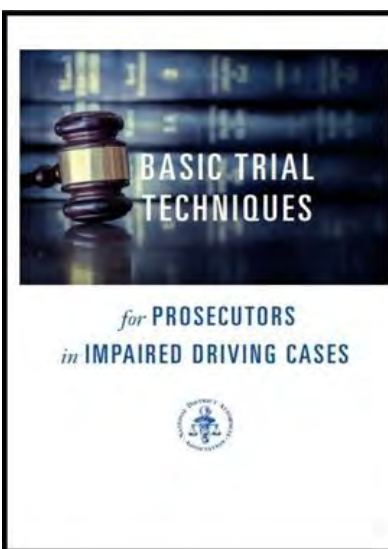
https://ndaa.org/wp-content/uploads/toxicology_final.pdf



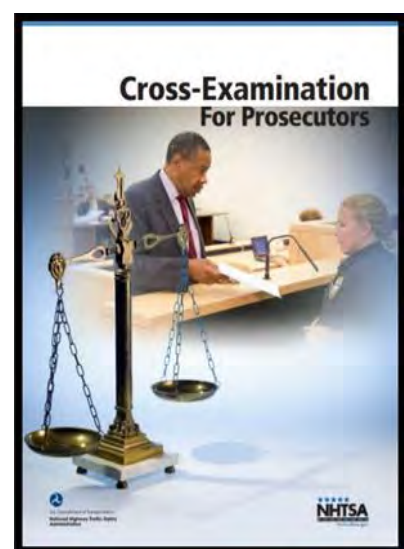
https://ndaa.org/wp-content/uploads/drug_toxicology_for_prosecutors_04.pdf



<https://ndaa.org/wp-content/uploads/Investigation-and-Prosecution-of-Cannabis-Impaired-Driving-Cases-Final.pdf>



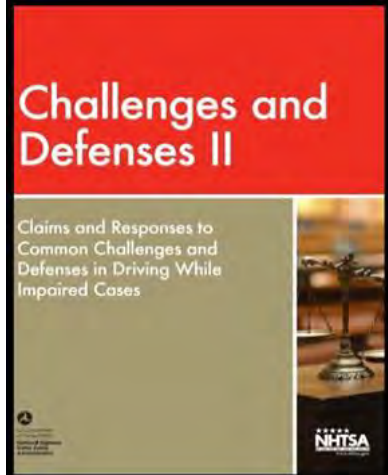
<https://ndaa.org/wp-content/uploads/BasicTrialTechniques-Monograph-Web-Version-Final-01-30-2019.pdf>



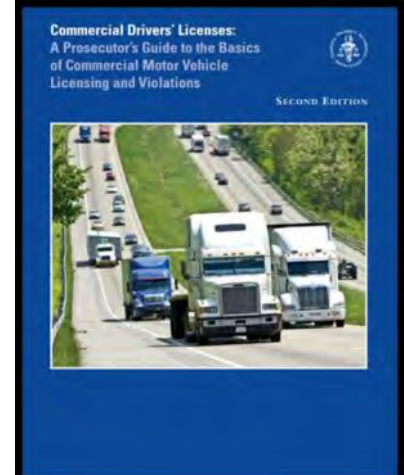
https://ndaa.org/wp-content/uploads/Cross-Exam_for_Prosecutors_Mongraph.pdf



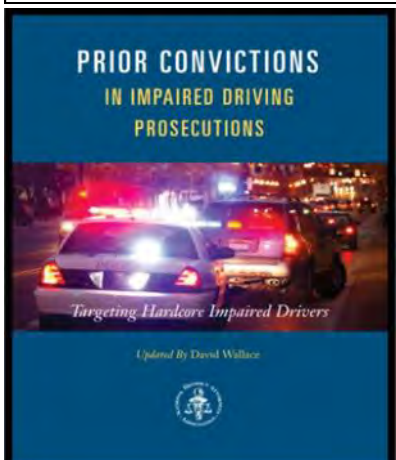
https://ndaa.org/wp-content/uploads/overcoming_impaired_driving_defensesI.pdf



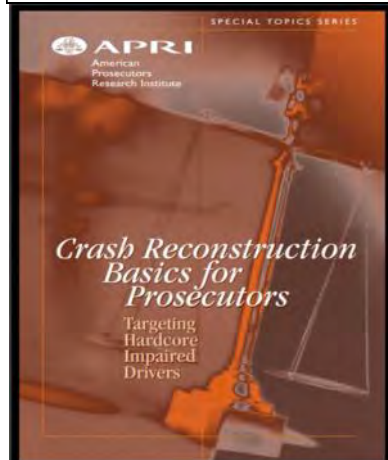
<https://ndaa.org/wp-content/uploads/Challenges-and-Defenses-II.pdf>



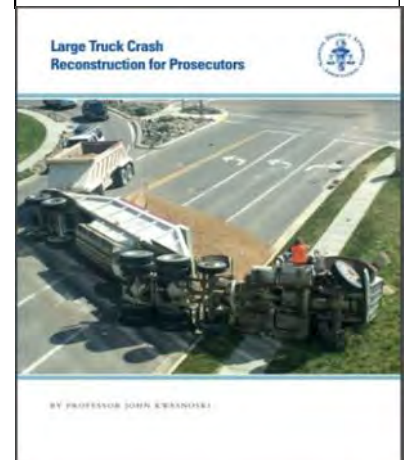
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<https://ndaa.org/wp-content/uploads/Prior-Convictions-Feb-2019.pdf>



https://ndaa.org/wp-content/uploads/crash_reconstruction_basics.pdf



https://ndaa.org/wp-content/uploads/Crash_Monograph_FinalWEB_revised3.pdf

PENALTY TABLE FOR DUI / DUAC

§ 56-5-2930 / § 56-5-2933

FIRST OFFENSE:

Refusals and BACs <u>below</u> 0.10%	BACs from 0.10% through 0.15%	BACs of 0.16% and above.
Mandatory minimum: 48 hours in jail; <u>or</u> 48 hours Public Service; <u>or</u> \$400 fine	Mandatory minimum: 72 hours in jail; <u>or</u> 72 hours Public Service; <u>or</u> \$500 fine	Mandatory minimum: 30 days in jail; <u>or</u> 30 days Public Service; <u>or</u> \$1,000 fine
Up to a maximum of 30 days in jail. CDR 3353 / 3366	Up to a maximum of 30 days in jail CDR 3354 / 3367	Up to a maximum of 90 days in jail DR 3355 / 3368

SECOND OFFENSE:

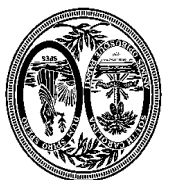
Refusals and BACs <u>below</u> 0.10%	BACs from 0.10% through 0.15%	BACs of 0.16% and above.
Mandatory minimum: 5 days in jail <u>and</u> \$2,100 fine (May suspend fine to \$ 1,100)	Mandatory minimum: 30 days in jail <u>and</u> \$2,500 (May suspend fine to \$ 1,100)	Mandatory minimum: 90 days in jail <u>and</u> \$3,500 (May suspend fine to \$ 1,100)
Max 1 year <u>and</u> \$5,100 fine CDR 3356 / 3369	Max 2 years <u>and</u> \$5,500 CDR 3357 / 3370	Max 3 years <u>and</u> \$6,500 CDR 3358 / 3371

THIRD OFFENSE:

Refusals and BACs <u>below</u> 0.10%	BACs from 0.10% through 0.15%	BACs of 0.16% and above.
Mandatory minimum: 60 days in jail <u>and</u> \$3,800 (May suspend fine to \$2,100)	Mandatory minimum: 90 days in jail <u>and</u> \$5,000 (May suspend fine to \$2,500)	Mandatory minimum: 6 months in jail <u>and</u> \$7,500 (May suspend fine to \$3,500)
Max 3 years <u>and</u> \$6,300 fine CDR 3359 / 3372	Max 4 years <u>and</u> \$7,500 CDR 3361 / 3373	Max 5 years <u>and</u> \$10,000 CDR 3362 / 3374

FOURTH OFFENSE:

Refusals and BACs <u>below</u> 0.10%	BACs from 0.10% through 0.15%	BACs of 0.16% and above.
Mandatory minimum: 1 YEAR	Mandatory minimum: 2 YEARS	Mandatory minimum: 3 YEARS
Max 5 YEARS CDR 3363 / 3375	Max 6 YEARS CDR 3364 / 3376	Max 7 YEARS CDR 3365 / 3377





STATE OF SOUTH CAROLINA

Impaired Driving Program Assessment

October 27, 2019 – November 1, 2019

National Highway Traffic Safety Administration

Technical Assessment Team

Robert Burroughs

Honorable Linda Chezem

Troy Costales

Michael Iwai

Robert Lillis

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The team also thanks each of the participants for the time and energy invested in preparing and providing information. Their candor and thoroughness in discussing their activities to target impaired driving in South Carolina greatly assisted the team in conducting a complete review.

The team thanks Caroline Cash of the Impaired Driving Division, National Highway Traffic Safety Administration (NHTSA) for coordinating and facilitating the assessment process and Sandy Richardson, NHTSA Region 4 for her support and guidance during the assessment planning and process. Their support helped provide a national and regional impaired driving program perspective to the assessment. The team also thanks Ashley Bieski, Assessment Administrative Consultant, for her coordination and management of the production of the final report and support to the team.

This report is based on a review of the State's Impaired Driving Program. It is intended to assist South Carolina's efforts to enhance the effectiveness of its impaired driving program by equipping the criminal justice community, prevention and treatment leaders, and law enforcement officials with the knowledge and skills to protect the citizens of South Carolina from those who drive impaired. The team believes that this report will contribute to the State's efforts to enhance the effectiveness of its impaired driving program in preventing injuries, saving lives, and reducing economic costs of motor vehicle crashes on South Carolina roadways, and commends all who are involved in the day-to-day efforts to reduce impaired driving in South Carolina.

INTRODUCTION

The mission of the National Highway Traffic Safety Administration (NHTSA) is to reduce deaths, injuries, and economic and property losses resulting from motor vehicle crashes. In its ongoing pursuit to reduce traffic crashes and subsequent fatalities and injuries, NHTSA offers Highway Safety Program Assessments to the States.

The Highway Safety Program Assessment process is an assistance tool that uses an organized approach, along with well-defined procedures, to provide states with a review of their various highway safety and emergency medical services (EMS) programs. Program assessments are provided for impaired driving, occupant protection, traffic records, motorcycle safety, standardized field sobriety testing, driver education, pedestrian and bicycle safety, and EMS.

The purpose of an assessment is to review all components of a given highway safety or EMS program, note the program's strengths and accomplishments, and note where improvements can be made. The assessment can be used as a management tool for planning purposes and for making decisions about how to best use available resources. The assessments are cooperative efforts among state highway safety offices, state EMS offices, and NHTSA. In some instances, the private sector is also a partner in the effort. NHTSA staff facilitates the assessment process by assembling a team composed of experts who have demonstrated competence in highway safety or EMS program development and evaluation to complete the assessment.

Program assessments are based on the “Uniform Guidelines for State Highway Safety Programs,” which are required by Congress and periodically updated through a public rulemaking process. For each highway safety program area, the criteria against which each state program is assessed have been developed through use of the uniform guidelines, augmented by current best practices.

Under the Fixing America’s Surface Transportation Act (FAST) Act, States that have an average impaired driving fatality rate per 100 million miles traveled (VMT) that is 0.60 or higher are considered high-range states. States are considered mid-range if their average impaired driving fatality rate is lower than 0.60 but higher than 0.30 and low-range state if it is 0.30 or lower. South Carolina is considered a high-range state and is therefore required to conduct a NHTSA facilitated assessment of the State’s impaired driving program. Furthermore, the State is required to convene a statewide impaired driving task force to develop a statewide impaired driving plan. The plan must address recommendations from the required assessment.

The South Carolina Impaired Driving Program Assessment was conducted at the Courtyard by Marriott, Columbia, SC, from October 26th - November 1st, 2019. Under the direction of John Westerhold, Director of the South Carolina Department of Public Safety, Office of Highway Safety and Justice Programs (SCDPS, OHSJP), arrangements were made for impaired driving program partners and stakeholders (see Agenda) to

deliver briefings and provide support materials to the team on a wide range of topics over a three-day period.

STATE BACKGROUND

According to the U.S. Census Bureau, in 2017, the population of South Carolina was estimated to be 5,024,369 (Table 1). From 2013 to 2017, South Carolina's population increased by an estimated 5.15%, compared to a nationwide population growth of 2.9%. In 2017, South Carolina had 3,829,739 licensed drivers who operated 4,523,372 registered motor vehicles on a roadway system of over 77,364 miles of streets and highways.

Demographic factors to consider when analyzing South Carolina's impaired driving problem are age, race, and gender. According to the Office of Highway Safety and Justice Programs (OHSJP) Statistical Analysis & Research Section (SARS), from 2013-2017, the age groups 20-24 (236), 25-29 (243), 30-34 (186), 35-39 (152), 40-44 (139), and 45-49 (134) accounted for 1,090, or 73%, of the at-fault drivers (1,489) involved in impaired-driving fatal crashes in the state. Statistics for 2013-2017 indicate that 64% (951) of at-fault drivers involved in impaired driving fatal crashes in South Carolina were White or Caucasian, while 32% (477) were African American. Statistics for 2013-2017 indicate that 81% (1,212) of at-fault drivers involved in impaired driving fatal crashes in South Carolina were male, while females made up 19% (276).

Economically, the state of South Carolina has experienced significant economic progress over the last several years, especially as it relates to the labor force and employment levels reaching all-time highs, and a considerable drop in the unemployment rate, which fell to the mark of 4.5% or below for the entire year of 2017 (SC Department of Education and Workforce [SC DEW], 2018). Although progress has been achieved in these areas, the State still struggles with the economic challenges of high unemployment rates among certain populations (Hispanics, Native Americans, homeless, veterans and others) and low per capita income (SC DEW, 2018).

In 2014, the South Carolina Revenue and Fiscal Affairs Office and the U.S. Census Bureau reported that 82.7% of South Carolina workers drove to work, 9.3% carpooled, and only 0.7% used public transportation. It is reported that 3.4% of the workforce worked at home. Among those who commuted to work, an average of 24 minutes was required. From 2013-2017, the median household income of South Carolina residents was \$48,781; however, 15.4% of South Carolina residents live in poverty.

SC Traffic Fatality Summary

Statistical data (Table 1) for calendar year (CY) 2017 shows that 988 people were killed in South Carolina traffic crashes. In the period from 2013 through 2017, there were approximately 4,577 motor vehicle-related deaths in South Carolina. This resulted in an average of about 852 traffic fatalities per year over the five-year period. Over this period, annual traffic fatalities fluctuated around the five-year average, starting with 767 in 2013 (the third lowest number of deaths in the prior 50-year state history) and ending with 988 in 2017. The 2017 count represents a 10.11% increase, when compared to the average of

the prior four years (897.25 fatalities), and a 28.81% increase when compared to the count in 2013.

Table 1. South Carolina Basic Data							
	2013	2014	2015	2016	2017	% Change: 2013 vs. 2017	% Change: 2017 vs. prior 4-yr Avg.
Total Fatalities	767	823	979	1,020	988	28.81%	10.11%
VMT*	48,987	49,950	51,723	54,404	55,496	13.29%	8.25%
VMT Rate**	1.57	1.65	1.89	1.87	1.78	13.38%	2.01%
Population	4,765,862	4,824,758	4,892,423	4,959,822	5,024,369	5.42%	3.37%
Pop Rate***	16.09	17.06	20.01	20.57	19.66	22.19%	6.66%

NHTSA NCSA FARS: 2013-2016 Final File and 2017 Annual Report File (ARF) 2017 VMT & VMT Rate provided by South Carolina Department of Transportation Population & Population Rate provided by U.S. Census Bureau

*Vehicle Miles of Travel (billions)

**Rate per 100 million vehicle miles

***Rate per 100,000 population

A comparison of South Carolina data with the national data (Table 2) indicates that South Carolina's traffic death rate per 100 million vehicle miles traveled (VMT) of 1.78 for 2017 is approximately 53.4% higher than the national VMT death rate of 1.16. The VMT death rate in South Carolina increased 13.38% from 2013 to 2017, while the national VMT death rate increased 5.45%. The population of South Carolina increased by 5.42% during that period compared to a national increase of 3.0%.

Table 2. Nationwide Basic Data							
	2013	2014	2015	2016	2017	% Change: 2013 vs. 2017	% Change: 2017 vs. prior 4-yr Avg.
Total Fatalities	32,890	32,744	35,477	37,803	36,754	11.75%	5.83%
VMT*	2,988	3,026	3,095	3,174	3,213	7.53%	4.63%
VMT Rate**	1.10	1.08	1.15	1.19	1.16	5.45%	2.65%
Population	316,234,505	318,622,525	321,039,839	323,405,935	325,719,178	3.00%	1.84%
Pop Rate***	10.40	10.28	11.05	11.69	11.28	8.46%	3.92%

NHTSA NCSA FARS: 2013-2016 Final File and 2017 Annual Report File (ARF) 2017 VMT & VMT Rate provided by U.S. Department of Transportation Population & Population Rate provided by U.S. Census Bureau

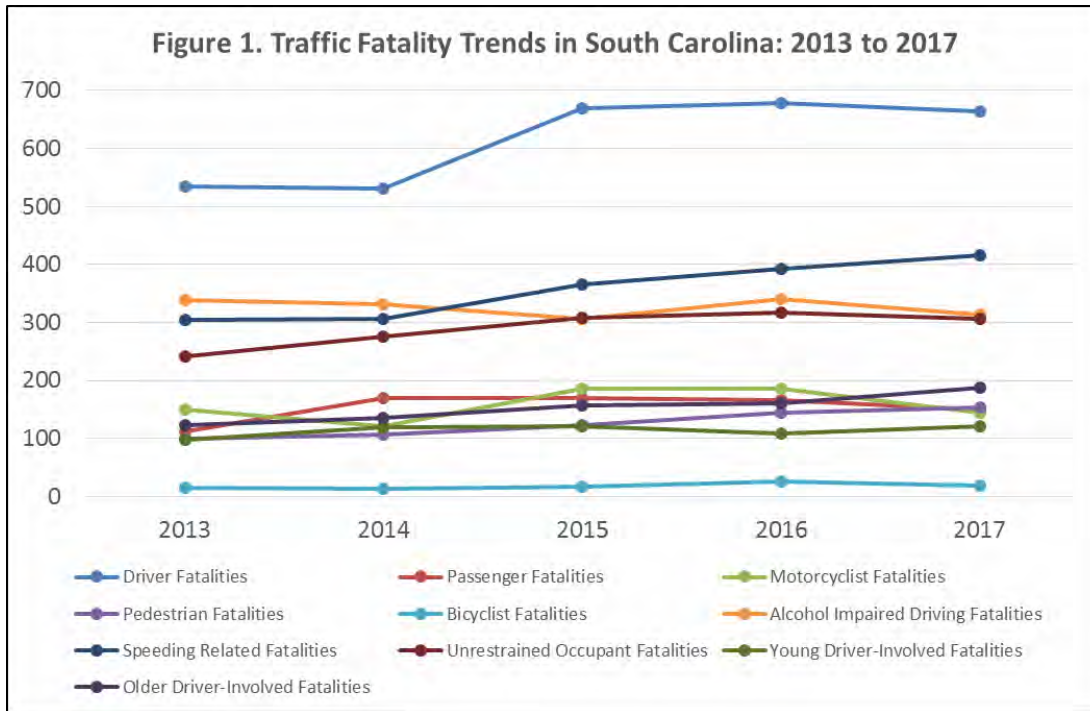
*Vehicle Miles of Travel (billions)

**Rate per 100 million vehicle miles

***Rate per 100,000 population

The state's population-based fatality rate (expressed as the number of deaths per 100,000 population) increased by 22.19% in 2017, as compared to the prior four-year average population-based fatality rate. In comparison, the Nation's 2017 population-based fatality rate only increased by 8.46% in 2017 when compared to the prior four-year average of the national population-based fatality rate. South Carolina's 2017 population-based fatality rate (19.66 deaths per 100,000 residents) was greater than the national rate of 11.28.

Regarding the number of alcohol-impaired driving fatalities, South Carolina experienced a decrease of 7.53% (from 339 in 2013 to 313 in 2017) compared to the national increase of 7.83% during this same time period.



NHTSA NCSA FARS: 2013-2016 Final File and 2017 Annual Report File (ARF)

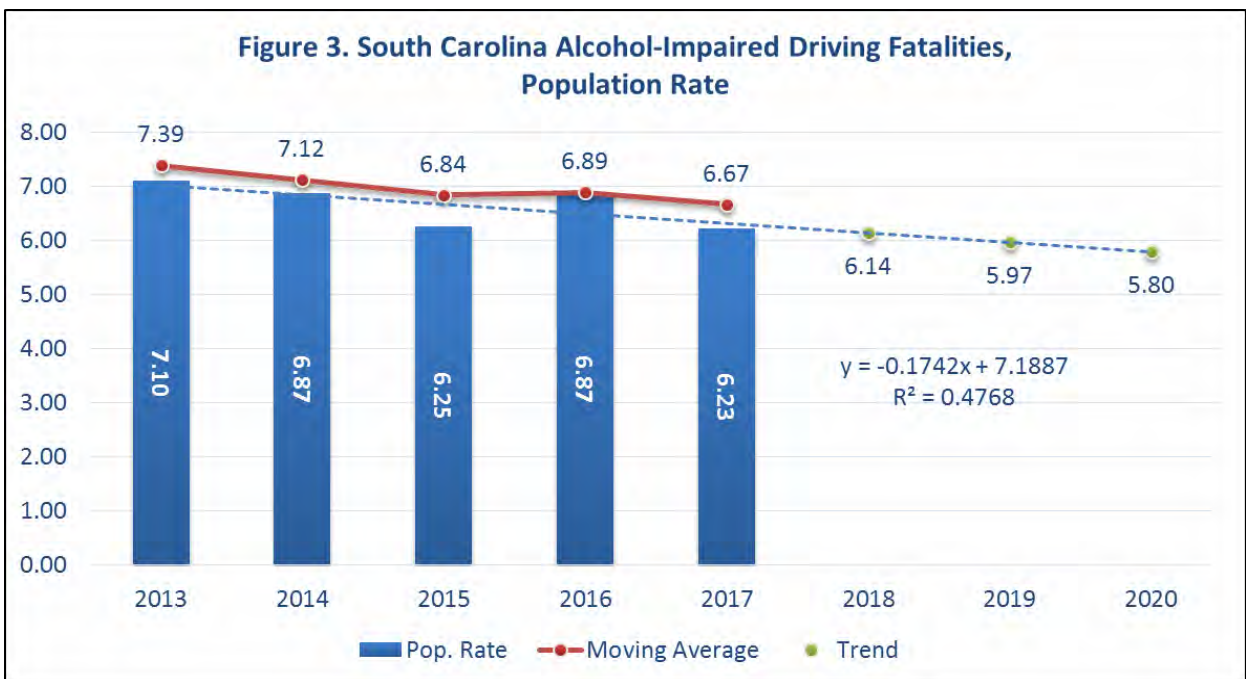
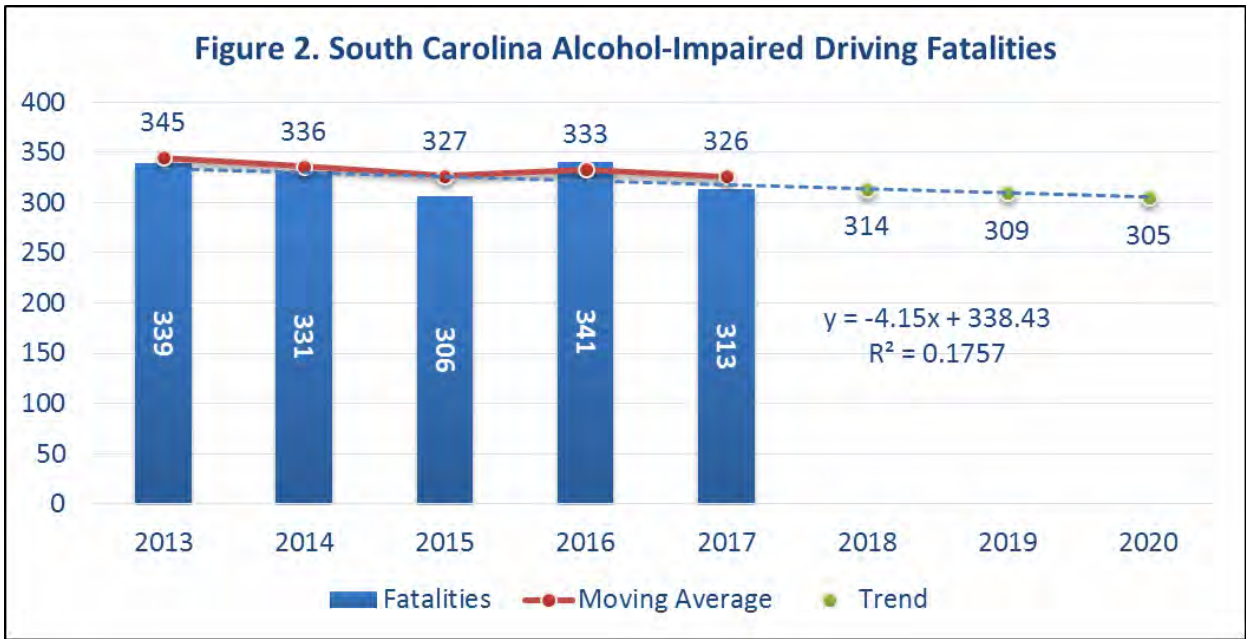
As seen in Figure 1, the only decline among the three major behavior-related traffic fatality categories (impaired driving, speeding, and unrestrained vehicle occupant) in South Carolina occurred in the impaired driving traffic fatalities category. Impaired driving deaths showed a decline (7.67% in 2017 as compared to 2013; 4.94% comparing 2017 to the average of 2013-2016). Overall, there was a net decline of 26 impaired driving deaths between 2013 and 2017 (see Table 5, as well as Figures 2 and 3 for impaired driving trends). South Carolina’s alcohol-impaired population-based fatality rate followed a similar pattern of decline as the number of fatalities, with the 2017 rate representing an 8.04% decrease when compared to the 2013-2016 average and a 12.38% decrease when compared to the rate in 2013. Additionally, alcohol-impaired driving fatalities made up 31.68% of total traffic fatalities in South Carolina in 2017. Finally, the 2017 proportion represents a 4.94% decrease compared to an average of the prior four years.

	2013	2014	2015	2016	2017	% Change: 2013 vs. 2017	% Change: 2017 vs. prior 4-yr Avg.
Total Fatalities	339	331	306	341	313	-7.67%	-4.94%
VMT Rate**	0.69	0.66	0.59	0.63	0.56	-18.84%	-12.84%
Pop Rate***	7.11	6.86	6.25	6.88	6.23	-12.38%	-8.04%
Pct. Of Total	44.20%	40.22%	31.26%	33.43%	31.68%	-12.52%	-5.60%

NHTSA NCSA FARS: 2013-2016 Final File and 2017 Annual Report File (ARF)

**Rate per 100 million vehicle miles

***Rate per 100,000 population



The State of South Carolina has been committed to reducing the occurrence of alcohol-impaired driving and the resulting traffic crashes, injuries, and fatalities. The State has experienced significant reductions in alcohol-impaired driving traffic fatalities in recent years. The most recent Fatality Analysis Reporting System (FARS) data provided by the National Highway Traffic Safety Administration (NHTSA) indicates that 313 people died on South Carolina roadways in 2017 as a result of alcohol-impaired driving crashes. This raw number translates into a VMT alcohol-impaired driving fatality rate (traffic fatalities per 100 million vehicle miles traveled) for the state of 0.56, higher than the national rate of 0.34.

PRIORITY RECOMMENDATIONS

I. Program Management and Strategic Planning

- **Convene a Governor’s Alcohol and Drug Impaired Driving Task Force that includes both traditional and non-traditional members such as highway safety experts, law enforcement, judiciary, driver licensing services, treatment, alcohol beverage control, businesses, insurance companies, medical and health care representatives, advocacy groups, the media, and higher education, to review existing laws and regulations and make recommendations to the Governor and State Legislature**
- **Create a South Carolina *Impaired Driving Strategic Plan* sponsored by the Impaired Driving Prevention Council**
- **Require Driving Under the Influence offenders, regardless of the final disposition of the conviction stemming from a Driving Under the Influence arrest, to pay fines and fees that support the impaired driving countermeasure system**

II. Prevention

- **Enact legislation to require responsible beverage server training as a condition of liquor licensure**

III. Criminal Justice System

- **Increase impaired driving enforcement**
- **Assign a prosecutor to each of the seven Troop locations**
- **Amend the current law regarding the stringent evidentiary use of video in impaired driving cases**
- **Pilot a program to provide paralegal assistants to law enforcement who prosecute cases without assistance in summary courts**
- **Expand the use of the Ignition Interlock Device program to include all first-time offenders upon conviction regardless of blood alcohol concentration**

IV. Communication Program

- **None**

V. Alcohol and Other Drug Misuse: Screening, Assessment, Treatment and Rehabilitation

- **Enhance the current Reckless Driving statute to require mandatory enrollment in and completion of the Alcohol and Drug Safety Action Program when Driving Under the Influence is the initial charge**
- **Enhance the current Reckless Driving statute to require the recording of the initial charge when the initial charge was Driving Under the Influence for the purpose of enhancement of sentencing**

VI. Program Evaluation and Data

- **Obtain driver toxicology results from surviving drivers involved in fatal and serious injury crashes**

I. Program Management and Strategic Planning

Effective impaired driving programs begin with strong leadership, sound policy development, effective and efficient program management, and coordinated planning, including strategic planning. Program efforts should be data-driven, focusing on populations and geographic areas that are most at risk; are evidence-based; and determined through independent evaluation as likely to achieve success. Programs and activities should be guided by problem identification, carefully managed and monitored for effectiveness, and have clear measurable outcomes. Adequate resources should be devoted to the problem, and the costs should be borne, to the extent possible, by impaired drivers. Strategic planning should provide policy guidance; include recommended goals and objectives; and identify clear measurable outcomes, resources, and ways to overcome barriers.

A. State and Tribal DWI Task Forces or Commissions¹

Advisory

States and tribal governments should convene Driving While Impaired (DWI) task forces or commissions to foster leadership, commitment and coordination among all parties interested in impaired driving issues. State-level and tribal task forces and commissions should:

- *Receive active support and participation from the highest levels of leadership, including the governor and/or governor’s highway safety representative.*
- *Include members that represent all interested parties, both traditional and non-traditional, such as representatives of: government – highway safety, enforcement, criminal justice, liquor law enforcement, public health, education, driver licensing and education; business – employers and unions; the military; medical, health care and treatment; multi-cultural, faith-based, advocacy and other community groups; and others.*
- *Recommend goals and objectives, provide policy guidance and identify available resources, based on a wide variety of interests and through leveraging opportunities.*
- *Coordinate programs and activities to ensure that they complement rather than compete with each other.*
- *Operate continuously, based on clear authority and direction.*

¹ See “A Guide for Statewide Impaired Driving Task Forces” (DOT HS 811 211, September 2009) for a “how to” in support of implementing, making best use of, and continuing a task force.

Status

The State of South Carolina has convened a statewide council that is seen as the leading voice on impaired driving in South Carolina. Membership includes traditional and non-traditional parties that are pushing for the reduction and eventual elimination of impaired driving. The Impaired Driving Prevention Council (IDPC) provides leadership and guidance for citizens seeking to significantly reduce the number of crashes, injuries, and deaths caused by impaired drivers. The efforts of the IDPC are intended to provide qualitative and quantitative information to the legislative assembly, state agencies, non-profit agencies, and any organization involved in the fight against impaired driving.

Currently, the IDPC has over 40 members with positions that are vacant. Additional agencies have been identified that share an interest in reducing impaired driving. Four committees have been established in the areas of education/prevention, enforcement/prosecution/adjudication, legislation, and treatment/rehabilitation/diversion. Meetings of the full Council have not been held regularly.

While issues of statewide concern are on the agenda, the Council has not undertaken a self-assessment on their efforts and operating protocols. No strategic plan exists for the Council to follow and advocate. The Charter was last amended in 2012.

Other statewide committees and task forces exist for addressing very specific areas of the impaired driving countermeasure system on topics such as underage alcohol access, legalization of medical marijuana, victim support, and the law enforcement network. The efforts of these individual groups can be guided by the IDPC but a connection does not seem to exist today.

Recommendations

- **Convene a Governor's Alcohol and Drug Impaired Driving Task Force that includes both traditional and non-traditional members such as highway safety experts, law enforcement, judiciary, driver licensing services, treatment, alcohol beverage control, businesses, insurance companies, medical and health care representatives, advocacy groups, the media, and higher education, to review existing laws and regulations and make recommendations to the Governor and State Legislature**
- Conduct a self-assessment of the Impaired Driving Prevention Council
- Update the Impaired Driving Prevention Council Charter
- **Create a South Carolina *Impaired Driving Strategic Plan* sponsored by the Impaired Driving Prevention Council**

B. Strategic Planning

Advisory

States should develop and implement an overall plan for short- and long-term impaired driving activities. The plan and its implementation should:

- *Define a vision for the state that is easily understood and supported by all partners.*
- *Utilize best practices in strategic planning.*
- *Be based on thorough problem identification that uses crash, arrest, conviction, driver record and other available data to identify the populations and geographic areas most at risk.*
- *Allocate resources for countermeasures determined to be effective that will impact the populations and geographic areas most at risk.*
- *Include short-term objectives and long-range goals. Have clear measurable outcomes.*
- *Be an integral part of or coordinate with and support other state plans, including the Highway Safety Plan and Strategic Highway Safety Plan.*
- *Establish or adjust priorities based on recommendations provided to the state as a result of reviews and assessments, including this impaired driving assessment.*
- *Assign responsibility and accountability among the state's partners for the implementation of priority recommendations.*

Status

The strategic planning for the highway safety efforts in South Carolina start with the South Carolina Department of Public Safety (SCDPS), Office of Highway Safety and Justice Programs (OHSJP).

On an annual basis, the OHSJP holds a problem identification meeting. Staff work together to identify statewide problems, county level areas of concern, and system improvements that can be made in the coming year. When available, the results of the current slate of highway safety grants and programs are added to the traditional review of crash, citation, and public opinion survey data.

Using the problem identification process, the OHSJP produces a *Highway Safety Funding Guideline* document. Expectations for the grants considered in the coming year should address information in the *Guideline*. Specifically, to the area of impaired driving, the

established priorities are based on the eligible activities allowed under the funding sources (see Resources), continuing efforts underway, and best practices from around the country as noted in the *Countermeasures That Work* report published by the National Highway Traffic Safety Administration (NHTSA).

The OHSJP provides information and assistance to prospective grant recipients. Discussions include the use of the *Guidelines*, expectations of grantees, the process to submit an application, and assistance on completing the grant application details.

Outreach to current and potential partners is completed in order to allow time to complete the grant submission. The Law Enforcement Network (LEN) helps in encouraging law enforcement agencies to apply and take part in the high visibility enforcement campaigns (HVE). Efforts to include new, unique, or non-traditional partners has not been an emphasis in the past few years.

The OHSJP staff reviews grant applications using the earlier problem identification as a guide. All of the project detail, including specific elements in the budgets, are reviewed for compliance with the funding sources available to the OHSJP. A list of the projects, recommended for funding and no funding, are presented to the Public Safety Coordinating Council for approval.

During the year, all projects are monitored for performance, spending, and impact. Coordination with activities under the Strategic Highway Safety Plan (SHSP), the Motor Carrier Safety Assistance Program (MCSAP), Highway Safety Improvement Program (HSIP), and the grants issued by the South Carolina Department of Alcohol and Other Drug Abuse Services (DAODAS) occurs on a happenstance manner and can cause confusion at the local community level.

The SHSP is a joint effort of the SCDPS and the South Carolina Department of Transportation (SCDOT). The Plan, entitled *Target Zero*, is indicative of the State's commitment to eliminating traffic fatalities and reducing severe injuries over time. Impaired driving is an Emphasis Area in the SHSP. Twenty-two strategies are listed, of those 22 strategies the OHSJP is part of the effort on 15.

Recommendations

- Utilize additional data to enhance the problem identification process to expand the impaired driving priorities in the *Highway Safety Plan*
- Increase the outreach during the solicitation period for the *Highway Safety Plan* grant applications
- Hold a coordination meeting of the various state agencies that are providing grants and technical assistance to local communities in the area of impaired driving

C. Program Management

Advisory

States should establish procedures and provide sufficient oversight to ensure that program activities are implemented as intended. The procedures should:

- *Designate a lead agency that is responsible for overall program management and operations;*
- *Ensure that appropriate data are collected to assess program impact and conduct evaluations;*
- *Measure progress in achieving established goals and objectives;*
- *Detect and correct problems quickly;*
- *Identify the authority, roles, and responsibilities of the agencies and personnel for management of the impaired driving program and activities; and*
- *Ensure that the programs that are implemented follow evidence-based best practices.²*

Status

The lead agency for the highway safety efforts in South Carolina is the South Carolina Department of Public Safety (SCDPS), Office of Highway Safety and Justice Programs (OHSJP). The OHSJP is staffed to oversee and implement the highway safety grant program through the *Highway Safety Plan* (HSP).

The OHSJP program managers and fiscal analysts have the administrative responsibility for overall program management and operations. Statisticians and data analysts are helping to set performance expectations and monitoring overall progress. Technical assistance is offered to grantees, including media materials as needed. There are a few vacancies at this time.

On an annual basis, the OHSJP holds a problem identification meeting. Staff work together to identify statewide problems, county level areas of concern, and system improvements that can be made in the coming year. When available, the results of the current slate of highway safety grants and programs are added to the traditional review of crash, citation, and public opinion survey data. Data from driver records, Fatality Analysis Reporting System (FARS), and observation studies allow for a more detailed analysis when it comes time to select strategies and countermeasures for specific grants.

² See “Countermeasures That Work: A Highway Safety Countermeasure Guide for State Highway Offices,” Ninth Edition, August 2018.

Using the problem identification process, the OHSJP produces a *Highway Safety Funding Guideline* document. Expectations for the grants considered in the coming year should address information in the *Guideline*. Specifically, to the area of impaired driving, the established priorities are based on the eligible activities allowed under the funding sources (see Resources), continuing efforts underway, and best practices from around the country as noted in the *Countermeasures That Work* report published by the National Highway Traffic Safety Administration (NHTSA).

The OHSJP staff follow their own grant program procedures manual on specific processes on the operations and management of grant activities. Program and financial staff meet with grantees to ensure grantees are following the expectations and rules regarding the federally funded highway safety program.

The senior leadership of the OHSJP are engaged in multiple statewide and regional task forces and committees. Program partners expressed gratitude for the professionalism and availability of the OHSJP staff. Special recognition was given for the efforts to address tough subjects and long-standing barriers in the area of impaired driving.

Recommendations

- Recruit and fill the current vacant positions in the Office of Highway Safety and Justice Programs

D. Resources

Advisory

States should allocate sufficient funding, staffing and other resources to support their impaired driving programs. Programs should aim for self-sufficiency and, to the extent possible, costs should be borne by impaired drivers. The ultimate goal is for impaired driving programs to be fully supported by impaired drivers and to avoid dependence on other funding sources.

States should:

- *Allocate funding, staffing and other resources to impaired driving programs that are:*
 - *Adequate to meet program needs and proportional to the impaired driving problem;*
 - *Steady and derived from dedicated sources, which may include public or private funds; and*
 - *Financially self-sufficient, and to the extent possible paid by the impaired drivers themselves. Some States achieve financial self-sufficiency using fines, fees, assessments, surcharges or taxes. Revenue collected from these sources should be used for impaired driving programs rather than returned to the State Treasury or General Fund.*
- *Meet criteria to enable access to additional funding through various incentive programs.*
- *Identify opportunities and leverage resources on behalf of impaired driving efforts.*
- *Determine the extent and types of resources available from all sources (local, state, and federal; public and private) that are dedicated to impaired driving efforts.*
- *Designate a position and support the individual in that position with sufficient resources to adequately serve as a focal point for impaired driving programs and issues.*

Status

The State of South Carolina receives federal revenue due to qualifying for multiple highway safety grants. With a total population of just over 5,000,000, the State had a projected highway safety revenue for Fiscal Year (FY) 2020 of nearly \$9 million. The

Office of Highway Safety and Justice Programs (OHSJP) dedicates a significant portion of its highway safety grant funds to impaired driving activities. The State has been able to qualify for Section 405d funds (\$2m) that provides a dedicated fund source for impaired driving projects. A portion of the Section 164 funds (\$1.4m) are also a dedicated fund source for impaired driving countermeasures specifically earmarked for alcohol impairment. Funds from previous years complement the new funds received in the current year.

Financial amounts are included in the FY 2020 *Highway Safety Plan* (HSP). Careful management of the grant funds is important to avoid creating an unsustainable level of funding if the total amount of funds coming from prior years creates a large unspent balance. Section 405d and 164 funds are aimed directly at highway safety programs in the impaired driving effort; they do not include those amounts for projects, such as traffic records, occupant protection, planning and administration, and youth, that are resourced under other funding sources but that provide major support to impaired driving activities.

A significant amount of law enforcement time is identified as a contribution/match for traffic safety grants. Aside from this contribution, however, there was little evidence of business participation or contributions to impaired driving prevention, enforcement, treatment, or communications activities from partner agencies outside of their own federal funding. The State is prohibited from receiving certain financial contributions per state statute.

There is no ability to track the fines and fees paid by impaired drivers to assess if the impaired driving countermeasure system costs are borne by driving under the influence (DUI) offenders.

State and local agencies provide funding through their own agency budgets. Yet it is very evident that without funding from the OHSJP many DUI activities would not happen. Focused law enforcement efforts and mass media programs would be severely limited without the OHSJP support and leadership. The Department of Alcohol and Other Drug Abuse Services (DAODAS) provides funding to multiple local communities for impaired driving activities. This includes local media, driver education content, law enforcement efforts, and prevention programs.

Substance abuse assessment and treatment funding is derived through a handful of sources including client payments and a federal block grant. There is no state funding to help cover the costs for agencies providing services to indigent clients.

There are no revenue streams established on a per-drink or per-gallon basis that are specifically dedicated to the prevention and treatment programs related to the consumption of alcohol.

Recommendations

- **Require Driving Under the Influence offenders, regardless of the final disposition of the conviction stemming from a Driving Under the Influence arrest, to pay fines and fees that support the impaired driving countermeasure system**
- Hold a coordination meeting of the various state agencies that are providing grants and technical assistance to local communities in the area of impaired driving

II. Prevention

Prevention programs are most effective when they utilize evidence-based strategies, that is, they implement programs and activities that have been evaluated and found to be effective or are at least rooted in evidence-based principles. Effective prevention programs are based on the interaction between the elements of the public health model: 1) using strategies to develop resilient hosts, e.g., increase knowledge and awareness or altering social norms; 2) reducing exposure to the dangerous agent (alcohol), e.g., alcohol control policies and; 3) creating safe environments, e.g., reducing access to alcohol at times and places that result in impaired driving. Prevention programs should employ communication strategies that emphasize and support specific policies and program activities.

Prevention programs include responsible alcohol service practices, transportation alternatives, and community-based programs carried out in schools, at work sites, in medical and health care facilities and by community coalitions. Programs should prevent underage drinking or drinking and driving for persons under 21 years of age, and should prevent over-service and impaired driving by persons 21 or older.

Prevention efforts should be directed toward populations at greatest risk. Programs and activities should be evidence-based, determined to be effective, and include a communication component.

A. Responsible Alcohol Service

Advisory

States should promote policies and practices that prevent underage drinking and over-service by anyone.

States should:

- *Adopt and enforce programs to prevent sales or service of alcoholic beverages to persons under the age of 21. Conduct compliance checks and “shoulder tap” activities and support the proper use of technology in alcohol retail establishments, particularly those catering to youth, to verify proper and recognize false identification.*
- *Adopt and enforce alcohol beverage control regulations to prevent over-service, service in high risk situations and service to high-risk populations. Prohibit service to visibly intoxicated patrons; restrict alcohol sales promotions, such as “happy hours”; limit hours of sale; establish conditions on the number, density, and locations of establishments to limit impaired driving, e.g., zoning restrictions; and require beer keg registration.*

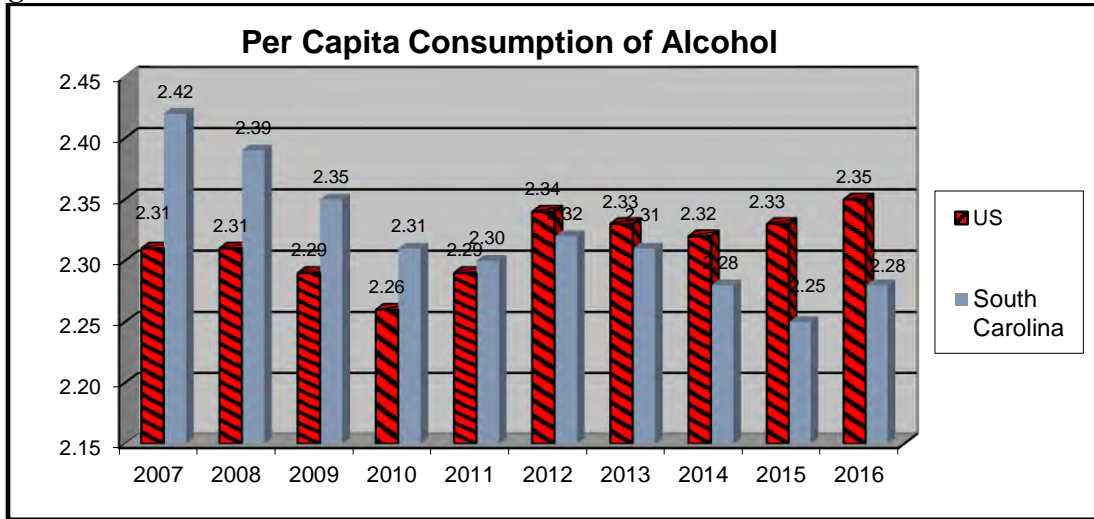
- *Provide adequate resources including funds, staff, and training to enforce alcohol beverage control regulations. Coordinate with state, county, municipal and tribal law enforcement agencies to determine where impaired drivers had their last drink and use this information to monitor compliance with regulations.*
- *Promote responsible alcohol service programs, written policies, and training.*
- *Provide responsible alcohol service guidelines such as best practices tool kits to organizations that sponsor events at which alcohol is sold or provided.*
- *Encourage alcohol sales and service establishments to display educational information to discourage impaired driving and to actively promote designated driver and alternative transportation programs.*
- *Hold commercial establishments and social hosts responsible for damages caused by a patron or guest who was served alcohol when underage or visibly intoxicated.*

Status

According to the National Institute on Alcohol Abuse and Alcoholism (NIAAA), per capita consumption of alcohol in South Carolina in 2016, the last year for which complete data were available, was below the national average. Alcohol consumption in South Carolina was the equivalent of 2.28 gallons of ethanol per capita compared to the national average of 2.35 gallons. In South Carolina, alcohol consumption, which was previously among the highest rates in the country, has been decreasing for several years. Alcohol consumption in South Carolina (see fig. 2-A-1) was well above (4.8%) the national average 10 years ago; however, the decline in apparent consumption has outpaced the national trend and is now three percent below the national average. Per capita consumption estimates are based on taxed sales of alcoholic beverages³.

³ https://pubs.niaaa.nih.gov/publications/surveillance110/tab4-5_16.htm

Figure 2-A-1



Year	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
US	2.31	2.31	2.29	2.26	2.29	2.34	2.33	2.32	2.33	2.35
South Carolina	2.42	2.39	2.35	2.31	2.30	2.32	2.31	2.28	2.25	2.28
Difference	4.8%	3.5%	2.6%	2.2%	0.4%	-0.9%	-0.9%	-1.7%	-3.4%	-3.0%

Estimated per capita consumption for South Carolina must be viewed with consideration of the fact that South Carolina has several of the largest tourist destinations in the U.S. with many visitors each year. Many visitors who consume alcohol also drive on South Carolina highways. Consumption rates are based on resident population. The trend showing decreased per capita consumption relative to the national trend might partially be due to a disproportionate decrease in consumption by tourists from other states. This could be a result of a decrease in the number of tourists or in the nature of the tourism, (e.g., more seasonal residents vs. short-term stays at entertainment venues). However, these data demonstrate a dramatic decrease in alcohol consumption that is likely due to a variety of factors including the many evidence-based prevention strategies that have been implemented at the state and community levels.

Survey results support a similar positive trend in alcohol use by young South Carolinians. Results of the 2017 Youth Risk Behavior Survey show that one in four (25.4%) South Carolina high school students reported using alcohol in the 30 days prior to the survey. This is a substantial decrease from the 2011 level of 39.7%. Consistent with the per capita consumption information cited above, in 2011, South Carolina students drank at a rate slightly above the national average (38.7%) and in 2017 the rate was well below the national average (29.8%). Self-reported driving after drinking decreased by more than half (11.1% vs. 5.4%) and is now slightly below the national average of 5.5%.

Marijuana use by South Carolina high school students shows a trend like that for alcohol decreasing from one in four (24.1%) in 2011 (compared to 23.1% nationally) to less than one in five (18.6%) in 2017 (below the national average of 19.8%).

The South Carolina Department of Alcohol and Other Drug Abuse Services (DAODAS), in collaboration with the South Carolina Department of Health and Environmental Control (DHEC), conduct the South Carolina Behavioral Risk Factor Surveillance System (BRFSS) survey. In South Carolina, self-reported binge drinking, (i.e., five or more drinks on a single occasion) in the past 30 days among adults was on the decline from 2011 to 2014 in both South Carolina and the U.S. before an uptick in rates in 2015. The rates in South Carolina have been consistently lower than the U.S. rates, although rates were nearly identical in 2016. The rate differentiated again in 2017 when 15.5% reported binge drinking compared to 17.1% nationally. Self-reported heavy alcohol use, defined as more than two drinks per day for males and more than one drink per day for females, among adults in South Carolina dipped slightly from 2011 to 2013, then rose from 2014 to 2016 before a decline in 2017. Rates in South Carolina and the U.S. have been nearly identical during this period, with South Carolina surpassing the U.S. average in this category in 2015 before returning to national levels in 2017. In 2017, 6.0% of adults in the state engaged in heavy drinking in the past 30 days in both South Carolina and nationally, down from 6.8% locally and 6.5% nationally.

While the results presented above indicate that adults in South Carolina report problematic drinking, (e.g., binge drinking or heavy drinking) at or below national levels, self-reported drinking and driving among those who reported drinking any alcohol in the past 30 days is higher in South Carolina than in the U.S. in total. In the national sample, 4.4% of adults self-reported driving after drinking any alcohol over the past 30 days in 2016 while 5.9% of adults in South Carolina reported doing so. In South Carolina, adult males were over three times more likely than females to report drinking and driving over the past 30 days at 6.5%, compared to two percent of adult females.

The South Carolina Department of Revenue oversees the regulation of alcoholic beverage commerce through a three-tiered distribution and licensing structure that strictly separates manufacturing, wholesaling, and retailing interests into distinct tiers of operation. Under this three-tier system, licenses issued under Title 61 are generally divided into the following categories:

- Retail Licenses that authorize the sale of alcoholic beverages to the public
- Wholesale Licenses that authorize the purchase of alcoholic beverages from producers for resale to retailers
- Manufacturing and Importing Licenses that authorize the production or importation of alcoholic beverages into the state

The manufacturing, distribution, and sale of alcoholic liquors are governed by the liquor manufacturers', wholesalers', and retail dealers' licenses and the liquor-by-the-drink licenses authorized under the Alcoholic Beverage Control (ABC) Act in Chapter 6 of Title 61.

South Carolina is a license state, that is, retail outlets for on- and off-premise sales of alcohol are licensed by the State. Regulations related to wholesale and retail sale of alcohol are contained in Title 61 Chapter 6 of the ABC Act. Several sections of Title 61 relate to responsible alcohol service. Many of the law's provisions appear to prescribe responsible service but there are several exceptions that might compromise their effectiveness in ensuring responsible service.

South Carolina does not have strict Dram Shop liability. Though serving a visibly intoxicated person in a licensed establishment is forbidden under statute, South Carolina does not recognize a "first party" cause of action against the establishment owner by an intoxicated adult. While serving a visibly intoxicated person can be considered negligence per se, contributory negligence and breaks in the chain of causation are mitigating factors in legal actions. In **Hartfield v. The Getaway Lounge and Grill, Inc.**, the South Carolina Supreme Court held that a bar that violated the state law against serving alcohol to a "visibly intoxicated" adult could also be held liable if that adult injured someone.

South Carolina has a social host liability statute that applies only to providing alcohol to minors. Generally, there is no liability for a social host for the actions of his or her adult guests. Social hosts are liable for actions of any minor resulting from serving that minor alcohol.

South Carolina prohibits the sale of alcoholic beverages that resemble soft drinks or other non-alcoholic beverages. South Carolina statute also prohibits the sale of powdered alcohol.

SECTION 61-4-170. Beverages resembling vegetable, fruit, or soft drinks.

It is unlawful for a person, with or without a beer or wine permit, to sell or to offer for sale a beverage generally used as and for a soft drink rather than as a medicine or for cooking purposes having an alcoholic content, when the beverage resembles in color and general appearances a vegetable drink, a fruit drink, or a soft drink. A person who violates this section is guilty of a misdemeanor and, upon conviction, must be fined in the discretion of the court or imprisoned not more than three years, or both. In addition, these beverages are contraband and must be seized by an authorized agent or inspector of the division, or by a peace officer, and disposed of in a manner provided for the disposition of unlawful alcoholic liquors.

Significant efforts have been directed at enforcement of sales to intoxicated individuals and sales to minors. However, far less, if any, attention has been given to enforcement of or compliance with the statutes cited above. For example, despite the prohibition of sale of beverages that “resembles in color and general appearances a vegetable drink, a fruit drink, or a soft drink”, it was reported that beverages such as “hard lemonade”, Not Your Father’s Root Beer, or White Claw Hard Seltzer are widely available and that the availability of these products to youth is compounded when retailers display these products in proximity to non-alcoholic products in which they resemble. It is unclear how prevalent this is or what effect it has on young people’s decisions about purchasing.



Under Section 61-6-1510,

...retail dealers are prohibited from using in an advertisement for alcoholic liquor or wine a subject matter, language, or slogans addressed to and intended to encourage persons under twenty-one years of age to purchase or drink alcoholic liquor or wine.”

While this statute recognizes the need to remove an environmental risk factor for youth, the definition of “intended to encourage” is subjective, rendering enforcement problematic.

South Carolina has limited restrictions on promotions such as Happy Hours. Licensees may not offer two-or-more-for-the-price-of-one drink specials and may not give free mixed drinks, beer or wine. However, regular drink prices may be reduced between 4:00 p.m. and 8:00 p.m. essentially allowing for Happy Hours. In addition, there appears to be a liberal interpretation of “regular” price. For example, if a bar sells a bucket of beers for a low price every Monday, that is interpreted as the “regular price” on Monday.

Off-premise retailers may sell alcohol between 9:00 a.m. and 7:00 p.m. Alcohol may be sold for on-premise consumption between 10:00 a.m. and 2:00 a.m. Monday through Friday and from 10:00 a.m. to midnight Saturday. Though the ABC Act prohibits alcohol sales on Sunday, a separate Local Option Permit is offered in most of the larger counties and cities.

SECTION 61-6-2220. Sales to intoxicated persons.

A person or establishment licensed to sell alcoholic liquors or liquor by the drink pursuant to this article may not sell these beverages to persons in an intoxicated condition; these sales are considered violations of the provisions thereof and subject to the penalties contained herein.

South Carolina has an open container statute. The law prohibits open containers of alcohol in the passenger compartment of any motor vehicle.

SECTION 61-6-4020. Transportation in motor vehicle.

(A) A person who is twenty-one years of age or older may transport lawfully acquired alcoholic liquors to and from a place where alcoholic liquors may be lawfully possessed or consumed. If the cap or seal on the container has been opened or broken, it is unlawful to transport the liquors in a motor vehicle, except in a trunk, luggage compartment, or cargo area that is separate and distinct from the driver's and passengers' compartments. For purposes of this exception, the luggage compartment or cargo area is not required to be a closed trunk that is accessible only from the exterior of the motor vehicle. A person who violates this section is guilty of a misdemeanor and, upon conviction, must be fined not more than one hundred dollars or imprisoned for not more than thirty days. For purposes of this section, alcoholic liquors means all distilled spirits regardless of the percentage of alcohol by volume that they contain.

Availability of alcohol is influenced by the environment in which alcohol is sold. South Carolina has some interesting and potentially effective statutes related to the environment of alcohol outlets. For example, section 61-6-1530 requires retail dealers to post signs with the following wording:

- (1) "The possession of beer, wine, or alcoholic liquors, by a person under twenty-one years of age is a criminal offense under the laws of this State, and it is also unlawful for a person to knowingly give false information concerning his age for the purpose of purchasing beer, wine, or liquor."
- and,
- (2) "A person may transport alcoholic liquors to and from a place where alcoholic liquors may be lawfully possessed or consumed; but if the cap or seal on the container has been opened or broken, it is unlawful to transport alcoholic liquors in a motor vehicle, except in the luggage compartment or cargo area."

Section 61-6-2230 prohibits drinking contests or games in licensed establishments.

For purposes of this section, "drinking contest" or "drinking game" includes, but is not limited to, a contest, game, event, or other endeavor which encourages or promotes the consumption of alcoholic beverages by participants at extraordinary speed or in increased quantities or in more potent form. "Drinking contest" or "drinking game" does not include a contest, game, event, or endeavor in which alcoholic beverages are not used or consumed by participants as part of the contest, game, event, or endeavor but instead are used solely as a reward or prize. Selling alcoholic beverages in the regular course of business is not considered a violation of this section.

Server training is available in South Carolina, but it is voluntary. The Palmetto Retailers Education Program (PREP) course is intended to reduce underage access to alcohol and to reduce over-service. PREP is approved by the Department of Revenue and the Department of Alcohol and Other Drug Abuse Services (DAODAS). PREP is available from local organizations including local Alcohol and Substance Abuse Commissions. All server training programs must be approved by the Department of Revenue. There are several of these merchant education curricula used nationally and in South Carolina, though the county authorities are now exclusively using the PREP curriculum.

Licenseses who violate regulations may be required to complete server training.

Legislation is pending that would mandate server training. Senate bill S-342 would:

Amend title 61 of the 1976 code, relating to alcohol and alcoholic beverages, by adding chapter 3, to provide for the establishment, implementation, and enforcement of a mandatory alcohol server training and education program, to require servers of alcoholic beverages for on-premises consumption in licensed or permitted businesses to obtain alcohol server certificates...

SECTION 61-6-4080 addresses the sale of alcohol to persons under the age of twenty-one. Sub-section (C) provides for required server training for those who violate the statute.

(A) A person engaged in the sale of alcoholic liquors who knowingly sells the alcoholic liquors to a person under the age of twenty-one is guilty of a misdemeanor and, upon conviction:

(1) for a first offense, must be fined not less than two hundred dollars nor more than three hundred dollars or imprisoned not more than thirty days, or both; and

(2) for a second or subsequent offense, must be fined not less than four hundred dollars nor more than five hundred dollars or imprisoned not more than thirty days, or both.

(B) Failure of a person to require identification to verify a person's age is prima facie evidence of a violation of this section.

(C) A person who violates the provisions of this section also is required to successfully complete a DAODAS approved merchant alcohol enforcement education program. The program must be a minimum of two hours and the cost to the person may not exceed fifty dollars.

In South Carolina, a conviction for a minor in possession can result in fines, suspension of a driver's license, loss of financial aid/scholarships, and a criminal record that might have consequences including affecting the ability to seek employment. The Alcohol Education Program (AEP) is designed to combat underage drinking and the high-risk behavior that goes with it. AEP is offered as an alternative to a conviction, and includes guidance, education, and community service. To qualify, the offender must be between the ages of 17 and 20 and be referred to the program by the court after being charged with minor in possession of alcohol, open container, possession of a fake or altered ID, public disorderly conduct, or littering. This program is not open to those charged with a DUI/Driving with an Unlawful Alcohol Concentration (DUAC). *Alive at 25* is required for young people convicted of underage alcohol possession and opting for the Alcohol Education Program.

SC Code § 61-4-1920 defines a beer keg registration program for South Carolina.

- (A) A retail licensee shall not sell a keg of beer without:
- (1) recording the date of sale, the keg identification number, the name, address, and birth date of the purchaser, and the driver's license or identification card number presented by the purchaser;
 - (2) requiring the purchaser to sign a statement attesting to the accuracy of the purchaser's information, acknowledging that, unless otherwise permitted by law, it is unlawful to transfer beer to a person under the age of twenty-one, and that, unless otherwise permitted by law, the beer in the keg will not be consumed by a person under the age of twenty-one; and
 - (3) attaching an identification tag to the keg with the name, address, and license number of the retail licensee and the keg identification number. An identification tag must consist of paper, plastic, metal, or durable material that is not easily damaged or destroyed. An identification tag must be attached to the keg at the time of the sale with a nylon tie or cording, wire tie or other metal attachment device, or other durable means of tying or attaching the tag to the keg.

Alcohol establishment licensing functions are the responsibility of the South Carolina Department of Revenue but enforcement responsibilities are placed with the South Carolina Law Enforcement Division (SLED). SLED has approximately 30 enforcement agents. Local law enforcement agencies also enforce alcohol control laws but cases are then turned over to SLED who in turn notifies the Department of Revenue to take license action.

Fines for violation of liquor laws are minimal. Violators have the option of paying an additional fine to shorten the period of license suspension.

There are 32 local Alcohol and Drug Abuse Commissions (ADAC) with oversight from DAODAS and supported with federal block grant funds. Coupled with an active public education and prevention strategy, ADACs implement Alcohol Enforcement Teams (AET) intended to implement evidence-based environmental strategies to reduce underage alcohol use and its harmful consequences.

The AET model, which includes community coalition maintenance and development, merchant education, and law enforcement partnership, utilizes a multi- or single-jurisdictional alcohol law enforcement approach (depending on the needs and participation of law enforcement within the target area) in a community to:

- Reduce youth access to alcohol utilizing various strategies (social and retail access)
- Measure, track, and improve merchant compliance with alcohol laws
- Provide research-based merchant education
- Build community support for enforcement of underage drinking laws through media advocacy and community coalition maintenance and development
- Develop local law enforcement support for underage drinking prevention and enforcement efforts

Each year, the AET holds an “Out of Their Hands” (OOTH) Spring Blitz that includes strict enforcement of underage drinking laws coupled with strong media messages throughout the month of April. AET and their enforcement and education partners engage community residents, businesses, and others to deny alcohol access to youth who are less than 21 years of age. The simple message of the OOTH campaign is that the AET works with the community to keep alcohol “out of their hands”.

AET also conducts compliance checks that include the following components:

- publicity to alcohol and tobacco sales staff that enforcement operations will be increasing
- saturation patrols
- awareness-raising with the community to increase its acceptance of compliance operations
- law enforcement operations involving the use of underage buyers attempting to purchase alcohol or tobacco with charges being brought against the clerk and establishment license holder if a sale is made
- regularly offered merchant education to help merchants improve their underage sales, policies, and practices

In FY2018, ADACs reported 6,287 alcohol compliance checks with only 6.9% of attempts generating sales. This is a decrease over the FY 2015 rate of 11.7% and a dramatic decrease from 14.4% in 2012. AET also conducted 129 underage drinking party dispersals during which 175 underage drinking violation tickets were written.

Recommendations

- Enact comprehensive dram shop liability laws
- Enact statewide social host liability laws for serving individuals who are visibly impaired, which results in property damage, injury or death to innocent third parties
- Enforce the restriction on sales of alcoholic beverages that resemble non-alcoholic beverages
- **Enact legislation to require responsible beverage server training as a condition of liquor licensure**

B. Community-Based Programs

B-1. Schools

Advisory

School-based prevention programs, beginning in elementary school and continuing through college and trade school, can play a critical role in preventing underage drinking and impaired driving. These programs should be developmentally appropriate, culturally relevant and coordinated with drug prevention and health promotion programs.

States should:

- *Implement K-12 traffic safety education, with appropriate emphasis on underage drinking and impaired driving, as part of state learning standards and comprehensive health education programs;*
- *Promote alcohol-and drug-free events throughout the year, with particular emphasis on high-risk times, such as homecoming, spring break, prom and graduation;*
- *Establish and enforce clear student alcohol and substance use policies including procedures for intervention with students identified as using alcohol or other substances, sanctions for students using at school, and additional sanctions for*

alcohol and substance use by students involved in athletics and other extra-curricular activities;

- *Provide training for alcohol and drug impaired driving, and Screening and Brief Intervention (SBI) to school personnel such as resource officers, health care providers, counselors, health educators and coaches to enable them to provide information to students about traffic safety and responsible decisions, and identify students who may have used alcohol or other drugs;*
- *Encourage colleges, universities and trade schools to establish and enforce policies to reduce alcohol, other drug, and traffic safety problems on campus, and to work with local businesses and law enforcement agencies to reduce such problems in neighboring communities;*
- *Provide training for alcohol and drug impaired driving, and Screening and Brief Intervention (SBI), to college personnel such as student affairs, student housing, health care providers, counselors, health educators and coaches to enable them to provide information to students about traffic safety and responsible decisions, and identify students who may have used alcohol or other drugs; and*
- *Establish and support student organizations that promote traffic safety and responsible decisions; encourage statewide coordination among these groups.*

Status

South Carolina does not mandate impaired driving, substance abuse, or other related curricula in schools but, like most states, has clearly defined, mandated education standards. The State Board of Education approved the *South Carolina Academic Standards for Health and Safety Education* on August 8, 2017. There are standards related to alcohol at virtually every grade level beginning in Kindergarten:

- D-K.1.3 Identify ways that alcohol, tobacco, and other drugs (ATOD) and medicines can be helpful or harmful.
- D-K.4.1 Demonstrate ways to say “no” to alcohol and tobacco.

Grade 6:

- D-6.1.1 Identify reasons why individuals use and abuse alcohol, tobacco, and other drugs (ATOD).
- D-6.1.2 Describe short and long-term effects and consequences of ATOD use, including secondhand smoke.

High School:

- D-HS.1.1 Discuss the benefits of avoiding alcohol, tobacco, and other drugs (ATOD).

- D-HS.1.2 Examine the impact of ATOD use and abuse on the individual, his or her family, and society as a whole.
- D-HS.1.3 Describe the cycle of ATOD addiction as it relates to individuals and families.
- D-HS.1.4 Examine the effects of ATOD on fetal development

However, the standards make no mention of impaired driving or highway safety.

South Carolina benefits from comprehensive and coordinated alcohol and other drug abuse prevention including evidence-based school (and community) based programs and strategies. This presents the opportunity to solidify that impaired driving is a public health concern.

The Department of Alcohol and Other Drug Abuse Services (DAODAS) *Prevention Outcomes Annual Report for Fiscal Year 2018*, prepared by Pacific Institute for Research and Evaluation, describes the numerous evidence-based prevention strategies that have been implemented in schools throughout South Carolina. The report also documents changes in alcohol use, as well as risk factors that predict not only alcohol use, but high-risk behavior including impaired driving. The impact evaluation documented that young people who participate in prevention activities showed significant decreases in risk factors including: lack of perceived risk of harm from drugs; poor decision making; perceived disapproval of use; and peer norms. The evaluation also found significant decreases in use of alcohol, cigarettes, marijuana, non-medical use of prescription drugs, and over-the-counter drugs.

In 2007, DAODAS adopted the national Parents Who Host, Lose the Most public awareness campaign to provide parents with accurate information about the health risks of underage drinking and the legal consequences of providing alcohol to youth. The campaign encourages parents and the community to send a unified message that teen alcohol consumption is not acceptable. It is illegal, unsafe, and unhealthy for anyone under age 21 to drink alcohol. Though funding for the Parents Who Host, Lose the Most program has expired, the program continues in many communities in South Carolina.

Some schools utilize Class Action, the high-school component of Project Northland, Hazelden's evidence-based alcohol prevention program. Class Action teaches students about the real social and legal consequences involving teens and alcohol. Teens are divided into six to eight Class Action legal teams to prepare and present hypothetical civil cases in which someone has been harmed as a result of underage drinking. Each team is given a casebook that contains the facts of their case, affidavits and depositions, and all legal and other information needed to argue their cases including cases that evolve from an impaired driving incident.

Mothers Against Drunk Driving (MADD) offers their evidence-based program Power of Parents®. The MADD Power of Parents® program includes a high school handbook giving parents tools to start the conversation about teen drinking, set family rules, and enforce consequences. Parent participation remains problematic. The companion

program, Power of Youth® has been provided to over 5,000 students in schools throughout South Carolina.

The South Carolina Department of Public Safety (SCDPS) has Community Resource Officers in each of the seven Troop locations around the State. These officers provide presentations and demonstrations using devices to simulate the dangers of impaired driving. SCDPS officers also conduct the Prom Promise program with activities such as mock crashes at schools during prom season.

The availability of funds for prevention of opioid abuse has increased the interest in providing Drug Impairment Training for Educational Professionals (DITEP) training for school personnel in South Carolina. DITEP can assist school counsellors, teachers, and other school staff in recognizing students who are impaired by substances.

Several colleges and universities in South Carolina have alcohol and substance abuse prevention efforts that address impaired driving. Programs use a variety of strategies including providing information, interactive demonstrations, and environmental changes. Some colleges have developed collaboration with law enforcement in surrounding communities. College programs generally subscribe to a harm reduction model, that is, concentrate on preventing the negative consequences of drinking rather than directly preventing alcohol consumption. Programs such as those that promote designated drivers or provide safe rides for alcohol impaired students are intended to prevent impaired driving. However, they can enable underage drinking by protecting young drinkers from consequences of use. This presents a challenge for colleges which have become accustomed to a culture of tolerance for alcohol use.

Several colleges in South Carolina utilize the AlcoholEdu survey and online curriculum. The survey has been used as a source of vital needs assessment data for developing prevention strategies. The University of South Carolina has developed the Carolina Community Coalition to, “nurture a safe environment on our campus, our members promote healthy behaviors among faculty, staff, students, and community organizations.” Recently members of the Coalition identified several drinking establishments that consistently served underage students. Demonstrations were held to increase awareness of these persistent violators resulting in several establishments losing their alcohol service license.

There is currently no active consortium of colleges to share best practices and strategies for prevention of underage drinking and impaired driving. With funding from DAODAS, a campus alcohol summit was held recently at which numerous colleges were represented. It is anticipated that the summit can lead to establishment of an active college prevention consortium.

DAODAS requires all sponsored or funded prevention programs to participate in evaluation including reporting details of all prevention activities to the IMPACT reporting tool. IMPACT collects data on prevention “outputs” such as counts of prevention activities and people reached. Activities might include: information

dissemination, positive alternative activities, environmental strategies, and community-based activities. Data elements include: level of strategy, (i.e., universal, selective, or indicated), service population, location, date, duration, number of attendees by age and gender, and staff hours.

There is also an Environmental Prevention Strategies Reporting System (EPS) designed for law enforcement officers to enter data about their environmental strategies operations. Data can be entered directly from the field during activities such as compliance checks or party dispersals.

DAODAS has developed the South Carolina Student Prevention Survey with versions specific to Middle School and to High School. The survey contains questions related to the learning objectives of various evidence-based prevention programs, (e.g., Life Skills Training, Class Action) and eliminates the need to use instructional time to administer multiple surveys that are provided with many programs. Questions address perceived harm, parental and peer disapproval of use, and recent (past 30 days) use of various substances. No items mention driving after drinking or using other substances.

Recommendations

- Add questions to the South Carolina Student Prevention Surveys addressing perception of harm from driving after drinking and self-reported driving after drinking
- Provide schools with information about impaired driving in South Carolina for use in Health and Safety curricula
- Provide Drug Impairment Training for Educational Professionals for school personnel in South Carolina
- Establish a South Carolina college substance abuse and impaired driving consortium

B-2. Employers

Advisory

States should provide information and technical assistance to employers and encourage them to offer programs to reduce underage drinking and impaired driving by employees and their families. These programs can be provided through Employee Assistance Programs (EAP) or Drug Free Workplace programs.

These programs should include:

- *Model policies to address underage drinking, impaired driving and other traffic safety issues, including seat belt use and speeding;*
- *Employee awareness and education programs;*
- *Management training to recognize alcohol and drug use and abuse, and appropriate responses;*
- *Screening and Brief Intervention, assessment and treatment programs for employees identified with alcohol or substance use problems (These services can be provided by internal or outside sources such as through an EAP with participation required by company policy.);*
- *Underage drinking and impaired driving prevention strategies for young employees and programs that address use of prescription or over-the-counter drugs that cause impairment.*

Status

There is currently no statewide traffic safety program for employers. However, several strategies exist that provide related services and could serve as vehicles for delivering timely and effective impaired driving prevention and other traffic safety information to employees of large and small companies in South Carolina.

The South Carolina Department of Public Safety, State Transport Police provides the Distracted Reckless Impaired Visibility Enforcement (DRIVE) program at workplaces in which they make safety presentations and provide commercial drivers with experience on an impaired driving simulator.

Many employers utilize the services of Employee Assistance Programs (EAP) from private providers. EAPs generally provide screening and intervention services but potentially could provide impaired driving information.

Recommendations

- Provide the South Carolina Department of Public Safety, State Transport Police, Distracted Reckless Impaired Visibility Enforcement program to employers throughout the State

B-3. Community Coalitions and Traffic Safety Programs

Advisory

Community coalitions and traffic safety programs provide the opportunity to conduct prevention programs collaboratively with other interested parties at the local level.

Coalitions should include representatives of: government; highway safety; enforcement; criminal justice; liquor law enforcement; public health; education; driver licensing and education; employers and unions; the military; medical, health care and treatment communities; multi-cultural, faith-based, advocacy and other community groups.

States should:

- *Encourage communities to establish community coalitions or traffic safety programs, comprised of a wide variety of community members and leaders;*
- *Ensure that representatives of local traffic safety programs participate in existing alcohol, substance abuse, injury control and other related coalitions, (e.g., Drug Free Communities, SPF-SIG), to assure that impaired driving is a priority issue;*
- *Provide information and technical assistance to these groups, including data concerning the problem in the community and information identifying evidence-based underage drinking and impaired driving programs;*
- *Encourage these groups to provide support for local law enforcement and prevention efforts aimed at reducing underage drinking and impaired driving; and*
- *Encourage professionals, such as prosecutors, judges, nurses, doctors, emergency medical personnel, law enforcement officers and treatment professionals, to serve as community spokespeople to educate the public about the consequences of underage drinking and impaired driving.*

Status

South Carolina does not have specific community traffic safety coalitions as described in the advisory above, however, there are numerous examples of collaboration between law enforcement and state and local substance abuse prevention coalitions, agencies, and organizations. Many substance abuse programs, college prevention programs, and underage drinking programs collaborate with law enforcement to address impaired driving. Some of these efforts are described in section II-A of this report.

South Carolina benefits from comprehensive and coordinated alcohol and other drug abuse prevention including evidence-based and community-based programs and strategies. There are 32 local Alcohol and Drug Abuse Commissions that are certified by the South Carolina Department of Alcohol and Other Drug Abuse Services (DAODAS). The local Commissions serve as coordinating bodies, provide prevention services, and are certified treatment providers.

Local commissions also provide the Palmetto Retailer Education Program (PREP), a certified responsible alcohol service training program. Server training is available in South Carolina, but it is voluntary. The PREP course is intended to reduce underage

access to alcohol and to reduce over-service of alcohol. PREP is approved by the Department of Revenue and DAODAS.

There are 10 Drug Free Communities (DFC) coalitions and three Partnership for Success (PFS) coalitions funded directly by the Substance Abuse Mental Health Services Administration (SAMHSA). DFC and PFS coalitions are required to have active participation from law enforcement and other members of the impaired driving prevention community.

The Office of Highway Safety and Justice Programs (OHSJP) has established the Law Enforcement Network to assist with enforcement and community outreach.

The South Carolina Department of Public Safety (SCDPS) has established a Community Advisory Council in each of the seven Troop locations around the State. These councils meet quarterly with troop commanders to share concerns and discuss law enforcement activities. The councils consist of a variety of community members. One spinoff of the councils is the participation of barbers and hairdressers who have agreed to talk to their customers about impaired driving and underage drinking, especially at high risk time such as prom season. These Community Advisory Councils would benefit from active representation and participation of local substance abuse coalitions and local Alcohol and Drug Abuse Commissions.

In June 2015, DAODAS received a five-year “Partnership for Success” grant from the SAMHSA. The grant is funding Empowering Communities for Healthy Outcomes (ECHO) in five counties with high rates of opioid use and overdose and in five counties with high rates of impaired driving crashes. ECHO specifically addresses prescription drug abuse/misuse and impaired driving among ages 12 to 25. The resulting increase in capacity, however, will benefit communities’ ability to address a wide range of local concerns.

Local programs have access to Capacity Coaches who provide technical assistance in strategic planning, measuring risk and protective factors, and evaluation of prevention strategies.

The Greenville County Enforcing Underage Drinking Laws (EUDL) Coalition was established to reduce youth access to alcohol in Greenville County. This Coalition includes representatives from Greenville County Law Enforcement, South Carolina Highway Patrol, Greenville County Schools, Mothers Against Drunk Driving (MADD), Greenville County Health and Human Service Agencies, and Community Volunteers.

The EUDL Coalition has been successful in the creation of a Multi-Jurisdictional Alcohol Enforcement Unit that enforces drinking laws through compliance checks, party patrols, and traffic sobriety checkpoints. The EUDL Coalition works to enhance Greenville County systems that support and maintain consistent underage drinking laws and their enforcement.

Prisma Health provides a program called Realistic Education About Dying Young (READY). High risk students are referred from several local agencies and are given tours of the hospital emergency department/trauma unit where they observe seriously injured patients undergoing treatment. While students give immediate feedback about the impact of the program, use of negative stimulation or shock has been shown to be of limited long-term value for behavior change and can even result in negative effects due to psychological reactance. The project has not yet been evaluated.

Mothers Against Drunk Driving (MADD), in addition to its school-based programs, have provided community-based prevention activities including: Tie One On/Red Ribbon Week, designated driver promotions, and mocktail competitions to reward the best non-alcoholic drink.

Recommendations

- Support and expand the resources of Alcohol and Drug Commissions, Alcohol Enforcement Teams, and Law Enforcement Networks
- Ensure that members of the traffic safety and impaired driving communities are actively involved in all local substance abuse coalitions such as Drug Free Community and Partnership for Success coalitions
- Ensure that Department of Public Safety Local Community Advisory Councils include representation and participation of local substance abuse coalitions and local Alcohol and Drug Abuse Commissions
- Conduct evaluations of any implemented prevention strategies, that have not already been shown to be evidence-based

B-4. Transportation Alternatives

Advisory

Alternative transportation describes methods by which people can get to and from places where they drink without having to drive. Alternative transportation includes normal public transportation provided by subways, buses, taxis, and other means. Designated driver programs are one example of these alternatives.

States should:

- *Actively promote the use of designated driver and safe ride programs, especially during high-risk times, such as holidays or special events;*

- *Encourage the formation of public and private partnerships to financially support these programs;*
- *Establish policies and procedures that ensure designated driver and alternative transportation programs do not enable over consumption by passengers or any consumption by drivers or anyone under 21 years old; and*
- *Evaluate alternative transportation programs to determine effectiveness.*

Status

Many state and local impaired driving prevention organizations promote designated driver or safe ride programs. Some local programs and law enforcement agencies promote safe-ride programs, and some college prevention programs promote or provide safe ride programs in cooperation with local drinking establishments.

Since some safe ride and designated driver programs can encourage over consumption or enable underage drinking, it is critical to ensure that all designated driver programs stress ‘no-use’ of alcohol messages for the designated driver; do not encourage or enable excessive drinking; and prohibit consumption of alcohol by underage individuals or unintentionally promote over consumption.

Recommendations

- None

III. Criminal Justice System

Each State should use the various components of its criminal justice system – laws, enforcement, prosecution, adjudication, criminal penalties, administrative sanctions, and communications, to achieve both specific and general deterrence.

Specific deterrence focuses on individual offenders and seeks to ensure that impaired drivers will be detected, arrested, prosecuted and subject to swift, sure and appropriate criminal penalties and administrative sanctions. Using these measures, the criminal justice system seeks to reduce recidivism. General deterrence seeks to increase the perception that impaired drivers will face severe and certain consequences, discouraging individuals from driving impaired.

A data-driven, evidence-based, integrated, multidisciplinary approach and close coordination among all components of the criminal justice system are needed to make the system work effectively. In addition, coordination is needed among law enforcement agencies, on the State, county, municipal and tribal levels to create and sustain both specific and general deterrence.

A. Laws

Advisory

Each State should enact impaired driving laws that are sound, rigorous and easy to enforce and administer. The laws should clearly: define the offenses; contain provisions that facilitate effective enforcement; and establish effective consequences. Monitoring requirements should be established by law to assure compliance with sanctions by offenders and responsiveness of the judicial system. Noncompliant offenders should be adjudicated swiftly.

The offenses should include:

- *Driving while impaired by alcohol or other drugs (whether illegal, prescription, or over-the-counter), and treating both offenses with similar consequences;*
- *A Blood Alcohol Concentration (BAC) limit of 0.08, making it illegal per se to operate a vehicle at or above this level without having to prove impairment;*
- *Zero Tolerance for underage drivers, making it illegal per se for persons under age 21 to drive with any measurable amount of alcohol;*
- *High BAC (e.g., 0.15 or greater), with enhanced penalties above the standard impaired driving offense;*
- *Repeat offender, with increasing penalties for each subsequent offense;*

- *BAC test refusal, with administrative sanctions at least as strict as the state's highest BAC offense;*
- *Driving with a license suspended or revoked for impaired driving (DWS), vehicular homicide or causing personal injury while driving impaired as separate offenses, with additional penalties;*
- *Open container, which prohibits possession or consumption of any open alcoholic beverage in the passenger area of a motor vehicle located on a public highway or right-of-way; and*
- *Primary seat belt provisions that do not require that officers observe or cite a driver for a separate offense other than a seat belt violation.*

Facilitate effective enforcement by enacting laws that:

- *Authorize law enforcement to conduct sobriety checkpoints, in which vehicles are stopped on a nondiscriminatory basis to determine whether operators are driving while impaired by alcohol or other drugs;*
- *Authorize law enforcement to use passive alcohol sensors to improve the detection of alcohol in drivers;*
- *Authorize law enforcement to obtain more than one chemical test from an operator suspected of impaired driving, including preliminary breath tests, evidentiary breath tests and screening and confirmatory tests for alcohol or other impairing drugs;*
- *Authorize law enforcement to collect blood sample by search warrant in any chemical test refusal situation, consistent with other provisions of criminal jurisprudence which allows body fluids to be collected as evidence of a crime; and*
- *Require mandatory BAC testing of drivers involved in fatal and serious injury producing crashes.*

Effective criminal penalties and administrative sanctions should include:

- *Administrative license suspension or revocation (ALR), for failing or refusing to submit to a BAC or other drug test;*
- *Prompt and certain administrative license suspension of at least 90 days for first offenders determined by chemical test(s) to have a BAC at or above the State's per se level or of at least 15 days followed immediately by a restricted, provisional or conditional license for at least 75 days, if such license restricts the offender to operating only vehicles equipped with an ignition interlock;*

- *Enhanced penalties for test refusals, high BAC, repeat offenders, driving with a suspended or revoked license, driving impaired with a minor in the vehicle, vehicular homicide or causing personal injury while driving impaired, including: longer license suspension or revocation; installation of ignition interlock devices; license plate confiscation; vehicle impoundment, immobilization or forfeiture; intensive supervision and electronic monitoring; and imprisonment;*⁴
- *Separate and distinct criminal penalties for alcohol- and drug-impaired driving to be applied individually or in combination to a single case;*
- *Assessment for alcohol or other drug abuse problems for all impaired driving offenders and, as appropriate, treatment, abstention from use of alcohol and other drugs, and frequent monitoring.*

Effective monitoring should include:

- *supervision of out-of-state offenders;*
- *proven technology (e.g., ignition interlock device, electronic confinement and monitoring) and its capability to produce reports on compliance;*
- *impaired driver tracking systems; and*
- *periodic reports on offender compliance with administrative or judicially imposed sanctions;*
- *Driver license suspension for persons under age 21 for any violation of law involving the use or possession of alcohol or illicit drugs; and*
- *Statutory and rule support for DWI Courts as a sentencing alternative for persistent DWI offenders.*

Status

South Carolina has a complex web of laws dealing with impaired driving. In contrast, the National Highway Traffic Safety Administration (NHTSA) Legislative section of this Advisory encourages states to enact impaired driving laws that are sound, rigorous, and easy to enforce and administer. The South Carolina statutory Driving Under the Influence (DUI) scheme is neither easy to enforce nor to administer. Thus, the statutes diminish the effectiveness of the justice system. South Carolinians bear unnecessary costs of the inefficiencies created by the impaired driving statutes; notable costs are

⁴ Limited exceptions are permitted under Federal statute and regulation, 23 U.S.C. 154 and 23 CFR Part 1270.

incurred from impaired driving crashes as costs in the legal system as well as public health costs.

At first impression, South Carolina appears to follow the NHTSA recommendations because it has statutes that treat driving under the influence of alcohol or other drugs (whether illegal, prescription, or over-the counter) with similar consequences. The statutory Blood Alcohol Concentration (BAC) limit is 0.08, making it illegal per se to operate a vehicle at or above this level without having to prove impairment. Additionally, the related South Carolina statutory provisions:

Impose Zero Tolerance for underage drivers, making it illegal per se for persons under age 21 to drive with any measurable amount of alcohol,

Provide enhanced penalties for high BAC, (i.e., 0.15 or greater), above the standard impaired driving offense,

Increase penalties for repeat offenders, with each subsequent offense,

Treat driving with a license suspended or revoked for impaired driving (DWS), vehicular homicide or causing personal injury while driving impaired as separate offenses, with additional penalties,

Prohibit possession or consumption of any open alcoholic beverage in the passenger area of a motor vehicle located on a public highway or right-of-way

In considering what statutory provisions are desirable to deter driving under the influence, NHTSA also recommends that effective criminal penalties and administrative sanctions be enacted. South Carolina statutes provide:

Administrative license suspension or revocation (ALR), for failing or refusing to submit to a BAC or other drug test

Prompt and certain administrative license suspension, of at least 90 days for first offenders determined by chemical test(s) to have a BAC at or above the State's per se level or of at least 15 days followed immediately by a restricted, provisional, or conditional license for at least 75 days, if such license restricts the offender to operating only vehicles equipped with an ignition interlock

Assessment for alcohol or other drug abuse problems for all convicted impaired driving offenders and, as appropriate, treatment, abstinence from use of alcohol and other drugs, and frequent monitoring. Effective monitoring should include:

Proven technology (e.g., ignition interlock device, electronic confinement and monitoring) and its capability to produce reports on compliance

Periodic reports on offender compliance with administrative or judicially imposed sanctions

Driver license suspension for persons under age 21 for any violation of driving law involving the use or possession of alcohol or illicit drugs.

The statutes allow for DUI Courts as a sentencing alternative for persistent DUI offenders but there are only two in the State.

However, there are some important deficiencies in South Carolina laws. The penalties for a BAC test refusal are not as strict as the state's highest BAC offense. For instance, if a person submits to a chemical test and has a BAC of 0.15 the person is financially responsible for a \$50.00 service fee; however, if the person refuses the chemical test – no fee is applicable. There, additionally, is no requirement of mandatory BAC testing of all drivers involved in serious injury producing crashes.

Although many of the South Carolina laws clearly define the offenses and authorize and provide effective countermeasures to DUI, certain provisions prevent effective enforcement. The single most problematic statute preventing efficient prosecution of driving under the influence is the video recording statute, Code of Laws of South Carolina, Section 56-5-2953. It squanders scarce law enforcement resources by requiring the video camera recording of all stages of the stop and the advising of Miranda rights. The time spent viewing the videos by prosecutors and judges is paid for by the taxpayer.

The problem is not just the dollar cost of the additional equipment for which the taxpayers are paying. The problem is that the statutorily required roadside video makes the roadways of South Carolina more dangerous and still fails to protect motorists from the impaired driver.

The consequences of this statute are twofold:

- The statute mandates unsafe roadside practices thereby endangering the safety of the public, the defendant, and the officer making the stop.
- The language does not provide a strong guarantee of defendant's rights; it endangers the defendant's safety as well as infringes upon the defendant rights.

The statute is byzantine in its structure and its arcane language is ineffective. It undermines the justice system by setting up a statute that results in a high rate of dismissals.

A simple and effective statute could be drafted that would ensure the protection of the defendant's rights after the defendant's arrest without the expense and complication of management of the current videotaping practices and records.

One South Carolina statute, Section 56-5-2933 Driving with an Unlawful Alcohol Concentration (DUAC) is notable as a unique effort to create a statutory plea bargain.

(A) It is unlawful for a person to drive a motor vehicle within this State while his alcohol concentration is eight one-hundredths of one percent or more. A person who violates the provisions of this section is guilty of the offense of driving with an unlawful alcohol concentration and, upon conviction, entry of a plea of guilty or of nolo contendere, or forfeiture of bail must be punished.

There are two pending bills in the South Carolina General Assembly. S.18 will allow the issuance of a license or permit to persons under the age of twenty-one who drive motor vehicles and have a certain amount of alcohol concentration, to enroll in the ignition interlock device program and other clarifications of the interlock statute. S.342, Responsible Alcohol Server Training Act, will mandate approved alcohol server training. The bill will provide for the establishment, implementation, and enforcement of a mandatory alcohol server training and education program, to require servers of alcoholic beverages for on-premises consumption in licensed or permitted businesses to obtain alcohol server certificates, to provide guidance for the curricula of the training programs, to provide for the department of revenue to be responsible for approval of the training programs and implementation of the alcohol server certificates, to require fees from providers of training programs and from applicants for alcohol server certificates to cover the costs of the mandatory training and enforcement, to require coordination among the department of revenue, the state law enforcement division, and other state and local agencies for the implementation and enforcement of these provisions, and to provide for fines and penalties for violations of these provision.

The South Carolina statutes currently lack adequate requirements for the following:

- Reforming the dash cam law to protect the defendant and officer safety
- De-incentivizing refusals
- Increasing the penalty for child endangerment through DUI to a felony
- Mandating the testing for and reporting of alcohol, marijuana and other drugs of all drivers in fatal crashes
- Mandating a clear pathway for the providers to inform the courts about the defendants' failure to enroll in Alcohol and Drug Safety Action Program (ADSAP) and failure to complete ADSAP information

Despite considerable length and complexity, the South Carolina impaired driving statutes fail to support the justice system's efforts to achieve a meaningful reduction in impaired driving injuries and deaths. Bridging the gap between the statutes as written and a set of statutes that provide simple, effective and fair law enforcement, prosecution, and adjudication for impaired driving seems impossible. The path does not have to be short and straight to improve statutes. A strategic action step would be to increase public understanding and therefore support for the enactment of simple, effective and fair impaired driving statutes.

Recommendations

- Deploy a public information campaign about the public health and justice system costs of poorly drafted laws that are not efficient or effective in addressing and deterring impaired driving
- Initiate a statutory review which recommends simple and effective language that leads to a reduction of impaired driving incidents
- Implement legislation that supports a reduction in impaired driving

B. Enforcement

Advisory

States should conduct frequent, highly visible, well publicized and fully coordinated impaired driving (including zero tolerance) law enforcement efforts throughout the State, utilizing data to focus on locations where alcohol related fatalities most often occur. To maximize visibility, the State should conduct frequent sobriety checkpoints, periodic saturation patrols and sustained efforts throughout the year. Both periodic and sustained efforts should be supported by a combination of paid and earned media. To maximize resources, the State should coordinate highly visible, multi-jurisdictional efforts among State, county, municipal and tribal law enforcement agencies to include liquor control enforcement officers. To increase the probability of detection, arrest and prosecution, participating officers should receive training in the latest law enforcement techniques.

States should:

- *Ensure that executive levels of law enforcement and State and local government make impaired driving enforcement a priority and provide adequate resources;*
- *Develop and implement a year round impaired driving law enforcement plan supported by a strategic communication plan which includes:*
 - *periods of heightened enforcement, e.g., three consecutive weekends over a period of 16 days, and frequent sustained coverage throughout the year; and*
 - *high levels of participation and coordination among State, liquor enforcement, county, municipal and tribal law enforcement agencies, such as through law enforcement task forces.*
- *Deploy enforcement resources based on problem identification, particularly at locations where alcohol-related fatal or other serious crashes most often occur;*
- *Conduct highly visible enforcement that maximizes contact between officers and drivers, including frequent, ongoing sobriety checkpoints and saturation patrols, and widely publicize these efforts - before, during and after they occur;*
- *Use technology (e.g., video equipment, portable evidentiary breath tests, passive alcohol sensors and mobile data terminals) to enhance law enforcement efforts;*
- *Require that law enforcement officers involved in traffic enforcement receive standardized state-of-the-art training in the latest law enforcement techniques such as Standardized Field Sobriety Testing (SFST), Advanced Roadside Impaired Driving Enforcement, (ARIDE) emerging technologies for the detection of alcohol and other drugs; selected officers should receive training in media relations and Drug Evaluation and Classification (DEC);*

- *Ensure that officers involved in traffic enforcement receive ongoing refresher training in SFST;*
- *Evaluate the effectiveness of advanced training in the identification and apprehension of drug impaired drivers;*
- *Provide training to enhance law enforcement officers understanding of ignition interlock devices;*
- *Expedite the arrest process, e.g., by reducing paperwork and processing time from the time of arrest to booking and/or release;*
- *Evaluate program effectiveness and efficiency through the use of both output and outcome based performance measures including:*
 - *the level of effort, e.g., number of participating agencies, checkpoints conducted, arrests made;*
 - *public awareness;*
 - *reported changes in behavior, e.g., reported number of drinking driving trips; and*
 - *consequences including alcohol-related fatalities, injuries and crashes.*
- *Use law enforcement professionals to serve as law enforcement liaisons within the State. Their activities would include:*
 - *Serving as a communication bridge between the highway safety office and law enforcement agencies;*
 - *Enhancing law enforcement agencies coordination in support of traffic safety activities;*
 - *Encouraging participation in high visibility enforcement of impaired driving, occupant protection and other traffic safety enforcement mobilizations; and*
 - *Improving collaboration with local chapters of police groups and associations that represent state, county, municipal, and tribal law enforcement.*

Status

The Highway Patrol and State Transport Police are enforcement divisions within the South Carolina Department of Public Safety (SCDPS). SCDPS is the State's largest law

enforcement agency with more than 1,300 employees. The SCDPS is comprised of four law enforcement divisions and nine administrative divisions:

- **Highway Patrol**
- **State Transport Police**
- Bureau of Protective Services
- Immigration Enforcement Unit
- Office of Professional Responsibility
- General Counsel
- Financial Services Office
- Human Resources Office
- Information Technology Office
- Legislative Affairs Office
- Highway Safety and Justice Programs
- Communications Office
- Strategic Services, Accreditation, Policy and Inspections

The Highway Patrol and State Transport Police are responsible for promoting a safe and secure environment for the public. Their mission is to reduce the number and severity of traffic crashes through enforcement of traffic laws and promoting traffic safety.

Table 1 FARS – South Carolina

Table 1	South Carolina Fatalities				
	2014	2015	2016	2017	2018
Traffic Fatalities	823	979	1,020	989	1,037
Rural	570	555	613	688	681
Urban	253	424	407	301	356
Fatals Per 100 MVMD	1.65	1.89	1.87	1.78	UNK
Alcohol-Impaired Fatal	331	306	343	305	291

In addition to traffic fatalities and motor vehicle miles driven (MVMD), there were nearly 258,000 people injured in motor vehicle crashes between 2011-2015 and eight percent (20,000) were impaired driving related. On average, this equates to approximately 50,000 injured as a result of motor vehicle crashes annually.

According to the *2019 Impaired Driving Assessment Briefing Book (IDABB)*, the State prioritized funding for impaired driving countermeasures, occupant protection, police traffic services/speed enforcement, and traffic records. The State recognizes impaired driving arrests/citations are trending downward.

Table 2 IDABB

Table 2 South Carolina DUI Arrests/Citations	
Year	Arrests/Citations
2013	23,977
2014	23,064
2015	21,512
2016	20,148
2017	18,684

Table 2 indicates a 22% decline in DUI arrests, over the past five years, which are related to several factors; recruiting and retention of law enforcement; training and equipment; funding; stakeholder communication and information sharing; current Driving Under the Influence (DUI) law and related legislation; and, in some instances, leadership support. Similarly, the culture of “drinking and driving” continues to be problematic within the State. The State has identified its top-three “mechanisms” of injury: falls, motor vehicle crashes, and gun shots. The SCDPS Highway Patrol arrests approximately half of all DUIs in the State. Their patrol focus includes combating impaired driving, speed enforcement, and safety belt compliance. The State encourages patrol activities through the acronym **D**istracted-**R**eckless-**I**mpaired-**V**isibility-**E**nforcement (DRIVE).

Recruiting and retention are common concerns across the state. Preliminary information suggests that many leave the profession within the first five years of service. There are many factors associated with leaving the industry, but some factors include pay, working conditions, public sentiment, and compounding stress.

The State has approximately 270 law enforcement agencies with several having less than 10 officers. Moreover, of the 270 law enforcement agencies, roughly 30% participate in patrol activities. There are 815 sworn personnel with 543 assigned to patrol services in the Highway Patrol. In addition to patrol services, the SCDPS has a State Transport Police Division with 87 commercial motor vehicle (CMV) inspectors. CMV inspectors are qualified to conduct all levels of truck inspections (Level 1-6) and all are trained in Standardized Field Sobriety Testing (SFST). Also, three CMV inspectors are trained in Advanced Roadside Impaired Driving Enforcement (ARIDE) and two additional CMV inspectors are certified as Drug Recognition Experts (DREs).

Currently, all new police recruits receive SFST training and Datamaster DMT (breath test instrument) training at the South Carolina Criminal Justice Academy (SCCJA). Once initial training is received, all patrol officers (troopers, deputies, officers) must “recertify” in administering SFSTs and Datamaster DMT operation. This is done through an on-line system – ACADIS. The State has approximately 4,700 SFST practitioners. The International Standards of the Standardized Field Sobriety Testing Program states the following regarding certification:

National Highway Traffic Safety Administration/International Association of Chiefs of Police (NHTSA/IACP) impaired driving curricula courses (i.e. Standardized Field Sobriety Testing, Advanced Roadside Impaired Driving Enforcement, Drug Recognition Expert) have approved curriculum, but the attendees do not receive certification from the IACP or NHTSA upon completion. Any certification is from the state or agency level.

SFST Instructor Training is offered every other year and the State currently has 558 SFST instructors and instructors are required to recertify every two years in order to maintain certification. The SCDPS, furthermore, has mandated all patrol troopers from the rank of Trooper - Lieutenant to complete ARIDE with an anticipated completion date of 2022. The State has trained 1,280 officers in ARIDE and offers this course 12 times a year. Since 2002, the State has incorporated the Drug Evaluation and Classification Program (DECP) better known as the DRE program, but the number of DREs and evaluations have remained stagnant.

- 2013 – 503 total evaluations (319 enforcement)
- 2014 – 423 total evaluations (266 enforcement)
- 2015 – 435 total evaluations (265 enforcement)
- 2016 – 412 total evaluations (291 enforcement)
- 2017 – 371 total evaluations (236 enforcement)

By reviewing the above data, the State DREs are performing approximately two evaluations, per DRE, annually. This is an indication of DREs not responding to DUI drug investigations or not being contacted for response.

From 2015-2017, the majority of DRE opinions regarding driver impairment have been Cannabis. According to the National Sobriety Testing Resource Center & DRE Tracking System [NSTRC & DRETS] (Jan 1, 2016 to Jan 1, 2019), the State reported a total of 1,578 total DRE opinions with 1,132 or 71.74% of those drug opinions with completed toxicology. Comparatively, the toxicology confirmation rate is at 59.51%. To clarify, the total DRE opinions confirmed with toxicology matched the DRE opinions in 939 cases, which is lower in comparison with other state programs. The NSTRC & DRETS confirms the State DREs are evaluating impaired drivers, at higher frequency, under the influence of Cannabis, Central Nervous System (CNS) Depressants, CNS Stimulants, and Narcotic Analgesics, and in most instances, are corroborated by toxicology.

The State has a population of over five million people. Other states, comparatively in size, have a larger DRE program and perform more enforcement drug evaluations. Less than only one percent of all DUI arrests result in a drug evaluation. It is clear that the DRE Program needs additional support and resources.

The State's toxicology program is managed and coordinated by the South Carolina Law Enforcement Division (SLED). The toxicology laboratory of SLED provides statewide services. In rural areas of the State, some coroners are using private laboratories in lieu of SLED services, which may cause under-reporting issues for toxicology results. The

reason is unclear, but SLED provides laboratory analysis for 75% of the coroners. Table 3, below, illustrates the Top-10 Drugs found in toxicology:

Table 3 SCDPS

Table 3		Toxicology Top 10 Drugs	
2017	2018	2019	
1. THC	1. THC	1. THC	
2. Alprazolam	2. Alprazolam	2. Alprazolam	
3. Methamphetamine/Amphetamine	3. Methamphetamine/amphetamine	3. Methamphetamine/Amphetamine	
4. Cocaine	4. Cocaine	4. Cocaine	
5. Clonazepam	5. Morphine	5. Morphine	
6. Oxycodone	6. Clonazepam	6. Clonazepam	
7. Diazepam/metabolites	7. Gabapentin	7. Gabapentin	
8. Hydrocodone	8. Oxycodone	8. Oxycodone	
9. Morphine	9. Diazepam/metabolites	9. Diazepam/metabolites	
10. Gabapentin	10. Fentanyl	10. Fentanyl	

Drug Impairment Training for Educational Professionals (DITEP) is a standalone course primarily for teachers, staff members, and other stakeholders in the education/business environment. DITEP provides an overview of the signs and symptoms associated with drug impairment and has historically been instructed by a DRE. This curriculum may be modified to suit the needs of a particular group.

The State lacks a Judicial Outreach Liaison (JOL) as a resource for criminal justice professionals regarding the facilitation of networking and training.

The State has one Traffic Safety Resource Prosecutor (TSRP). TSRPs are vitally important in combating impaired driving and supporting DECP efforts. Beyond communicating with solicitors and prosecutors, TSRPs provide technical assistance involving impaired driving cases by providing up-to-date case law, the interpretation of new impaired driving laws, and on-going training to the criminal justice system as a whole. TSRPs also monitor state defense experts and share this information with a variety of criminal justice partners.

The lack of video recording in any DUI case will result in case dismissal. This creates a problem for agencies lacking resources to purchase mobile recording devices (MRDs), train officers in its proper use, and storing digital evidence. This is of major concern, because the decision to prosecute is not directly related to the “weight of the evidence.”

Due to state law, a DUI investigation can extend beyond 20 hours from the traffic stop through trial. In summary courts, law enforcement serve as prosecutors for their own cases. This is problematic for a variety of reasons including, but not limited to, report writing, evidence distribution, case preparation (not to mention skill/ability), active patrol time, available time for police related training, and authorized leave. In addition to available time, this increased burden for officers does not allow time to network with internal and external stakeholders.

The State provides several programs that are complimentary to combating impaired driving efforts, but law enforcement seem unaware of these programs. Impaired driving communication, at its best, occurs in the South Carolina Law Enforcement Network (LEN). LEN extends across all 46 counties; however, of the 270 law enforcement agencies, participation has decreased significantly to less than 50%. This level of participation results in under reporting of *Target Zero* activities and/or initiatives.

Recommendations

- Evaluate current recruiting and retention strategies to encourage longevity within the law enforcement profession
- **Increase impaired driving enforcement**
- Expand Advanced Roadside Impaired Driving Enforcement training efforts for patrol officers (State, County, and Municipalities)
- **Assign a prosecutor to each of the seven Troop locations**
- Expand the Drug Recognition Expert Program and increase the number of evaluations in jurisdictions where prosecutors are assigned cases
- Encourage Drug Recognition Expert support by developing regional coordinators in high-volume impaired driving arrest jurisdictions
- Develop Drug Recognition Enforcement call-out procedures to ensure Drug Recognition Experts are being notified for response
- **Amend the current law regarding the stringent evidentiary use of video in impaired driving cases**

C. Prosecution

Advisory

States should implement a comprehensive program to visibly, aggressively and effectively prosecute and publicize impaired driving-related efforts, including use of experienced prosecutors, to help coordinate and deliver training and technical assistance to those prosecutors handling impaired driving cases throughout the State. Effective prosecution can include participation in a DWI Court program.

Prosecutors who handle impaired driving cases often have little experience, are responsible for hundreds of cases at a time, and receive insufficient training.⁵

States should:

- *Make impaired driving cases a high priority for prosecution and assign these cases to knowledgeable and experienced prosecutors;*
- *Encourage vigorous and consistent prosecution of impaired driving (including youthful offender) cases, particularly when they result in a fatality or injury, under both impaired driving and general criminal statutes;*
- *Provide sufficient resources to prosecute impaired driving cases and develop programs to retain qualified prosecutors;*
- *Employ experienced prosecutors, such as State Traffic Safety Resource Prosecutors, to help coordinate and deliver training and technical assistance to prosecutors handling impaired driving cases throughout the State;*
- *Ensure that prosecutors who handle impaired driving cases receive state-of-the-art training, such as in Standardized Field Sobriety Test (SFST), Drug Recognition Expert (DRE), and emerging technologies for the detection of alcohol and other drugs. Prosecutors should learn about sentencing strategies for offenders who abuse these substances and participate in multi-disciplinary training with law enforcement personnel;*
- *In drug-impaired driving cases, encourage close cooperation between prosecutors, state toxicologists and arresting law enforcement officers (including DRE). Their combined expertise is needed to successfully prosecute these cases;*
- *Establish and adhere to strict policies on plea negotiations and deferrals in impaired driving cases and require that plea negotiations to a lesser offense be made part of the record and count as a prior impaired driving offense; and*

⁵ Robertson, Robyn D. and Herb M. Simpson “DWI System Improvement for Dealing with Hard Core Drinking Drivers: Prosecution.” Ottawa, Traffic Injury Research Foundation, 2002.

- *Encourage prosecutors' participation in DWI Courts as a sentencing alternative for persistent DWI offenders.*

Status

The South Carolina Constitution assigns the responsibility of the chief prosecuting officer for the State to the South Carolina Attorney General (SCAG). The Attorney General shares responsibility for all criminal matters within the South Carolina judicial system with the locally elected prosecutors. The majority of cases prosecuted by the SCAG are referred by the local solicitors. The SCAG Prosecution Division handles a broad range of criminal matters, including cases involving securities fraud, insurance fraud, financial fraud, and environmental crimes. The Criminal Appeals Section represents the interests of the State of South Carolina in the Supreme Court, the South Carolina Court of Appeals, and the United States Supreme Court in all appeals from criminal convictions in South Carolina, except appeals arising from murder convictions. However, the bulk of the routine day in, day out, criminal prosecution work is managed by 16 local Circuit Solicitors.

While South Carolina provides funding for solicitors statewide, the State is woefully short of solicitors. As a result, in many summary courts, the arresting law enforcement officer must prosecute his or her own cases. Officers are trained to enforce laws and the best use of their time and skills is to be focused on those duties. Efforts are made to educate and train law enforcement to perform the prosecutorial functions, but such an expectation is inefficient. To require the officer to act as a quasi-lawyer decreases enforcement capacity. The dual role reduces the amount of time the officer can spend on the street and wastes the law enforcement resources and training invested in the officer. The officer is expected to remain current on the finer evidentiary points of case law, statutes, and rules. The officers have no clerical or research assistance, not even a paralegal. A stop gap measure, providing a paralegal to assist officers who prosecute their own cases, might be better than the current total absence of support. While law enforcement officers have the statutory authority to try their cases, such a practice is inefficient and worse, threatens public safety by taking officers off the streets.

The bulk of the criminal justice caseload is managed by the solicitor, an elected official who is responsible for prosecuting criminal cases in South Carolina. Other states refer to this position held by an elected official as the district attorney or prosecutor. There are 16 judicial circuits in South Carolina and each circuit has its own solicitor. The circuits consist of two to five counties. The Office of Solicitor is a constitutional office and each solicitor is elected by the voters within the circuit for a term of four years.

The South Carolina Commission on Prosecution Coordination is a state agency that is expected to support the professionalism and effectiveness of South Carolina's Solicitors and their staff. The Commission is charged with providing legal education and publications, providing technical assistance, coordinating with other state, local, and federal agencies involved in the criminal justice system, providing administrative

functions for the solicitors at the state level, as well as being a resource for the General Assembly on a range of issues. The Commission has recently employed a new State Traffic Safety Resource Prosecutor (TSRP) to help coordinate and deliver training and technical assistance to prosecutors handling impaired driving cases throughout the State. Some rural, remote, and small areas need extra support to adjudicate impaired driving cases.

Another step taken by the South Carolina Department of Public Safety Office of Highway Safety and Justice Programs (OHSJP) has been to fund two special Driving Under the Influence (DUI) prosecutors to attack the problem of DUI recidivism and increase the conviction rate of DUI offenders. This strategy was chosen because there have been difficulties in obtaining DUI convictions and there is a backlog of DUI cases. The grant project will also work to reduce the backlog of DUI cases made by SCHP.

Soon the South Carolina Highway Patrol (SCHP) will have three full-time attorneys to assist with DUI case preparation and trial. The South Carolina Highway Patrol has limited resources and can benefit from Troopers spending more time in enforcement activity as opposed to preparing cases for court.

Solicitors recognize the impact of the problems caused by the inefficient use of law enforcement resources. The challenge is how to get the information in the hands of the public in such a way that the legislature will respond with effective statutes and funding. The solicitors' membership organization is one entity that could inform the legislature and public about the consequences of the dual roles expected of the law enforcement officers.

Recommendations

- Increase the number of solicitors and their deputies that specialize in Driving Under the Influence cases
- **Pilot a program to provide paralegal assistants to law enforcement who prosecute cases without assistance in summary courts**

D. Adjudication

Advisory

States should impose effective, appropriate and research-based sanctions, followed by close supervision, and the threat of harsher consequences for non-compliance when adjudicating cases. Specifically, DWI Courts should be used to reduce recidivism among repeat and high BAC offenders. DWI Courts involve all criminal justice stakeholders (prosecutors, defense attorneys, probation officers and judges) along with alcohol and drug treatment professionals and use a cooperative approach to systematically change

participant behavior. Where offender supervision⁶ is housed within the judicial branch, the guidelines of Section V(A)(1) should be utilized by the judiciary.

The effectiveness of enforcement and prosecution efforts is strengthened by knowledgeable, impartial and effective adjudication. Each State should provide the latest state-of-the-art education to judges, covering Standardized Field Sobriety Testing (SFST), Drug Recognition Expert (DRE), alternative sanctions and emerging technologies, such as ignition interlock devices (IID).

Each State should utilize DWI Courts to help improve case management and to provide access to specialized personnel, speeding up disposition and adjudication. DWI Courts also improve access to assessment, treatment, and sentence monitoring. Each State should provide adequate staffing and training for community supervision programs with the necessary resources, including technology, such as IID, to monitor and guide offender behavior.

States should:

- Involve the State's highest court in taking a leadership role and engaging judges in effectively adjudicating impaired driving cases and ensuring that these cases are assigned to knowledgeable and experienced judges;*
- Encourage consistency in the adjudication of impaired driving (including youthful offender) cases, and the imposition of effective and appropriate sanctions, particularly when impaired driving resulted in a fatality or injury;*
- Provide sufficient resources to adjudicate impaired driving cases in a timely manner and effectively manage dockets brought before judges;*
- Ensure that judges who handle criminal or administrative impaired driving cases receive state-of-the-art education, such as in technical evidence presented in impaired driving cases, including SFST and DRE testimony, emerging technologies, such as IID, for the detection of alcohol and other drugs, and sentencing strategies for this class of offenders; and*
- Use court strategies to reduce recidivism through effective sentencing and close monitoring, by either establishing DWI Courts, encouraging drug courts to hear impaired driving cases, or encouraging other courts to adopt DWI/Drug Court practice. These courts increase the use of drug or alcohol assessments, identify offenders with alcohol or drug use problems, apply effective and appropriate*

⁶ Robertson, Robyn D. and Herb M. Simpson "DWI System Improvement for Dealing with Hard Core Drinking Drivers: Prosecution. Ottawa, Traffic Injury Research Foundation, 2002.

sentences to these offenders, including abstinence from alcohol and other drugs and closely monitor compliance, leading to a reduction in recidivism.⁷

- *Eliminate ethical obstacles, such as ex parte or commitment communications, by adopting the current Model Code of Judicial Conduct so that judges can participate more freely in DWI Court administration;*
- *Provide adequate staffing and training for community supervision programs with the necessary resources, including technology such as IID and electronic confinement, to monitor and guide offender behavior and produce periodic reports on offender compliance; and*
- *Incorporate into judicial education and outreach administration the position of Judicial Outreach Liaison as a judicial educator and resource on highway traffic safety issues including impaired driving, and as an agent to create more DWI Courts.*

Status

In South Carolina courts, the adjudication of impaired driving is fraught with complex challenges. The State's Driving Under the Influence (DUI) statutes create a significant contribution to the complications. A second complication arises from the structure of the judiciary. The courts are very sheltered from the voting public.

The Chief and associate justices of the Supreme Court are "elected by a joint public vote of the General Assembly for a term of ten years." The Court of Appeals Chief Judge and eight associate judges are "elected" by the General Assembly to staggered terms of six years each.

At the trial court level, the Circuit Court judges are "elected" by the General Assembly to staggered terms of six years.

There are approximately 300 magistrates in South Carolina who are appointed to four-year terms by the Governor upon the advice and consent of the Senate. Masters-in-equity must be appointed by the Governor with the advice and consent of the General Assembly for a term of six years. Finally, approximately 200 municipal judges are appointed by the council of the court's municipality.

Not one judge in the State of South Carolina is elected by the voters or subjected to a retention vote in a general or primary election.

A third complication arises from the relationships within the legal profession and the appearances and perceptions shaped by those relationships. Many legislators who vote on judicial selections are practicing defense lawyers before the candidate judges. Some

⁷ Freeman-Wilson, Karen and Michael P. Wikosz, "Drug Court Publications Resource Guide, Fourth Edition." Alexandria, VA: National Drug Court Institute, 2002.

of the judicial aspirants are former legislators. At the local level where there are part time judges, the judges may also serve as deputy solicitors or defense lawyers in another court. It is important to note that appearances may not be reflective of the reality, but there are misleading perceptions. The South Carolina Supreme Court regularly publishes advisory opinions that are expected to guide the ethical standards for the sitting judges. Here is one example:

OPINION NO. 10-2018

RE: Propriety of a part-time municipal judge also serving as president of an association of criminal defense lawyers.

FACTS A part-time municipal judge has been elected the president of an association of criminal defense lawyers for another city (which is located in a different county than where the judge presides). The judge inquires as to the propriety of serving as president for this association. The facts indicate that the Chief of Police and the City Prosecutor in the city were (sic) the judge presides have no objection.

CONCLUSION A part-time municipal judge may serve as president of an association of criminal defense lawyers for another city.

See full opinion at <https://www.sccourts.org/advisoryOpinions/html/10-2018.pdf>

The Supreme Court has both appellate and original jurisdiction. While the court's jurisdictional details are not needed for this review, suffice it to note that the Supreme Court's most important action regarding DUI was to place the DUI cases on a priority docket.

The Supreme Court has the additional duties of rulemaking and administration of the lower courts. It promulgates rules governing all the courts of this state including rules governing the practice and procedure before these courts, rules governing the administration of these courts, rules governing the admission of persons to practice law, and the conduct of lawyers, judges, and court personnel. Further, the Chief Justice, as the administrative head of the Judicial Branch, is responsible for administering the courts, setting the terms of court, and assigning judges to preside at those terms.

The Supreme Court is responsible for disciplining lawyers and judges who commit ethical misconduct. The Supreme Court created The Commission on Judicial Conduct by Rule 502, South Carolina Appellate Court Rules, to investigate complaints of judicial misconduct and incapacity made against judges who are a part of the South Carolina unified court system. This 26-member Commission is made up of 14 judges, 4 attorneys, and 8 members of the general public.

The Court of Appeals sits either as three panels of three judges each or en banc, and it may hear oral arguments and motions in any county of the State.

The Circuit Court is the State's court of general jurisdiction. It is divided into the Court of Common Pleas and a criminal court, the Court of General Sessions. In addition to its general trial jurisdiction, the Circuit Court has limited appellate jurisdiction over appeals from the Probate Court, Magistrate's Court, and Municipal Court. It is unclear how the appeals are transferred from the lower court to the circuit court.

South Carolina has 16 judicial circuits. Each circuit has at least one resident circuit judge who maintains an office in the judge's home county within the circuit. There are 49 circuit judges who serve the 16 circuits on a rotating basis, with court terms and assignments determined by the Chief Justice based upon recommendations of Court Administration.

There are approximately 300 magistrates in South Carolina, each serving the county for which he or she is appointed. They are appointed to four-year terms by the Governor upon the advice and consent of the Senate. Magistrates must also pass a certification examination within one year of their appointment. Magistrates generally have criminal trial jurisdiction over all offenses subject to the penalty of a fine, as set by statute, but generally, not exceeding \$500.00 or imprisonment not exceeding 30 days, or both. In addition, they are responsible for setting bail, conducting preliminary hearings, and issuing arrest and search warrants.

The council of each municipality may establish, by ordinance, a municipal court to hear and determine all cases within its jurisdiction. Such courts are part of the unified judicial system. It should be noted, however, that a municipality may, upon prior agreement with county governing body, prosecute its cases in magistrate court, in lieu of establishing its own municipal court. In addition, the council may establish, by ordinance, a municipal court, and contract with the county governing authority for the services of a magistrate to serve as its municipal judge. The Chief Justice, pursuant to his/her powers as administrative head of the unified judicial system, would, in turn, delegate authority to the Chief Summary Court Judge of the county to assign a specific magistrate as municipal judge.

Municipal courts have jurisdiction over cases arising under ordinances of the municipality. The powers and duties of a municipal judge are the same as those of a magistrate, with regard to criminal matters; however, municipal courts have no civil jurisdiction. The term of a municipal judge is set by the council of the municipality but cannot exceed four years. Approximately 200 municipalities in South Carolina have chosen to create municipal courts.

Moving past the structure of the courts to look at functionality, the data for DUI cases are incomplete. One cannot track a DUI case from beginning to end in every court. However, the State of South Carolina is making great progress in the courts' record keeping. With the updated electronic citations, the State can track whether a citation originated as a DUI and was pled down. It was stated that seeing the number of citations that are pled down is disheartening. As of the date of this assessment, 100% of the magistrate courts and 60% of the municipal courts are using the Case Management

System (CMS). The Circuit Court CMS modernization project will transition the existing, internally developed CMS into a set of cloud and web-based applications. As of December 31, 2018, e-filing for Common Pleas (Civil) actions has been implemented in 41 of 46 South Carolina counties.

This *Advisory* provides information for state courts on how to improve the adjudication of impaired driving cases. The effectiveness of enforcement and prosecution efforts is strengthened by knowledgeable, impartial, and effective adjudication. Some of the *Advisory* recommendations are that each state should provide the latest state-of-the-art education to judges, covering Standardized Field Sobriety Testing (SFST), Drug Recognition Expert (DRE), alternative sanctions, and emerging technologies, such as ignition interlock devices (IID). In South Carolina, some of that education is provided by the Office of the State Court Administration to the summary courts.

All municipal judges are required to complete a training program or pass certification or recertification examinations, or both, within one year of taking office. Members of the South Carolina Bar are exempt from the examination; however, they are required to attend the orientation program. Each municipal judge must pass a recertification examination within eight years after passing the initial certification examination and at least once every eight years thereafter.

The South Carolina Summary Court Judges Association (SCSCJA) serves as the coordinating agency for South Carolina Summary Courts and the South Carolina Court Administration. SCSCJA is dedicated to the improvement of the judiciary through the promotion of professionalism, education and legislation affecting the summary courts, and the administration of fair and equal justice in accordance with the law.

The Office of Court Administration is the administrative arm of the Chief Justice, who is constitutionally designated as the administrative head of the unified judicial system. (Art. V, § 4 S.C. Const.). This office collects caseload data from the state courts, makes recommendations to the Chief Justice for terms of court and assignment of judges, administers judicial education programs, and administers the funds for foreign language interpreters and interpreters for the deaf.

The South Carolina Department of Public Safety Office of Highway Safety and Justice Programs (OHSJP) funded two DUI Courts to help improve case management and to provide access to specialized personnel, speeding up disposition, and adjudication. Although the two courts are reported to be very successful, the development of additional DUI Courts seems to have stalled in South Carolina.

The extent of community supervision programs for DUI cases appears to be very small. The only monitoring is the interlock if the offender gets the interlock. There is no probation in the summary courts nor are there the necessary resources, including technology such as IID, to monitor and guide offender behavior.

South Carolina does not have the position of a Judicial Outreach Liaison (JOL) as a judicial educator and resource on highway traffic safety issues including impaired driving. The selection of the JOL is a delicate undertaking as the JOL must be accepted by the judges as a peer. By working with those judges who are interested in improving the adjudication of impaired driving, South Carolina could create a candidate pool for the position with a focus on the summary courts.

The OHSJP has funded a Mothers Against Drunk Driving (MADD) Court Monitoring Program to monitor the prosecution of DUI-related cases in selected Judicial Circuits in the State. The program aims to promote accountability of the judicial process, and ideally increase the DUI conviction rate for the 16 Judicial Circuits in the State.

Recommendations

- Analyze and publish the court data that is increasingly available to identify the gaps and fill needs in the adjudicatory process
- Elucidate and examine the process for transfer of cases from the summary courts to circuit courts or the Court of Appeals
- Develop a Judicial Outreach Liaison plan
- Sponsor at least one state of the art training about Driving Under the Influence issues and technology at the Annual Conference of the South Carolina Summary Court Judges Association

E. Administrative Sanctions and Driver Licensing Programs

Advisory

States should use administrative sanctions, including the suspension or revocation of an offender's driver's license; the impoundment, immobilization or forfeiture of a vehicle; the impoundment of a license plate or suspension of a vehicle registration; or the use of ignition interlock devices. These measures are among the most effective actions that can be taken to prevent repeat impaired driving offenses.⁸

In addition, other driver licensing activities can prove effective in preventing, deterring and monitoring impaired driving, particularly among novice drivers.

E-1. Administrative License Revocation and Vehicle Sanctions:

Advisory

⁸ Robertson, Robyn D. and Herb M. Simpson “ DWI System Improvement for Dealing with Hard Core Drinking Drivers: Prosecution. Ottawa, Traffic Injury Research Foundation, 2002

Each state's Motor Vehicle Code should authorize the imposition of administrative penalties by the driver licensing agency upon arrest for violation of the state's impaired driving laws. Administrative sanctions allow the licensing agency to maintain its authority to determine the safety and competence of the driver to whom it has issued a license, and to determine whether, at any time, continued provision of driving privileges is warranted. Administrative sanctions provide for consistency and uniformity of both sanction and treatment of offenders, apart from the political or social viewpoints of the various judicial jurisdictions within a state.

The code should provide for:

- Administrative suspension of the driver's license for alcohol and/or drug test failure or refusal;*
- The period of suspension for a test refusal should be longer than for a test failure;*
- Prompt suspension of the driver's license within 30 days of arrest, which should not be delayed, except when necessary, upon request of the State;*
- Vehicle sanctions, including suspension of the vehicle registration, or impoundment, immobilization or forfeiture of the vehicle(s), of repeat offenders and individuals who have driven with a license suspended or revoked for impaired driving; and*
- Installation of ignition interlock device(s) on the offender's vehicle(s) until a qualified professional has determined that the licensee's alcohol and/or drug use problem will not interfere with their safe operation of a motor vehicle. Specific agencies within a State should be given responsibility and authority for oversight of the interlock program, including vendor selection, certification, and monitoring; review of data downloaded from the individual devices; and responsibility for administrative rules that guide sanctions for circumvention or other non-compliance with ignition interlock licensure. Licenses for drivers required to have ignition interlock devices installed on vehicles that they operate should be easily identifiable by law enforcement officers, either by virtue of a different colored background on the license or large print indicating that an ignition interlock device is required.*

Status

The South Carolina Department of Motor Vehicles (SCDMV) is responsible for all driver license processes from testing and issuance of credentials to suspension or revocation of a license. The current data structure runs on an Oracle platform with a robust front end called the Phoenix system. Phoenix is a robust data entry and collection application that promotes data integrity through data edit checks and business validation rules.

The South Carolina Code of Laws includes an implied consent statute and comprehensive administrative licensing sanctions related to impaired driving offenses. The alcohol related offenses include Driving Under the Influence (DUI) and Driving with an Unlawful Alcohol Concentration (DUAC). DUI is defined as operating a motor vehicle under the influence of alcohol and being materially impaired, while DUAC is defined as a person driving with a blood alcohol concentration (BAC) of 0.08 or higher but does not require proving any impairment. The administrative sanctions for DUI and DUAC are the same, but the severity of sanctions varies based on the driver’s compliance with alcohol testing and arrest recidivism. There are both license and vehicle-related statutory penalties that apply to all drivers arrested for impaired driving. This administrative process, known as Administrative License Revocation (ALR), is independent of the judicial process and associated criminal penalties for impaired driving. Separating processes allows for uniform administrative sanctions apart from any criminal proceedings. In South Carolina impairment is statutorily defined as a BAC of 0.08 or higher for adults age 21 or older and 0.02 or greater for persons under age 21 (known as a zero-tolerance law). The following sanctions will be imposed for persons who refuse an alcohol test or who fail an alcohol test:

Offense	Alcohol Concentration	Suspension Duration
Under age 21 1st	0.02+	3 months (six for refusal)
2nd within 5 years	0.02+	6 months
Age 21 and over		
1st within 10 years	0.08-0.14	6 months
1st within 10 years	0.15+	6 months (IID)
2nd within 10 years	0.08+	1 year (IID for 2 years)
3rd within 5 years	0.08+	4 years (IID for 3-4 years)
4th or more within 10 years	0.08+	7 years (IID for life)
Felony		
Great bodily injury		incarceration + 3 years
Fatality		incarceration + 5 years

Commercial Driver License (CDL) holders are subject to the same sanctions listed above with two exceptions: there is no time limit for determining repeat offenses; and DUI is defined by statute as a BAC 0.04 or greater. Any impaired offense during a CDL holder’s lifetime is counted in the sentencing algorithm.

Repeat and high BAC (0.15 and above) offenders are required to enroll in the Ignition Interlock Device (IID) program. First offenders with a BAC below 0.15 have the option to enroll in IID voluntarily to be exempted from the driver license suspension requirement. Upon conviction for DUI, offenders are required to enroll in the Alcohol and Drug Safety Action Program (ADSAP) managed by Department of Alcohol and Other Drug Abuse Services (DAODAS) in addition to any other penalties.

Upon arrest, the operator's driver license is suspended and the person has 30 days to request an ALR appeal hearing from the Office of Motor Vehicle Hearings in the South Carolina Administrative Law Court. When the appeal is received the person may apply for a temporary alcohol restricted license until the hearing. If the violation is dismissed at the ALR hearing, the full license is reinstated. If the suspension is sustained, the driver may apply for a provisional license to permit driving to work or school within South Carolina.

The criteria for determining previous impaired driving offenses considers all DUI and DUAC violations and any DUI from another state. Any impaired driving arrests made while awaiting an ALR hearing is pending will not be considered for the progressive sanctions. Any subsequent arrest will constitute a separate offense.

Vehicle sanctions are also imposed, specifically seizure of the license plate and registration of all vehicles registered to a person convicted of a second or subsequent DUI. However, the vehicle may be released to another family member.

Ignition Interlock programs have been shown to be successful in other states and the program has been in effect in South Carolina since 2009. In 2014, Emma's Law was passed strengthening the IID by requiring all high BAC (0.15 or above) and repeat DUI convicted offenders to participate in the IID program. Currently, there are approximately 1,100 people in the IID program.

Recommendations

- **Expand the use of the Ignition Interlock Device program to include all first-time offenders upon conviction regardless of blood alcohol concentration**

E-2. Programs

Advisory

Each state's driver licensing agency should conduct programs that reinforce and complement the state's overall program to deter and prevent impaired driving, including:

- (1) Graduated Driver Licensing (GDL) for novice drivers. GDL programs have been widely evaluated and all studies, although results vary significantly, have shown a reduction in crash and fatality rates.*

States' GDL program should involve a three-stage licensing system for beginning drivers (stage 1 = learner's permit; stage 2 = provisional license; and stage 3 = full license) that slowly introduces the young, novice driver to the driving task by controlling exposure to high risk driving situations (e.g., nighttime driving, driving with passengers, and driving after drinking any amount of alcohol). The three stages of the GDL system include specific components and restrictions to introduce driving privileges gradually to

beginning drivers. Novice drivers are required to demonstrate responsible driving behavior during each stage of licensing before advancing to the next level.

Each stage includes recommended components and restrictions for States to consider when implementing a GDL system.

Stage 1: Learner's Permit

- *State sets minimum age for a learner's permit at no younger than 16 years of age;*
- *Pass vision and knowledge tests, including rules of the road, signs, and signals;*
- *Completion of basic driver training;*
- *Licensed adult (who is at least 21 years old) required in the vehicle at all times;*
- *All occupants must wear seat belts;*
- *Zero alcohol while driving;*
- *Learners permit is visually distinctive from other driver licenses;*
- *Must remain crash and conviction free, including violations of the seat belt, zero tolerance, speed and other GDL provisions, for at least 6 consecutive months to advance to the next level;*
- *Parental certification of 30 to 50 practice hours; and*
- *No use of portable electronic communication and entertainment devices while driving.*

Stage 2: Intermediate (Provisional) License

- *Completion of Stage 1;*
- *State sets minimum age of 16.5 years of age;*
- *Completion of intermediate driver education training (e.g., safe driving decision-making, risk education);*
- *All occupants must wear seat belts;*
- *Licensed adult required in the vehicle from 10 p.m. until 5 a.m. (e.g., nighttime driving restriction) with limited exceptions (i.e., religious, school, medical, or employment related driving);*
- *Zero alcohol while driving;*
- *Driver improvement actions are initiated at lower point level than for regular drivers;*
- *Provisional license is visually distinctive from a regular license;*
- *Teenage passenger restrictions – not more than 1 teenage passenger for the first 12 months of Intermediate License. Afterward, limit the number of teenage passengers to 2 until age 18;*
- *Must remain crash and conviction free, including violations of the seat belt, zero tolerance, speed and other GDL provisions, for at least 6 consecutive months to advance to the next level; and*
- *No use of portable electronic communication and entertainment devices while driving.*

Stage 3: Full Licensure

- *Completion of Stage 2;*
- *State sets minimum age of 18 for lifting of passenger and nighttime restrictions;*
- *Zero alcohol while driving; and*
- *Visually distinctive license for drivers under the age of 21.*

(2) *A program to prevent individuals from obtaining and using a fraudulently obtained, counterfeit, or altered driver's license including:*

- *Training for alcoholic beverage sellers to recognize fraudulent or altered licenses and IDs and what to do with these documents and the individuals attempting to use them;*
- *Training for license examiners to recognize fraudulent documents and individuals seeking to apply for them; and*
- *A means by which to ensure that individuals cannot obtain driver licenses using multiple identities.*

Status

South Carolina has a Graduated Driver License (GDL) program consisting of three stages of licensure. An initial learner's permit can be obtained as early as 15 years of age. A restricted conditional license can be obtained as early as age 15 ½ and a special restricted license at age 16. At age 16 ½ a full unrestricted license can be obtained. The requirements and restrictions associated with each stage are:

Beginner's Permit

Must be accompanied by a licensed driver age 21 or over riding in front passenger seat

Must pass written and visual examinations

At least 15 years of age

If less than 18 years of age, must have a parent/guardian sponsorship

Minimum holding period is six months

Must complete 40 hours of supervised driving (10 during nighttime hours)

Conditional License

For those at least 15 ½ years of age but less than 16

Held a Beginner's Permit for at least 180 days

Restricted from driving alone between 6pm and 6am EST and 8pm and 6am EDT

Between midnight and 6am, must be accompanied by a licensed parent/guardian

Complete driver's education course (eight classroom and six behind the wheel hours)

Currently enrolled in school with satisfactory attendance

Passengers restricted to no more than two under the age of 21 unless traveling to/from school

Special Restricted License

For those at least 16 years of age but less than 17 years of age
Held a Beginner's Permit for at least 180 days
Pass vision and skills test or have a conditional license
Restricted from driving alone between 6pm and 6am EST and 8pm and 6am EDT
Between midnight and 6am, must be accompanied by a licensed parent/guardian
Complete driver's education course (eight classroom and six behind the wheel hours)
Currently enrolled in school with satisfactory attendance
Passengers restricted to no more than two under the age of 21 unless traveling to/from school

Unrestricted License

No specific restrictions from previous phases; subject to all South Carolina laws
May obtain as early as 16 ½ years of age

Some requirements of the South Carolina GDL exceed best practice recommendations, such as requiring an experienced adult driver to accompany those with a beginner's permit and restricting nighttime driving. However, there are program requirements that do not meet best practices recommendations. South Carolina age requirements for the GDL are lower than recommended and there is no GDL requirement prohibiting cellular phone use while driving.

There are several programs and technologies to prevent or deter the issuance of fraudulent driver licenses or identification cards. Driver license issuance personnel are provided Fraudulent Document Recognition (FDR) training. Personnel are issued the *I.D. Checking Guide* which is a document authentication book. The driver system runs a one-to-many facial image verification to ensure the applicant is not currently licensed in South Carolina and prevent an individual obtaining multiple licenses using different identities. The South Carolina Department of Motor Vehicles (SCDMV) also has audit processes and reports in place to detect and prevent internal fraud in the license issuance process.

The South Carolina Department of Alcohol and Other Drug Abuse Services (DAODAS) provides responsible beverage server training throughout the State in addition to private companies. A component of this training teaches servers to recognize fraudulent drivers' licenses and identification documents. The training is not currently mandated by South Carolina law except in cases where a violation of alcohol service was cited. A bill that mandates server training (SBill 342 – Alli's Law) progressed through the Legislature until the final session and is pending to be taken up when the legislature convenes in

January 2020. DAODAS currently trains servers, most of whom have violated alcohol service mandates.

There is concern about the immediate availability of almost full licensure following an impaired driving arrest. License holders who request and appeal of administrative sanctions may obtain a temporary alcohol restricted license for driving within South Carolina. Though this license is not always recognized in neighboring states, it does allow residents to drive without restrictions while awaiting a hearing.

Recommendations

- Enact legislation to require responsible beverage server training to detect fraudulent identification as a condition of liquor licensure
- Evaluate Graduated Driver License driver crash involvement statistics to determine if South Carolina age requirements for licensure should be increased
- Evaluate Graduated Driver License driver crash involvement to determine if electronic devices should be restricted while operating a motor vehicle for inexperienced drivers

IV. Communication Program

States should develop and implement a comprehensive communication program that supports priority policies and program efforts, including high visibility enforcement (HVE). Communication strategies should specifically support efforts to increase the public perception of the risks of detection, arrest, prosecution and sentencing for impaired driving. Additional communication strategies should address underage drinking, impaired driving, and reducing the risk of injury, death and the resulting medical, legal, social and other costs if there are specific programs underway in the community. Communications should highlight and support specific program activities underway in the community and be culturally relevant and appropriate to the audience.

Advisory

States should:

- *Focus their publicity efforts on creating a perception of risk of detection, arrest, prosecution and punishment for impaired driving;*
- *Use clear, concise enforcement messages to increase public awareness of enforcement activities and criminal justice messages that focus on penalties and direct costs to offenders such as loss of license, towing, fines, court costs, lawyer fees, and insurance;*
- *Employ a communications strategy that principally focuses on increasing knowledge and awareness, changing attitudes and influencing and sustaining appropriate behavior;*
- *Develop a year-round, data-driven, strategic and tactical communication plan that supports the state's priority policies and programs such as alcohol's effects on driving and consequences of being caught driving impaired or above the state's zero tolerance limit;*
- *Implement a communication program that:*
 - *Uses messages that are coordinated with National campaigns and messages that are culturally relevant and linguistically appropriate;*
 - *Considers special emphasis during holiday periods and other high risk times throughout the year, such as New Year's, 4th of July, Labor Day, Halloween, prom season and graduation;*
 - *Uses paid, earned and donated media coordinated with advertising, public affairs, news, and advocacy; and*

- *Encourages communities, businesses and others to financially support and participate in communication efforts.*
- *Direct communication efforts at populations and geographic areas at highest risk or with emerging problems such as youth, young adults, repeat and high BAC offenders and drivers who use prescription or over-the-counter drugs that cause impairment;*
- *Use creativity to encourage earned media coverage, use of a variety of messages or “hooks” such as inviting reporters to “ride-along” with law enforcement officers, conducting “happy hour” checkpoints or observing under-cover liquor law enforcement operations, and use of social media;*
- *Monitor and evaluate the media efforts to measure public awareness and changes in attitudes and behavior; and*
- *Ensure that personnel who are responsible for communications management and media liaison are adequately trained in communication techniques that support impaired driving activities.*

Status

The South Carolina Department of Public Safety (SCDPS), Office of Highway Safety and Justice Programs (OHSJP) continues to evaluate, create, implement, and distribute a multifaceted communication program. The State’s communication plan takes advantage of education, awareness, and encouragement strategies. Products are aimed at increasing the awareness of the dangers in driving impaired, supporting law enforcement efforts to remove impaired drivers from the road, and social norming campaigns to encourage modifying driver behaviors.

The OHSJP uses data in the early stages of their communication planning. High risk populations, target audiences, geographic regions, and coordination with national high-intensity campaigns all are considered in the communication plans for the upcoming year. Implementing the strategies is accomplished through multiple mediums, focused times for heightened attention, and year-long outreach. The overall goal is to address risky behavior, to the audiences shown to be involved in impaired driving crashes, in areas of the State where the crashes occur the most often, using a medium that has the highest chance of being seen or heard.

A network of public safety professionals and volunteers assist the agency by taking advantage of the materials created for the various campaigns. The SCDPS assists in the distribution of the material, provides professional assistance in the communication efforts, and adds social media support during times of high-intensity law enforcement operations. The OHSJP law enforcement liaisons, local law enforcement agency communication professionals, and spokespeople from various not-for-profit agencies,

such as Mothers Against Drunk Driving (MADD), all add their voices to the chorus calling for the end of impaired driving in South Carolina.

A mass media contractor assists with the research, development, and distribution of the media campaigns. Current and past campaign materials are made available on the <https://scdps.sc.gov/scsoberorslammer> website and include links to other information that can be used by program partners. Program partner websites are listed as an additional resource.



(source: <https://scdps.sc.gov/scsoberorslammer>)

Many of the larger law enforcement agencies take the lead on local communications and take advantage of earned media opportunities. An increase in the use and reliance on social media campaigns has expanded the coverage of impaired driving messages. MADD responds to requests, quite often from victims of impaired driving crashes, and will lend its support for increased law enforcement efforts.

A broad review of the various campaign successes, reach, message recall, and effectiveness in changing the perception and behaviors of the target audience isn't relied upon as a part of the initial discussions of the upcoming year's campaigns. Recent law changes present opportunities to use news stories as a means to get the word out about how many lives are lost, people injured, and the societal costs of impaired driving experienced in South Carolina.

Recommendations

- Perform program evaluation to determine the appropriate highway safety countermeasures and related communication campaigns to deter impaired driving, reduce alcohol-related traffic fatalities and serious injuries, and lessen societal costs

V. Alcohol and Other Drug Misuse: Screening, Assessment, Treatment and Rehabilitation

Impaired driving frequently is a symptom of the larger problem of alcohol or other drug misuse. Many first-time impaired driving offenders and most repeat offenders have alcohol or other drug abuse or dependency problems. Without appropriate assessment and treatment, these offenders are more likely to repeat their crime. One-third of impaired driving arrests each year involve repeat offenders.⁹ Moreover, on average, individuals with alcohol or other drug abuse problems, drive several hundred times within two hours of drinking before they are arrested for driving while impaired.¹⁰

States should have a system for identifying, referring and monitoring convicted impaired drivers who are high risk for recidivism for impaired driving.

Nationally, the number and diversity of problem solving courts has grown dramatically. One such problem solving model is the DWI Court. These courts provide a dedicated docket, screening, referral and treatment and intensive monitoring of impaired driving offenders. States and localities that implement DWI Courts should ensure that they are established and operated consistent with the Guiding Principles recommended by the National Center for DWI Courts.

www.dwicourts.org/sites/default/files/ncdc/Guiding_Principles_of_DWI_Court_0.pdf

In addition, alcohol use leads to other injuries and health care problems. Almost one in six vehicular crash victims treated in emergency departments are alcohol positive, and one third or more of crash victims admitted to trauma centers—those with the most serious injuries - test positive for alcohol. In addition, studies report that 24-31 percent of all emergency department patients screen positive for alcohol use problems. Frequent visits to emergency departments present an opportunity for intervention, which might prevent these individuals from being arrested or involved in a motor vehicle crash, and result in decreased alcohol consumption and improved health.

Each State should encourage its employers, educators, and health care professionals to implement a system to identify, intervene, and refer individuals for appropriate substance abuse treatment.

A. Screening and Assessment

Each State should ensure that all convicted impaired drivers are screened for alcohol or other substance abuse and dependency. The most immediate screening should take place in the criminal justice system. However, states should also encourage its health care

⁹ Repeat DWI Offenders in the United States. “Washington, DC: NHTSA Technology Transfer Series, Traffic Tech No. 85, February 1995.

¹⁰ On average, 772 such episodes, according to Zador, Paul, Sheila Krawchuck, and Brent Moore, “Drinking and Driving Trips, Stops by Police, and Arrests: Analyses of the 1995 National Survey of Drinking and Driving Attitudes and Behavior.” Washington, DC: U.S. Department of Transportation, NHTSA Technical Report No. DOT HS 809 184, December 2000.

professionals, employers and educators to have a systematic program to screen and/or assess drivers to determine whether they have an alcohol or drug abuse problem and, as appropriate, briefly intervene or refer them for appropriate treatment. Many individuals who are drivers and who have alcohol or other drug abuse problems present themselves in a variety of settings, e.g. emergency departments, in which Screening and Brief Intervention (SBI) and referral are appropriate and serve to prevent the individual from being involved in a future impaired driving crash or arrest.

A-1. Criminal Justice System

Advisory

Within the criminal justice system, people who have been convicted of an impaired driving offense should be assessed to determine whether they have an alcohol or drug abuse problem and to determine their need for treatment. The assessment should be required by law and completed prior to sentencing or reaching a plea agreement.

The assessment should be:

- *Conducted by a licensed counselor or other alcohol or other drug treatment professional or by a probation officer who has completed training in risk assessment and referral procedures;*
- *Used to decide whether a treatment and rehabilitation program should be part of the sanctions imposed and what type of treatment would be most appropriate;*
- *Based on standardized assessment criteria, including validated psychometric instruments, historical information, e.g., prior alcohol or drug-related arrests or convictions, and structured clinical interviews; and*
- *Appropriate for the offender's age and culture using specialized assessment instruments tailored to and validated for youth or multi-cultural groups.*

Status

South Carolina has established the Alcohol and Drug Safety Action Program (ADSAP), a screening, referral and treatment system for DUI offenders that provides levels of treatment matched to the needs of individual offenders and ensures compliance through monitoring. Screening and assessment for ADSAP is conducted by local agencies certified by the Department of Alcohol and Other Drug Abuse Services (DAODAS).

Offenders are screened using a Behavioral Health Screening (BHS) that includes the Alcohol Use Disorders Identification Test (AUDIT), a 10-item screening tool developed by the World Health Organization (WHO) to assess alcohol consumption, drinking behaviors, and alcohol-related problems. The screening also includes the Drug Abuse Screening Test (DAST), a 28-item self-report scale that consists of items that parallel

those of the Michigan Alcoholism Screening Test (MAST). Other items were added to the BHS to aid clinicians in assigning clients to appropriate levels of intervention based on the American Society of Addiction Medicine (ASAM) criteria.

Approximately 53% of DUI offenders entering ADSAP were assigned to the education level of the program. At this level ADSAP uses the Prime for Life curriculum developed by Prevention Research Institute (PRI). The PRI program has been extensively evaluated and is used in many states. Offenders who are initially referred to PRI are subject to referral to a higher level of treatment if behaviors or additional information indicate a problem. Approximately 59% of those who enter the ADSAP program are referred to a higher level of treatment.

Few, if any, offenders are screened pre-trial for purposes of sentencing and/or conditions of probation.

Recommendations

- Conduct screening for all Driving Under the Influence offenders prior to a court appearance, and provide information to the court for sentencing and/or conditions of probation

A-2. Medical and Other Settings

Advisory

Within medical or health care settings, any adults or adolescents seen by health care professionals should be screened to determine whether they have an alcohol or drug abuse problem. The American College of Surgeons mandates that all Level I trauma centers, and recommends that all Level II trauma centers, have the capacity to use Screening and Brief Intervention (SBI). SBI is based on the public health model which recognizes a continuum of alcohol use from low risk, to high risk to addiction. Research from the Centers for Disease Control and Prevention indicates that an estimated 25 percent of drinkers are at risk for some harm from alcohol including impaired driving crashes. These individuals' drinking can be significantly influenced by a brief intervention. An estimated four percent of the population has a serious problem with alcohol abuse or dependence. A brief intervention should be conducted and, if appropriate, the person should be referred for assessment and further treatment.

SBI can also be implemented in other settings including: Employee Assistance Programs (EAP), schools, correctional facilities, at underage drinking party dispersals and any setting in which at-risk drinkers are likely to make contact with SBI providers.

Screening and brief intervention should be:

- *Conducted by trained professionals in hospitals, emergency departments, ambulatory care facilities, physicians' offices, health clinics, employee assistance programs and other settings;*
- *Used to decide whether an assessment and further treatment is warranted;*
- *Based on standardized screening tools (e.g., CAGE, AUDIT or the AUDIT-C) and brief intervention strategies;¹¹ and*
- *Designed to result in referral to assessment and treatment when warranted.*

Status

The South Carolina Department of Alcohol and Other Drug Abuse Services (DAODAS) conducts the South Carolina Screening, Brief Intervention, and Referral to Treatment (SC-SBIRT) initiative which began in August 2013 as a five-year, Substance Abuse and Mental Health Services Administration (SAMHSA) funded cooperative agreement with DAODAS. SAMHSA has renewed funding for a second five-year cooperative agreement that began in September 2018. SC-SBIRT has three primary goals:

- To increase access to SBIRT for adults in rural hospital emergency departments
- To ensure that SBIRT is utilized as the standard of care in South Carolina's healthcare settings through state-level systems and policy change
- To improve health and behavioral outcomes among adults with Substance Use Disorders (SUD) or substance use with co-occurring mental illness

DAODAS reports that, as part of this initiative, a diverse array of healthcare sites have provided more than 94,170 initial screenings for alcohol, tobacco, and other drug use to nearly 552,328 patients.

Prisma Health has implemented a Trauma Resilience and Recovery project that assists trauma patients in recovering from the psychological effects of physical trauma. The project utilizes SBIRT including administering the AUDIT pre- and post-treatment.

In addition to identifying injured drivers, as well as problem drinkers who are potential impaired drivers, medical emergency departments are potential sources of identification of impaired drivers. The data cited above indicate that a substantial proportion (one

¹¹ For a discussion of assessment instruments, see: Allen, John and M. Columbus (Eds.), NIAAA Handbook on Assessment Instruments for Alcohol Researchers (2nd edition). Rockville, MD: National Institute on Alcohol Abuse and Alcoholism, 2003. For an overview of alcohol screening, see: "Screening for Alcohol Problems – An Update," Bethesda, MD: National Institute on Alcohol Abuse and Alcoholism, Alcohol Alert No. 56, April 2002. For a primer on helping patients with alcohol problems, see: "Helping Patients with Alcohol Problems: A Health Practitioner's Guide," Bethesda, MD: National Institute on Alcohol Abuse and Alcoholism, NIH Publication No. 04-3769, Revised February 2004.

third) of injured drivers had blood alcohol concentrations (BAC) above the legal limit. Many of these drivers are not identified by law enforcement or charged with DUI. Currently, South Carolina law prohibits healthcare providers from reporting hospital toxicology screening results to law enforcement that indicate a BAC at or above 0.08 for injured drivers. At least two states have enacted laws that not only allow such reporting but classify impaired driving as a mandatory reportable condition like gunshot wounds.

South Carolina is one of approximately 27 states that still have alcohol exclusion statutes. Under this insurance law, car insurance providers may refuse to pay medical and other expenses incurred by injured drivers who are impaired. This creates a disincentive to test and/or record the presence of alcohol in the medical record of an injured driver.

Recommendations

- Expand the South Carolina Screening, Brief Intervention and Referral to Treatment project in all hospital emergency departments in South Carolina
- Implement Screening, Brief Intervention and Referral to Treatment in all healthcare settings such as family practices, as well as on college and high school campuses and jails throughout South Carolina
- Enact legislation to require healthcare providers to report injured drivers for whom the hospital toxicology screening results indicating a BAC at or above 0.08
- Repeal the South Carolina alcohol exclusion statute

B. Treatment and Rehabilitation

Advisory

Each State should work with health care professionals, public health departments, and third party payers, to establish and maintain programs for persons referred through the criminal justice system, medical or health care professionals, and other sources. This will help ensure that offenders with alcohol or other drug dependencies begin appropriate treatment and complete recommended treatment before their licenses are reinstated.

These programs should:

- *Match treatment and rehabilitation to the diagnosis for each person based on a standardized assessment tool, such as the American Society on Addiction Medicine (ASAM) patient placement criteria;*

- *Provide assessment, treatment and rehabilitation services designed specifically for youth;*
- *Provide culturally appropriate treatment and rehabilitation services;*
- *Ensure that offenders that have been determined to have an alcohol or other drug dependence or abuse problem begin appropriate treatment immediately after conviction, based on an assessment. Educational programs alone are inadequate and ineffective for these offenders;*
- *Provide treatment and rehabilitation services in addition to, and not as a substitute for, license restrictions and other sanctions; and*
- *Require that offenders, who either refused or failed a BAC test, and/or whose driver's license was revoked or suspended, complete recommended treatment, and that a qualified professional has determined the offender has met treatment goals before license reinstatement.*

Status

South Carolina has established the Alcohol and Drug Safety Action Program (ADSAP), a screening, referral and treatment system for Driving Under the Influence (DUI) offenders that provides levels of treatment matched to the needs of individual offenders and ensures compliance through monitoring. ADSAP is conducted by local agencies certified by the Department of Alcohol and Other Drug Abuse Services (DAODAS).

All drivers convicted of DUI are required to enroll in and complete ADSAP. Enrollment in ADSAP is also mandated for all drivers with an impaired driving related administrative license suspension regardless of the outcome of the DUI case. Continued enrollment is required as a condition of a restricted license.

Once enrolled in ADSAP, local providers inform DAODAS of offenders' completion or failure to comply with the assigned intervention. DAODAS then informs the Division of Motor Vehicles that the offender is eligible for license reinstatement once other requirement and suspension periods are satisfied.

First offense DUI is prosecuted in the summary courts. Second or subsequent DUI offenses are prosecuted in circuit courts. Probation and parole services are only available in the circuit courts. Probation supervision of first offender DUI does not exist.

Under Section 56-5-2930, courts "may" hold the individuals in contempt of court if they cannot show cause as to why no enrollment occurred within the 30 days or why no progress had been made in the plan of education or treatment. The section wording does not mandate a contempt charge. Non-compliant offenders are rarely charged with contempt. It is not clear the extent to which this reflects judicial attitudes or demands on court systems and significant backlogs of court cases.

The number of offenders enrolling in ADSAP has decreased dramatically in recent years. In FY 2015, 11,901 DUI offenders enrolled. In FY 2019, there were 9,350 a 21.4% decrease. Other sections of this assessment report discuss the complexity of impediments to prosecution of DUI cases. These factors appear to be contributing to the decline in the number of convictions. However, the decline in convictions does not fully explain the decline in enrollment. Arrests have also declined. In 2018, there were approximately 19,000 DUI arrests reported compared to 21,500 in 2015, a decrease of approximately 11.6% compared to a decrease in ADSAP enrollment of 17.8%. The proportion of reported arrests that resulted in enrollment in ADSAP decreased from 71.7% in 2011 to just over 50% last year. It is critical to identify all factors contributing to the decline in DUI offenders enrolling in treatment. For example, it is possible that some drivers are more willing to forego license reinstatement rather than participate in treatment.

There appears to be some confusion among judges about the role of ADSAP and the requirement for participation and completion by all offenders. While enrollment in ADSAP is mandatory for all convicted DUI offenders, the prescribed sanction for failure to enroll or complete the program is for the court to hold the offender in contempt of court. This sanction is optional and is seldom used. In lieu of other meaningful consequences, the only consequence of failure to enroll or complete ADSAP is the inability to have one’s license reinstated.

Many DUI offenses are reduced to a lesser offense such as reckless driving. Judges rarely, if ever, prescribe ADSAP as a condition of reduction of charges to a non-alcohol offense though this option is not prohibited by statute. Thus, reduction of a DUI charge to a non-alcohol offense not only allows the offender to escape sanctions and a record of impaired driving, it allows impaired drivers to avoid screening, assessment, and treatment. Many states have enacted legislation establishing a category of “wet-reckless” which is a reduced charge that does not include the same sanctions as a DUI conviction but is recorded as an alcohol-related offense and is used to establish prior offense status. Wet-reckless also requires participation in screening, assessment, and treatment.

In addition to decreased enrollment in ADSAP, nearly one in three offenders who enroll in the program fail to complete the program. Completion rates have improved slightly since 2015.

Table 5.B.1

ADSAP Enrollment and Completions

Fiscal Year	2015	2016	2017	2018	2019
Enrolled	11,901	11,269	10,269	9,780	9,350
Completed	7,874	7,403	6,719	6,734	6,440
Rate	66.2%	65.7%	65.4%	68.9%	68.9%

Offenders are expected to pay for all ADSAP services either through insurance or self-pay. Provisions are made for clients that can demonstrate indigence. Providers make

special efforts to inform offenders of availability of financial options so no offender avoids treatment because of financial concerns. There are adequate outpatient treatment services in most of the state but inpatient treatment is less available.

Responsibility for monitoring impaired drivers falls primarily with ADSAP.

In 2013, the Office of Highway Safety and Justice Programs issued a request for proposals to fund the start-up costs of two pilot DUI Courts. Two DUI courts were implemented under these funds. Anecdotal information supported successful implementation and positive initial outcomes and these courts have become self-sufficient. There has not been expansion of DUI courts into other locations.

Closing the leaks in the system that result in DUI offenders avoiding screening, assessment, and treatment could potentially double the number of offenders enrolled in treatment. It appears that the current treatment system in South Carolina is adequate to absorb that increase in clients.

Recommendations

- **Enhance the current Reckless Driving statute to require mandatory enrollment in and completion of the Alcohol and Drug Safety Action Program when Driving Under the Influence is the initial charge**
- **Enhance the current Reckless Driving statute to require the recording of the initial charge when the initial charge was Driving Under the Influence for the purpose of enhancement of sentencing**
- Provide judicial education on the nature of the Alcohol and Drug Safety Action Program and the requirements for compliance with the mandate to participate
- Implement additional DUI Courts as defined by the National Center for DWI Courts, *Ten Guiding Principles*

VI. Program Evaluation and Data

A. Evaluation

Advisory

Each State should have access to and analyze reliable data sources for problem identification and program planning as well as to routinely evaluate impaired driving programs and activities in order to determine effectiveness. Development of a Strategic Highway Safety Plan and a Highway Safety Plan, are starting points for problem identification and evaluation efforts.

Problem identification requires quantifying the problem, determining the causes, and identifying available solutions. Strategies should be evaluated for their cost effectiveness and potential for reducing crash risk. Evaluations should include measurement of activities and outputs (process evaluation) as well as the impact of these activities (outcome evaluation). Evaluations are central to the State's traffic safety endeavors and provide a guide to future projects and evaluations.

Evaluations should:

- Be planned before programs are initiated to ensure that appropriate data are available and adequate resources are allocated to the programs;*
- Identify the appropriate indicators to answer the question: What is to be accomplished by this project or program?*
- Be used to determine whether goals and objectives have been met and to guide future programs and activities;*
- Be organized and completed at the State and local level; and*
- Be reported regularly to project and program managers and policy makers.*

The process for identifying problems to be addressed should be carefully outlined. A means for determining program/project priority should be agreed upon, and a list of proven methodologies and countermeasures should be compiled. Careful analysis of baseline data is necessary, and should include historical information from the crash system. Other data that are useful for evaluation include data from other records systems as well as primary data sources such as surveys. Record systems data include state and driver demographics, driver histories, vehicle miles traveled, urban versus rural settings, weather, and seatbelt use. Survey data can include attitudes knowledge and exposure to risk factors.

The Traffic Records Coordinating Committee can serve as a valuable resource to evaluators by providing information about and access to data that are available from various sources.

Status

The South Carolina Office of Highway Safety and Justice Programs (OHSJP) completes their problem identification/evaluation process at a vital time in their *Highway Safety Plan* (HSP) development timeline. The success of their highway safety program is due to the following stages that are built into their process:

- Problem identification (using many data sources)
- Planning to select and prioritize goals, objectives, and performance measures
- Attaining participation from traffic safety related partners
- Developing funding priorities
- Issuing of grant application notification
- Review, negotiation, and approval of grant agreements
- Implementation
- Monitoring/Evaluation
- Asking critical questions for data analysis and problem identification
- Looking at causal factors, crash characteristics, and factors affecting crash severity

Problem identification takes place on multiple levels. Problem identification begins with reviewing projects from the previous fiscal year and requesting project level input from highway safety partners as well as ongoing review of the fatality, crash, driver record, and observational survey data as it becomes available.

The OHSJP reviews traffic fatality and crash data and the Fatality Analysis Reporting System (FARS) throughout the grant cycle. Additional data is provided by:

- Department of Transportation (DOT)
- National Highway Traffic Safety Administration (NHTSA)
- traffic citations
- annual observational seatbelt surveys
- Federal Highway Administration (FHWA)
- behavioral attitude surveys

Vehicle miles traveled (VMT) data is also used and allows for analysis and comparison of other factors such as number of licensed drivers by category, motor vehicle registration, population, injury data, and others factors that impact highway safety in the state.

The OHSJP has identified the following strategies to reach their impaired driving goal of reducing impaired driving fatalities on South Carolina's roadways. All strategies center

around funding and should be expanded to action verbs to identify what will be gained by enacting the activity. The strategies are:

- Outreach and mass media communications
- High visibility enforcement
- Court monitoring
- Prosecutorial, law enforcement, and other relevant training
- Traffic Safety Resource Prosecutor (TSRP)
- Program management

A large investment is made in the law enforcement of Driving Under the Influence (DUI) laws. Recent policy changes at the federal level will require modifications in the reporting and tracking of officer time, activities, and performance.

The OHSJP process evaluations include documentation and tracking of deliverables for each project with the grantee complying with monitoring and auditing practices. Impaired driving-related law enforcement activities require the reporting of arrests and citations issued during funded hours. The OHSJP produces an annual report to NHTSA and provides it to state and local partners. The report includes outcome evaluations for funded projects and provides overall analyses of crash, conviction, and other safety metrics.

A significant alcohol driving-related program in South Carolina is the Ignition Interlock Device (IID) Program. The IID program began in 2009 and was revised by the passage of Emma's Law in 2014. The Department of Probation, Parole, and Pardon Services (DPPPS) administers the program. Participation in the program may be ordered administratively through the Office of Motor Vehicle Hearings (OMVH) or judicially through the court system. Additionally, license holders may voluntarily request to participate in the IID program in lieu of receiving an automatic suspension of their driver license for first offense DUI with a BAC below 0.15. It is estimated that approximately 1,100 individuals are participating in the program at any time. Around 20% of individuals who were convicted of a second DUI were in compliance with the IID requirements. IID unit records were not being afforded evidentiary weight when presented for program violation offenses.

Recommendations

- Use evidence-based practices to establish law enforcement grantee performance measures following the federal policy guidance for this activity
- Continue to perform program evaluation to determine the appropriate highway safety countermeasures and related projects to deter impaired driving and reduce traffic fatalities and serious injuries

B. Data and Records

Advisory

The impaired driving program should be supported by the State's traffic records system and use data from other sources, such as the U.S. Census, the Fatality Analysis Reporting System (FARS) and the Crash Outcome Data Evaluation System (CODES). The traffic records system should be guided by a statewide traffic records coordinating committee that represents the interests of all public and private sector stakeholders.

The state traffic records system should:

- *Permit the State to quantify:*
 - *the extent of the problem, e.g., alcohol-related crashes and fatalities;*
 - *the impact on various populations;*
 - *the level of effort dedicated to address the problem, e.g., level of enforcement activities, training, paid and earned media; and*
 - *the impact of the effort, e.g., crash reduction, public attitudes, awareness and behavior change.*
- *Contain electronic records of crashes, arrests, dispositions, driver licensing actions and other sanctions of DWI offenders;*
- *Permit offenders to be tracked from arrest through disposition and compliance with sanctions; and*
- *Be accurate, timely, linked and readily accessible to persons authorized to receive the information, such as law enforcement, courts, licensing officials and treatment providers.*

Status

South Carolina has an active Traffic Records Coordinating Committee (TRCC) that is a comprehensive, functional body of data system managers and stakeholders. The TRCC includes representation from all six core systems (crash, citation/adjudication, driver, vehicle, roadway, injury surveillance systems) which allows for access to and analysis of a wide range of data. The South Carolina Department of Public Safety's Office of Highway Safety and Justice Programs (OHSJP) relies primarily on crash, fatality, and arrest data for problem identification and program evaluation. A high degree of data interoperability exists between the crash, citation/adjudication, driver and vehicle systems, and roadway data as evidenced by the programs described below.

The South Carolina Collision and Ticket Tracking System (SCCATTS) was developed and implemented by the OHSJP in 2009. SCCATTS is a data collection and management tool for law enforcement for traffic crash and citation issuance. It has been deployed throughout the South Carolina Highway Patrol (SCHP) and some municipal law enforcement agencies. Approximately 95% of all crash reports are captured in SCCATTS, providing enhanced data quality through validation rules and edit checks. The system is also used by law enforcement to complete citations and warnings electronically. SCCATTS supports the direct capture of driver and vehicle information to populate crash reports and citations. Currently, 90% of all citations are captured in SCCATTS with 70% being produced directly through the SCCATTS application and another 20% being uploaded from third-party providers. All citation records are uploaded directly from SCCATTS to the South Carolina Uniform Traffic Ticket Information Exchange System (SCUTTIES).

The SCUTTIES contains all citation data. The citation information from SCCATTS is uploaded into SCUTTIES and all other citations are manually entered directly into SCUTTIES by the local agency. Courts receive citation information directly from SCUTTIES and provide adjudication information so convictions can be posted to the driver record. SCUTTIES contains the elements of a citation-tracking system including the inventory management of printed citation forms. Impaired driving violations and arrests are included in the system which provides enhanced data accessibility and provides for more significant analysis of impaired driver arrests and adjudication outcomes. Through SCUTTIES, the components of an ideal impaired driving tracking system are present except for the treatment and outcomes components.

The South Carolina Office of Court Administration has provided a statewide Circuit Court Case Management System (CMS). Currently, 100% of the magistrate courts and 60% of the municipal courts have adopted the CMS. The CMS enables court clerks to retrieve citation information directly from SCUTTIES, enter disposition information, and submit it directly back to the South Carolina Department of Motor Vehicles (SCDMV) for posting to the driver record and documenting court ordered activities.

The SCDMV maintains the driver license history file, which includes the license status, any impaired driving convictions, and crash occurrences. Additionally, driver histories contain entries related to compliance with other alcohol related programs such as Ignition Interlock Device (IID) and Alcohol and Drug Safety Action Program (ADSAP). SCDMV plans in 2020 to begin participating in the State-to-State (S2S) driver history exchange program. S2S will enable the SCDMV to obtain the full driver history of new residents to the state who apply for a driver license and were licensed in another state. SCDMV and law enforcement will be able to use convictions from the previous state for repeat offender enhancements and driver improvement actions.

The South Carolina Department of Transportation (SCDOT) also maintains a significant number of roadway databases that enhance traffic safety efforts. SCCATTS incorporates the state roadway files for identifying crash locations.

The interactive use of state data systems and applications is impressive, providing the several program areas with accurate and reliable information in a much more timely manner than previous paper based and manual systems.

The OHSJP primarily conducts traffic safety analyses utilizing the Fatality Analysis Reporting System (FARS) data, crash file, and arrest figures. The FARS analyst currently receives toxicology information from the South Carolina Law Enforcement Division (SLED) for approximately 75% of fatally injured drivers, and is in pursuit of results for any driver in a fatal crash. It was reported that some toxicology testing is performed by independent laboratories and results are not submitted to the FARS analyst. To account for the missing data the National Highway Traffic Safety Administration (NHTSA) imputation model is applied to FARS for estimating alcohol-impaired driving fatalities.

In addition to the law enforcement data systems currently used to quantify the traffic safety problems in South Carolina and evaluate programs, the State should pursue access and use of medical information. The TRCC is reportedly working to determine ways to link medical and trauma records for analyses with toxicology results and treatment charges associated with crashes. The monetary consequences of impaired driving crashes may be valuable facts to share when describing the impact of impaired driving beyond the human costs. Enhancing the OHSJP partnership with the medical community, through the TRCC, may also increase the capture of blood alcohol concentration results for drivers that were injured, but not killed in a fatal crash.

Recommendations

- Continue to pursue ways to link medical data access (pre-hospital, trauma registry, medical emergency department, inpatient) with crash information to create a more complete view of the impacts of impaired driving
- Obtain toxicology information for the Fatality Analysis Reporting System data to ensure the most accurate estimate of alcohol-related fatalities is resulting from the imputation model
- **Obtain driver toxicology results from surviving drivers involved in fatal and serious injury crashes**
- Incorporate information about injuries of all levels (specifically serious injuries) in addition to fatalities into products shared with partners and the public

C. Driver Records Systems

Advisory

Each State's driver licensing agency should maintain a system of records that enables the State to: (1) identify impaired drivers; (2) maintain a complete driving history of impaired drivers; (3) receive timely and accurate arrest and conviction data from law enforcement agencies and the courts, including data on operators as prescribed by the commercial driver licensing (CDL) regulations; and (4) provide timely and accurate driver history records to law enforcement and the courts.

The driver license system should:

- *Include communication protocols that permit real-time linkage and exchange of data between law enforcement, the courts, the State driver licensing and vehicle registration authorities, liquor law enforcement and other parties with a need for this information;*
- *Provide enforcement officers with immediate on-the-road access to an individual's licensing status and driving record;*
- *Provide immediate and up-to-date driving records for use by the courts when adjudicating and sentencing drivers convicted of impaired driving;*
- *Provide for the timely entry of any administrative or judicially imposed license action and the electronic retrieval of conviction records from the courts; and*
- *Provide for the effective exchange of data with State, local, tribal and military agencies, and with other governmental or sovereign entities.*

Status

The South Carolina Department of Motor Vehicles (SCDMV) maintains all driver license and history information for state residents. All traffic convictions, including impaired driving offenses, are transmitted from the courts to the SCDMV electronically and posted to the driver record. Implied consent violations are also transmitted electronically for appropriate driver sanction actions. Conviction information includes the type of offense (charge), if treatment is required (yes/no), and court-imposed sanctions. Blood alcohol concentration (BAC) information is not recorded on the driver history but is maintained in a separate database for statistical purposes. The SCDMV enforces driver license suspension and revocation actions based on conviction information and notices from agencies related to the Alcohol and Drug Safety Action Program (ADSAP) and Ignition Interlock Device (IID) program compliance.

The SCDMV interfaces with the law enforcement and court data systems for exchange of information in near real-time. The availability of driver history information allows for accurate evaluation of drivers on the roadside and in the courtroom. The driver data system complies with national standards and systems in place to reduce identity fraud and track commercial drivers. Image verification software is utilized by the SCDMV to prevent fraud by validating the facial image of new licensees with the image on file. The

South Carolina Uniform Traffic Ticket Information Exchange System (SCUTTIES) facilitates citation and conviction processing between law enforcement, courts, and the SCDMV.

The driver system data are complete, accurate, and reliable as shown in the recent Traffic Records Assessment.

Recommendations

- None

APPENDIX

AGENDA

**SOUTH CAROLINA IMPAIRED DRIVING ASSESSMENT
COURTYARD BY MARRIOTT COLUMBIA DOWNTOWN AT USC
630 ASSEMBLY STREET
COLUMBIA, SOUTH CAROLINA
OCTOBER 27, 2019 – NOVEMBER 1, 2019**

MONDAY, OCTOBER 28, 2019

8:00 a.m. – 9:00 a.m.

State Leadership Panel / Introduction

John Westerhold	Director, SC Department of Public Safety (SCDPS), Office of Highway Safety and Justice Programs (OHSJP)
Joi Brunson	Grant Programs Manager, SCDPS, OHSJP
Cheryl Worrell	Grants Administration Manager, SCDPS, OHSJP
Jasmine Simmons	Impaired Driving Countermeasures Program Coordinator, SCDPS, OHSJP

9:00 a.m. – 10:30 a.m.

Traffic Records Data

Wilson Matthews	Traffic Records Manager, SCDPS, OHSJP
Sarah Osborne	Statistical Analysis and Research Manager, SCDPS, OHSJP
K. Larry Long, Jr.	Statistician, SCDPS, OSHJP
Beth Lancaster	Fatality Analysis Reporting System (FARS) Analyst, SCDPS, OHSJP
Lt. Dustin Smith	Forensic Toxicologist, SC Law Enforcement Division (SLED)
Emily Thomas	Safety Planning and Research Manager, South Carolina Department of Transportation (SCDOT)
Lt. Debbie Banks	Manager, Breath Records Database Program, SLED, Implied Consent Department
Special Agent Randy Brown	Manager, Breath Test Video Recording Program, SLED

10:30 a.m. – 10:45 a.m. - Break

10:45 a.m. – 12:00 p.m.

Prevention and Treatment

Michelle Nienhius	Manager of Prevention and Intervention Services, SC Department of Alcohol and Other Drug Abuse Services (SCDAODAS)
Lara Peck	Injury Prevention Coordinator, Prisma Health Richland
Dr. Rachel Houchins	Trauma Psychiatrist, Prisma Health Richland

12:00 p.m. – 1:00 p.m. - Lunch

1:00 p.m. – 2:00 p.m.

Underage Drinking Programs Provided to Schools / Colleges / Military

Kimberly Smith	School Climate Program Manager, SC Department of Education (SCDE), Office of Student Intervention Services
Tiffany Robinson	Program Assistant, SCDE, Office of Student Intervention Services
Capt. Kelley Hughes	Chief Spokesperson, SCDPS, Office of Communications; Commander, Community Relations & Recruiting Unit, SCDPS, SCHP
Ashley Bodiford	Regional Capacity Coach, LRADAC; President, SC Association of Prevention Professionals and Advocates (SCAPPA)
Dr. Michael George	Pacific Institute for Research and Evaluation (PIRE) Consultant, SCDAODAS

2:00 p.m. – 2:45 p.m.

Education Programs / Successful Strategies

Steven Burritt	Executive Director, Mothers Against Drunk Driving (MADD) SC
Aimee Hourigan	Substance Abuse Prevention & Education Director, University of South Carolina (USC)

2:45 p.m. – 3:00 p.m. - Break

3:00 p.m. – 4:00 p.m.

Media / Outreach Efforts

Sherri Iacobelli	Communications Director, SCDPS, Office of Communications
Capt. Kelley Hughes	Chief Spokesperson, SCDPS, Office of Communications; Commander, Community Relations & Recruiting Unit, SCDPS, SCHP
Kevin Fisher	Contractor, Fisher Communications Inc.

12:30 p.m. – 1:30 p.m. – Lunch

1:30 p.m. – 2:30 p.m.

DUI Prosecution

Sara Lee Drawdy

Traffic Safety Resource Prosecutor, South Carolina
Commission on Prosecution Coordination

Mark Moore

Lowcountry Prosecutor, SCDPS, Office of General
Counsel

Maj. John T. Manley

Field Operations – Region II, SCDPS, SCHP

Jennifer Tessitore

Assistant Solicitor, Thirteenth Judicial Circuit
Solicitor's Office

2:30 p.m. – 2:45 p.m. - Break

2:45 p.m. – 3:45 p.m.

Impaired Driving Countermeasures Advocacy Groups

William Bilton

Chairman, SC Impaired Driving Prevention
Council; Assistant Solicitor/Director of Affiliate
Services, Fifth Judicial Circuit Solicitor's Office

Curtis Reece

Co-Chairman, Underage Drinking Action Group;
Manager of Prevention Services, The Phoenix
Center

Steven Burritt

Executive Director, MADD SC

3:45 p.m. – 5:00 p.m.

Adjudication of DUI Cases

Honorable Mattison Gamble

Magistrate, Sumter County

Honorable Daniel Coble

Associate Chief Magistrate, Richland County

WEDNESDAY, OCTOBER 30, 2019

8:00 a.m. – 9:00 a.m.

Screening, Intervention, Treatment, and Rehabilitation

Gayle Aycock

President and Chief Executive Officer, LRADAC;
Vice-President, Behavioral Health Services
Association (BHSA)

Christopher Reid

Alcohol and Drug Safety Action Program (ADSAP)
Coordinator, SCDAODAS

Jeremy Martin

Vice President of Treatment and Intervention,
LRADAC

Laura Aldinger

Executive Director, Behavioral Health Services
Association

9:00 a.m. – 10:00 a.m.

Driver Licensing / Program Issues / Adjudication Issues

Shirley Rivers	Director of Driver Services, SCDMV
Terry Leverette	Summary Court Representative, SC Court Administration

10:00 a.m. – 10:15 a.m. - Break

10:15 a.m. – 11:15 a.m.

BAC Reporting

Sarah Osborne	Statistical Analysis and Research Manager, SCDPS, OHSJP
K. Larry Long, Jr.	Statistician, SCDPS, OHSJP
Rafael Hellebuyck	Statistician/FARS Supervisor, SCDPS, OHSJP
Beth Lancaster	FARS Analyst, SCDPS, OHSJP

11:15 a.m. – 12:15 a.m.

State Leadership Panel Returns (Questions / Answers)

12:15 p.m. – 1:15 p.m. - Lunch

1:15 p.m. – 5:00 p.m.

Assessment Team Report Development

THURSDAY, OCTOBER 31, 2019

Assessment Team Report Development

FRIDAY, NOVEMBER 1, 2019

9:00 a.m. – 11:00 a.m.

Assessment Team Presents Report to State

TEAM CREDENTIALS

ROBERT H. (BOB) BURROUGHS

Summary of Experience

Bob Burroughs has over 29 years of law enforcement experience including over 20 years of progressive management and executive level experience in highway safety, regulatory programs, and driver licensing programs. He has over nine (9) additional years providing consulting services in the motor vehicle programs.

Bob's transportation career began as a highway patrolman and driver licensing trooper. He progressed through the ranks and served in several highway safety program oversight positions covering motor carrier, vehicle safety inspection, driver licensing, and information technology programs. He was instrumental in automating roadside commercial motor vehicle inspections and traffic citations for the Texas Department of Public Safety. He also served as a project sponsor for the Texas Crash Records Information System project and as an executive member of the Texas Traffic Records Coordinating Committee.

Professional Business Experience

- Manager of the Motor Carrier Bureau responsible for statewide data management of Commercial Motor Vehicle Roadside Inspection data and oversight of the Motor Carrier Compliance Audit program of the Texas Department of Public Safety
- Program director for the statewide Vehicle Inspection Program responsible for program oversight and enforcement
- Highway Patrol Division record management and information technology manager responsible for integrating citation and disposition data as well as development and deployment of the Texas Highway Patrol In-Car computer program
- Directed the statewide Driver License Field Operations and the Internal Fraud Investigation Unit
- Directed the development of the Compliance and Enforcement Service for the newly formed Regulatory Services Division of the Department of Public Safety.

Consulting Business Experience

- Worked with the Massachusetts Registry of Motor Vehicles documenting business processes for re-engineering revenue operations, citation processing, and driver sanctioning activities.
- Prepared response to Jamaica Department of Motor Vehicles request for proposals to upgrade the driver licensing and vehicle title and registration programs.
- Work as a subcontractor assessing traffic record system interoperability within various States and United States Territories as a condition of their receiving federal highway funds for traffic record interoperability improvement programs.

Professional Societies and National Committees

- Member of the Federal Motor Carrier Safety Administration, Commercial Driver License Advisory Group
- Member of the Federal Motor Carrier Safety Administration, Federal Negotiated Rulemaking Committee to Enhance Driver License and Identity Security Standards
- Past Regional Vice President of the Commercial Vehicle Safety Alliance
- Member of the Information Systems Committee of the Commercial Vehicle Safety Alliance
- Past International Chair of the Law Enforcement Committee of the American Association of Motor Vehicle Administrators
- Past International Chair of the Vehicle Safety Inspection Committee of the American Association of Motor Vehicle Administrators
- Past Region II Chair of the Law Enforcement Committee of the American Association of Motor Vehicle Administrators
- Past Region II Chair of the Vehicle Safety Inspection Committee of the American Association of Motor Vehicle Administrators

Education

B.S., Criminal Justice, Wayland Baptist University
Graduate of the Bill Blackwood Law Enforcement Management Institute and the State of Texas Governor's Executive Management Development Program

HONORABLE LINDA CHEZEM

After private practice in Paoli, Indiana, Chezem was consecutively appointed to the Lawrence County Court, the Lawrence Circuit Court, and the Indiana Court of Appeals for a total of 22 years of service. She was the first woman appointed to a Circuit Court bench in Indiana and the second woman to serve on the Indiana Court of Appeals.

Following 22 years on the Indiana trial and appellate bench, Chezem moved to a University-based career. She is a Professor Emerita of Youth Development and Agriculture Education, School of Agriculture, Purdue University. She continues to hold an adjunct appointment at Indiana University's School of Medicine, Alcohol Research Center. From this base, she works on federal, state, and local policy on agriculture, alcohol, and related rural health issues. Chezem serves as the town attorney for Monrovia, Indiana. She has been particularly interested in rural and agricultural law and the evidentiary issues in alcohol adjudication and legislation.

Chezem served on the National Advisory Council on Alcohol Abuse and Alcoholism, National Institutes of Health, Bethesda, Maryland and consults with the U.S. Department of Justice, and Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention, and the National Highway Traffic Safety Administration. She reviews grant applications and programs for the National Institutes of Health and the National Institute of Justice. Chezem served as Vice-President of the Robert K. Greenleaf Center Board, Vice President of the Fairbanks Hospital Board, as First Vice President and Trustee, Class A (non-Alcoholic) to the General Services Board for Alcoholics Anonymous, The Indiana Youth Institute, Indiana Rural Health Association Board, and many other state and local boards. She has chaired the Morgan County Board of Health and her current board service includes Indiana Agricultural Law Foundation.

Chezem owns and operates her family grain and beef farm in Clay County, Indiana. Her husband owns and operates his family grain farms in Clinton County and Carroll County. Chezem also is of counsel at the Martinsville, Indiana law firm of Foley, Peden, and Wisco, P.A.

TROY E. COSTALES

Mr. Costales has been the state of Oregon's Transportation Safety Division Administrator and Governor's Highway Safety Representative since September of 1997. During his time as the Governor's Representative he has worked for four different Governors. Troy has over 30 years of experience in Transportation Safety, including 22 as the Administrator of the Division. He is a member of the executive management team for the Oregon Department of Transportation.

Mr. Costales was the 2011-2012 Chairman of the Governor's Highway Safety Association. He also served on: the American Association of State Highway and Transportation Officials (AASHTO) – Standing Committee on Highway Safety, AASHTO's Strategic Highway Safety Plan initiative, NHTSA's Impaired Driving program management course writing team, Transportation Research Board's Transportation Safety Management Committee and the Naturalistic Driving Data project, and the International Association of Chiefs of Police - Drug Evaluation and Classification Program Technical Advisory Panel, and many others. He has been part of the faculty for the GHSA Executive Training Seminar for the past eighteen years.

Under Mr. Costales' leadership, Oregon experienced a dramatic decline in traffic fatalities and injuries, to the lowest levels since 1944. The number of individuals injured in traffic crashes declined more than 30 percent since its peak of 39,000 in 1996. In addition, Oregon started a strong graduated driver license program that includes an incentive for driver education. Over the past eight years, the number of 16-year-old drivers involved in fatal and injury crashes has declined over 60 percent. Oregon continues to post one of the highest safety belt use rates in the nation at 96-98 percent. With the decline in the overall fatality toll, the number of alcohol-involved fatalities decreased by double-digit percentages in this past decade.

Mr. Costales has a master's degree in Public Administration from Portland State University. He was a member and chairman for several driver education, occupant protection, and impaired driving program assessments over the past eighteen years.

LT. MICHAEL S. IWAI

Lieutenant Michael S. Iwai is a 22-year law enforcement veteran. He is currently assigned as the Salem Station Commander for the Oregon State Police. Mike served as Oregon's 4th Drug Evaluation and Classification Program State Coordinator from 2008 to 2014. He is a former Chairman of the International Association of Chiefs of Police (IACP) - Drug Recognition Expert Section and Oregon DRE Advisory Committee. He is currently a member of the IACP Technical Advisory Panel (TAP), a member of the National Law Enforcement Committee for Mothers Against Drunk Driving (MADD), and Chairman of Oregon's MADD State Advisory Board.

Since 1999, Mike has been a certified and credentialed Drug Recognition Expert (DRE) and obtained DRE instructor certification in 2002. He has instructed all NHTSA/IACP impaired driving curricula in and outside the state Oregon. Furthermore, he instructs at Oregon's Basic Police and Leadership Academies. He's recognized as an expert in alcohol and drug impairment and has testified several times at the Oregon State Legislature.

Mike, a U.S. Army veteran, earned his Master of Business Administration from Northwest Christian University and a Bachelor of Arts in Business – Management and Organizational Leadership from George Fox University. Mike is a proven leader and has been recognized for his transportation safety efforts:

- NHTSA Recognition Award 2017
- MADD National President's Award - Outstanding Individual Hero 2015
- Ken Snook - DRE Award of Excellence 2014
- DUII Multi-Disciplinary Training Conference Task Force - Senior Trooper Maria Mignano Dedication to Duty Award 2012
- DUII Multi-Disciplinary Training Conference Task Force - DUII Trainer of the Year Award 2007
- Oregon State Police - Harold Berg Life Saving Award 2004

ROBERT P. LILLIS

Rob Lillis is President of Evalumetrics Research and has been providing planning, research and evaluation services to education, youth development, traffic safety, substance abuse, criminal justice, health and mental health programs at the state and local level for over 35 years. He provides evaluation services for school districts for a variety of special programs including 21st Century Learning Center programs, school climate project, after-school mentoring programs and environmental education programs. Mr. Lillis has served as the evaluator for the Ontario County Juvenile Drug Treatment Court, the Finger Lakes Drug Court, Ontario County Youth Court, the Finger Lakes Child Abuse Response Team-Child Advocacy Center and the Ontario County Family Support Center. He also provides planning, research and evaluation services for several rural Drug Free Community Grant programs and serves as evaluation consultant to the Allegany Council on Alcoholism and Substance Abuse (ACASA) and numerous other local substance abuse prevention and youth development programs. He conducted outcome studies for the Yes Pa Foundation, character education program.

Mr. Lillis was the primary source of research support to the governor and Legislature during the debate on the 21-year-old minimum drinking age law in New York. He also served on the consultant panel for the U.S. General Accounting Office Special review of Minimum Drinking Age Laws.

His experience with the projects cited above included extensive work with multiple data sources including: school-based file, criminal justice files, health records systems, and primary data sources such as student surveys. The Evalumetrics Youth Survey (EYS) measures substance use, health risk behaviors, and risk and protective factors. Mr. Lillis has conducted the survey in over 30 rural schools every odd-numbered year since 1999.

Since 1991 Mr. Lillis has served as a member of the Impaired Driver Assessment Consultant Team for the National Highway Traffic Safety Administration (NHTSA) and has conducted over 70 assessments of prevention and treatment programs in 38 states, Puerto Rico and for the Indian Nations. He was the 2011 recipient of the NHTSA Public Service Award.



STATE OF SOUTH CAROLINA

Impaired Driving Program Assessment

October 27, 2019 – November 1, 2019

National Highway Traffic Safety Administration

Technical Assessment Team

Robert Burroughs

Honorable Linda Chezem

Troy Costales

Michael Iwai

Robert Lillis

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ACKNOWLEDGEMENTS

The Impaired Driving Program Assessment Team expresses its gratitude and appreciation to John Westerhold, Director of the South Carolina Department of Public Safety, Office of Highway Safety and Justice Programs (SCDPS, OHSJP) Jasmine Simmons, Impaired Driving Countermeasures Program Coordinator, SCDPS, OHSJP, Joyce McCarty, Business Manager, SCDPS, OHSJP and the entire OHSJP staff for making this assessment possible. The quality of their efforts to provide the Assessment Team with effective and professional interviewees and support cannot be overstated.

The team also thanks each of the participants for the time and energy invested in preparing and providing information. Their candor and thoroughness in discussing their activities to target impaired driving in South Carolina greatly assisted the team in conducting a complete review.

The team thanks Caroline Cash of the Impaired Driving Division, National Highway Traffic Safety Administration (NHTSA) for coordinating and facilitating the assessment process and Sandy Richardson, NHTSA Region 4 for her support and guidance during the assessment planning and process. Their support helped provide a national and regional impaired driving program perspective to the assessment. The team also thanks Ashley Bieski, Assessment Administrative Consultant, for her coordination and management of the production of the final report and support to the team.

This report is based on a review of the State's Impaired Driving Program. It is intended to assist South Carolina's efforts to enhance the effectiveness of its impaired driving program by equipping the criminal justice community, prevention and treatment leaders, and law enforcement officials with the knowledge and skills to protect the citizens of South Carolina from those who drive impaired. The team believes that this report will contribute to the State's efforts to enhance the effectiveness of its impaired driving program in preventing injuries, saving lives, and reducing economic costs of motor vehicle crashes on South Carolina roadways, and commends all who are involved in the day-to-day efforts to reduce impaired driving in South Carolina.

INTRODUCTION

The mission of the National Highway Traffic Safety Administration (NHTSA) is to reduce deaths, injuries, and economic and property losses resulting from motor vehicle crashes. In its ongoing pursuit to reduce traffic crashes and subsequent fatalities and injuries, NHTSA offers Highway Safety Program Assessments to the States.

The Highway Safety Program Assessment process is an assistance tool that uses an organized approach, along with well-defined procedures, to provide states with a review of their various highway safety and emergency medical services (EMS) programs. Program assessments are provided for impaired driving, occupant protection, traffic records, motorcycle safety, standardized field sobriety testing, driver education, pedestrian and bicycle safety, and EMS.

The purpose of an assessment is to review all components of a given highway safety or EMS program, note the program's strengths and accomplishments, and note where improvements can be made. The assessment can be used as a management tool for planning purposes and for making decisions about how to best use available resources. The assessments are cooperative efforts among state highway safety offices, state EMS offices, and NHTSA. In some instances, the private sector is also a partner in the effort. NHTSA staff facilitates the assessment process by assembling a team composed of experts who have demonstrated competence in highway safety or EMS program development and evaluation to complete the assessment.

Program assessments are based on the “Uniform Guidelines for State Highway Safety Programs,” which are required by Congress and periodically updated through a public rulemaking process. For each highway safety program area, the criteria against which each state program is assessed have been developed through use of the uniform guidelines, augmented by current best practices.

Under the Fixing America’s Surface Transportation Act (FAST) Act, States that have an average impaired driving fatality rate per 100 million miles traveled (VMT) that is 0.60 or higher are considered high-range states. States are considered mid-range if their average impaired driving fatality rate is lower than 0.60 but higher than 0.30 and low-range state if it is 0.30 or lower. South Carolina is considered a high-range state and is therefore required to conduct a NHTSA facilitated assessment of the State’s impaired driving program. Furthermore, the State is required to convene a statewide impaired driving task force to develop a statewide impaired driving plan. The plan must address recommendations from the required assessment.

The South Carolina Impaired Driving Program Assessment was conducted at the Courtyard by Marriott, Columbia, SC, from October 26th - November 1st, 2019. Under the direction of John Westerhold, Director of the South Carolina Department of Public Safety, Office of Highway Safety and Justice Programs (SCDPS, OHSJP), arrangements were made for impaired driving program partners and stakeholders (see Agenda) to

deliver briefings and provide support materials to the team on a wide range of topics over a three-day period.

STATE BACKGROUND

According to the U.S. Census Bureau, in 2017, the population of South Carolina was estimated to be 5,024,369 (Table 1). From 2013 to 2017, South Carolina's population increased by an estimated 5.15%, compared to a nationwide population growth of 2.9%. In 2017, South Carolina had 3,829,739 licensed drivers who operated 4,523,372 registered motor vehicles on a roadway system of over 77,364 miles of streets and highways.

Demographic factors to consider when analyzing South Carolina's impaired driving problem are age, race, and gender. According to the Office of Highway Safety and Justice Programs (OHSJP) Statistical Analysis & Research Section (SARS), from 2013-2017, the age groups 20-24 (236), 25-29 (243), 30-34 (186), 35-39 (152), 40-44 (139), and 45-49 (134) accounted for 1,090, or 73%, of the at-fault drivers (1,489) involved in impaired-driving fatal crashes in the state. Statistics for 2013-2017 indicate that 64% (951) of at-fault drivers involved in impaired driving fatal crashes in South Carolina were White or Caucasian, while 32% (477) were African American. Statistics for 2013-2017 indicate that 81% (1,212) of at-fault drivers involved in impaired driving fatal crashes in South Carolina were male, while females made up 19% (276).

Economically, the state of South Carolina has experienced significant economic progress over the last several years, especially as it relates to the labor force and employment levels reaching all-time highs, and a considerable drop in the unemployment rate, which fell to the mark of 4.5% or below for the entire year of 2017 (SC Department of Education and Workforce [SC DEW], 2018). Although progress has been achieved in these areas, the State still struggles with the economic challenges of high unemployment rates among certain populations (Hispanics, Native Americans, homeless, veterans and others) and low per capita income (SC DEW, 2018).

In 2014, the South Carolina Revenue and Fiscal Affairs Office and the U.S. Census Bureau reported that 82.7% of South Carolina workers drove to work, 9.3% carpooled, and only 0.7% used public transportation. It is reported that 3.4% of the workforce worked at home. Among those who commuted to work, an average of 24 minutes was required. From 2013-2017, the median household income of South Carolina residents was \$48,781; however, 15.4% of South Carolina residents live in poverty.

SC Traffic Fatality Summary

Statistical data (Table 1) for calendar year (CY) 2017 shows that 988 people were killed in South Carolina traffic crashes. In the period from 2013 through 2017, there were approximately 4,577 motor vehicle-related deaths in South Carolina. This resulted in an average of about 852 traffic fatalities per year over the five-year period. Over this period, annual traffic fatalities fluctuated around the five-year average, starting with 767 in 2013 (the third lowest number of deaths in the prior 50-year state history) and ending with 988 in 2017. The 2017 count represents a 10.11% increase, when compared to the average of

the prior four years (897.25 fatalities), and a 28.81% increase when compared to the count in 2013.

	2013	2014	2015	2016	2017	% Change: 2013 vs. 2017	% Change: 2017 vs. prior 4-yr Avg.
Total Fatalities	767	823	979	1,020	988	28.81%	10.11%
VMT*	48,987	49,950	51,723	54,404	55,496	13.29%	8.25%
VMT Rate**	1.57	1.65	1.89	1.87	1.78	13.38%	2.01%
Population	4,765,862	4,824,758	4,892,423	4,959,822	5,024,369	5.42%	3.37%
Pop Rate***	16.09	17.06	20.01	20.57	19.66	22.19%	6.66%

NHTSA NCSA FARS: 2013-2016 Final File and 2017 Annual Report File (ARF) 2017 VMT & VMT Rate provided by South Carolina Department of Transportation Population & Population Rate provided by U.S. Census Bureau

*Vehicle Miles of Travel (billions)

**Rate per 100 million vehicle miles

***Rate per 100,000 population

A comparison of South Carolina data with the national data (Table 2) indicates that South Carolina’s traffic death rate per 100 million vehicle miles traveled (VMT) of 1.78 for 2017 is approximately 53.4% higher than the national VMT death rate of 1.16. The VMT death rate in South Carolina increased 13.38% from 2013 to 2017, while the national VMT death rate increased 5.45%. The population of South Carolina increased by 5.42% during that period compared to a national increase of 3.0%.

	2013	2014	2015	2016	2017	% Change: 2013 vs. 2017	% Change: 2017 vs. prior 4-yr Avg.
Total Fatalities	32,890	32,744	35,477	37,803	36,754	11.75%	5.83%
VMT*	2,988	3,026	3,095	3,174	3,213	7.53%	4.63%
VMT Rate**	1.10	1.08	1.15	1.19	1.16	5.45%	2.65%
Population	316,234,505	318,622,525	321,039,839	323,405,935	325,719,178	3.00%	1.84%
Pop Rate***	10.40	10.28	11.05	11.69	11.28	8.46%	3.92%

NHTSA NCSA FARS: 2013-2016 Final File and 2017 Annual Report File (ARF) 2017 VMT & VMT Rate provided by U.S. Department of Transportation Population & Population Rate provided by U.S. Census Bureau

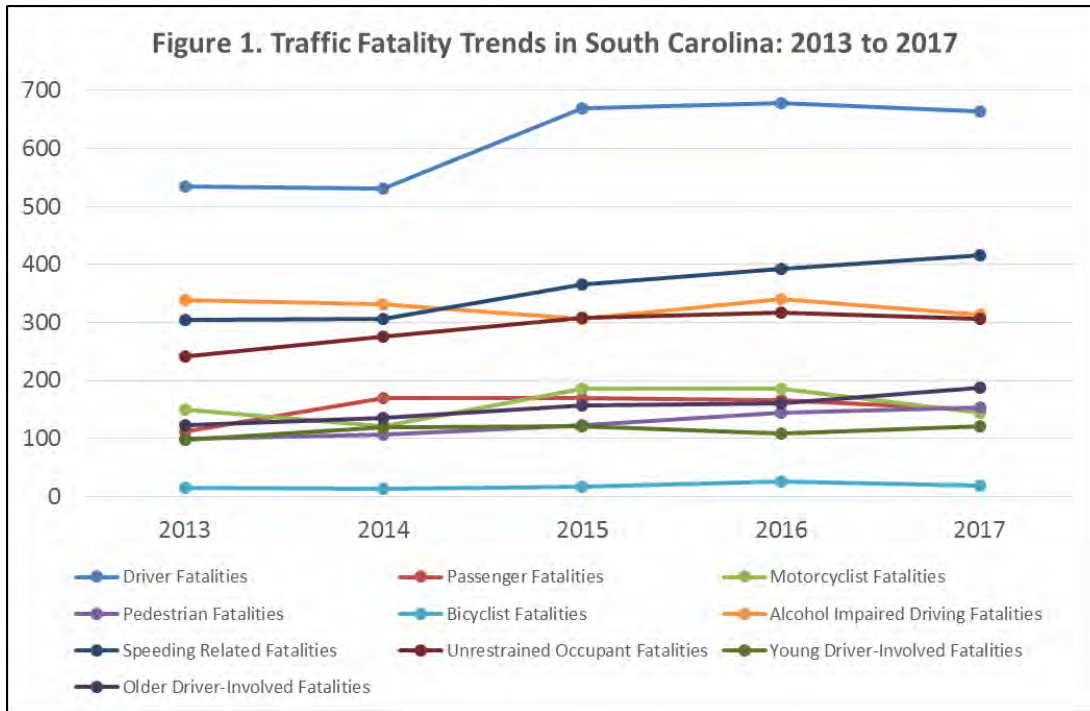
*Vehicle Miles of Travel (billions)

**Rate per 100 million vehicle miles

***Rate per 100,000 population

The state’s population-based fatality rate (expressed as the number of deaths per 100,000 population) increased by 22.19% in 2017, as compared to the prior four-year average population-based fatality rate. In comparison, the Nation’s 2017 population-based fatality rate only increased by 8.46% in 2017 when compared to the prior four-year average of the national population-based fatality rate. South Carolina’s 2017 population-based fatality rate (19.66 deaths per 100,000 residents) was greater than the national rate of 11.28.

Regarding the number of alcohol-impaired driving fatalities, South Carolina experienced a decrease of 7.53% (from 339 in 2013 to 313 in 2017) compared to the national increase of 7.83% during this same time period.



NHTSA NCSA FARS: 2013-2016 Final File and 2017 Annual Report File (ARF)

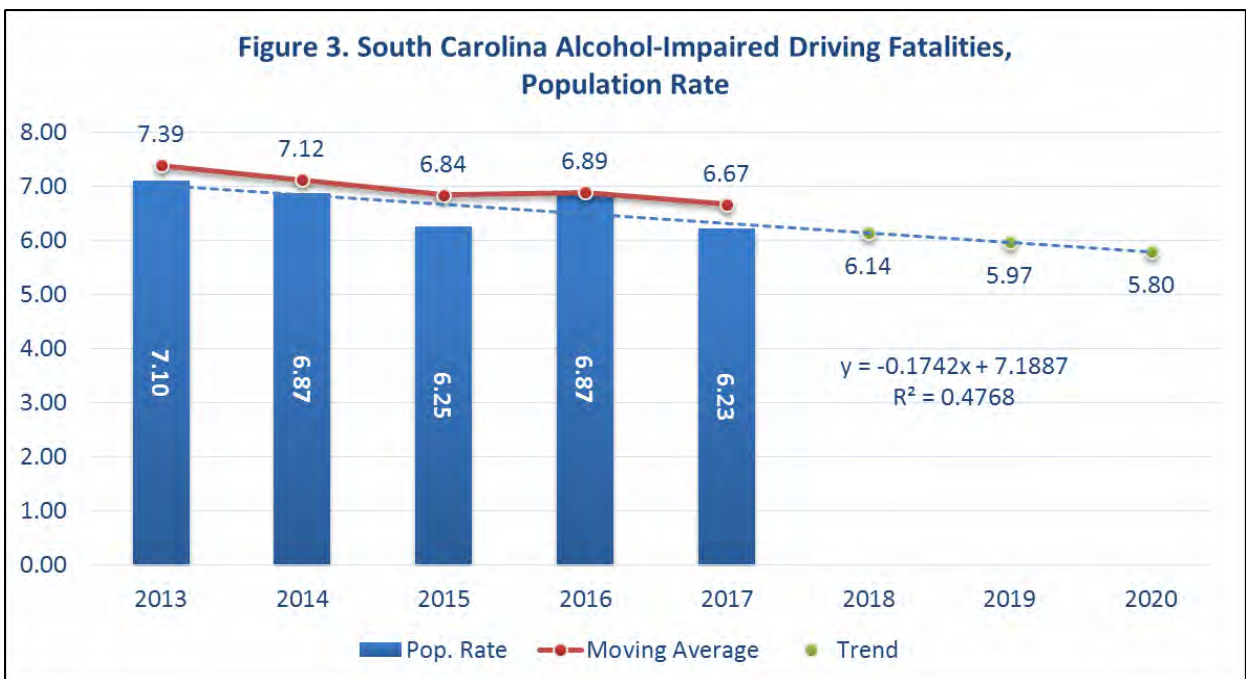
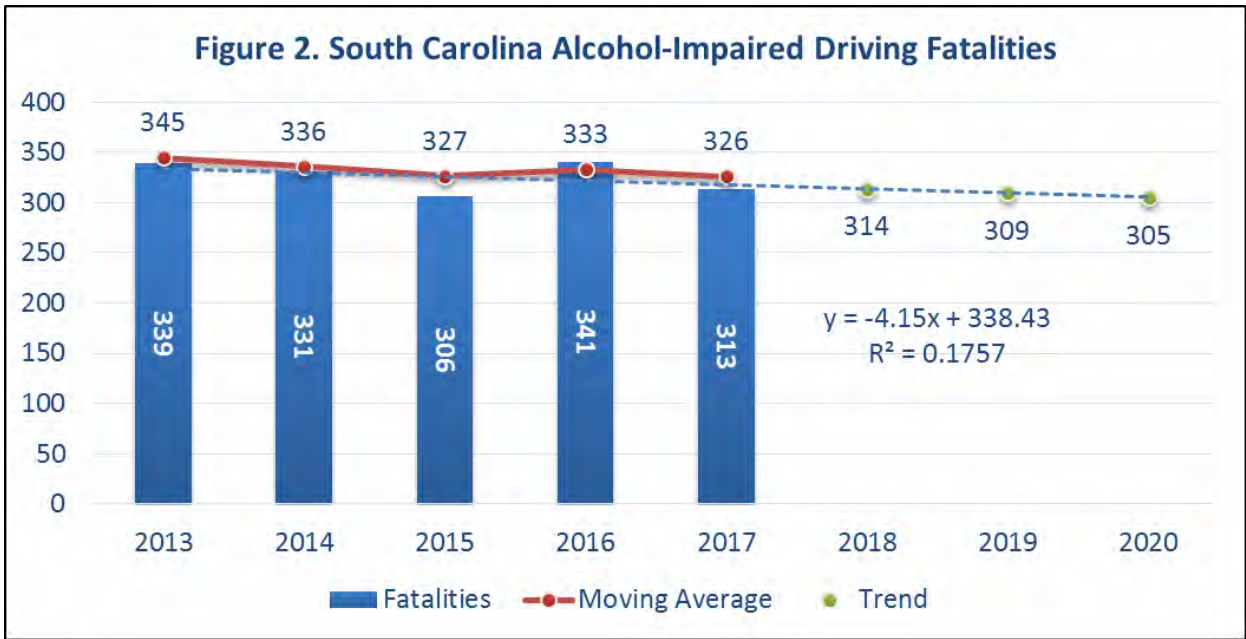
As seen in Figure 1, the only decline among the three major behavior-related traffic fatality categories (impaired driving, speeding, and unrestrained vehicle occupant) in South Carolina occurred in the impaired driving traffic fatalities category. Impaired driving deaths showed a decline (7.67% in 2017 as compared to 2013; 4.94% comparing 2017 to the average of 2013-2016). Overall, there was a net decline of 26 impaired driving deaths between 2013 and 2017 (see Table 5, as well as Figures 2 and 3 for impaired driving trends). South Carolina’s alcohol-impaired population-based fatality rate followed a similar pattern of decline as the number of fatalities, with the 2017 rate representing an 8.04% decrease when compared to the 2013-2016 average and a 12.38% decrease when compared to the rate in 2013. Additionally, alcohol-impaired driving fatalities made up 31.68% of total traffic fatalities in South Carolina in 2017. Finally, the 2017 proportion represents a 4.94% decrease compared to an average of the prior four years.

	2013	2014	2015	2016	2017	% Change: 2013 vs. 2017	% Change: 2017 vs. prior 4-yr Avg.
Total Fatalities	339	331	306	341	313	-7.67%	-4.94%
VMT Rate**	0.69	0.66	0.59	0.63	0.56	-18.84%	-12.84%
Pop Rate***	7.11	6.86	6.25	6.88	6.23	-12.38%	-8.04%
Pct. Of Total	44.20%	40.22%	31.26%	33.43%	31.68%	-12.52%	-5.60%

NHTSA NCSA FARS: 2013-2016 Final File and 2017 Annual Report File (ARF)

**Rate per 100 million vehicle miles

***Rate per 100,000 population



The State of South Carolina has been committed to reducing the occurrence of alcohol-impaired driving and the resulting traffic crashes, injuries, and fatalities. The State has experienced significant reductions in alcohol-impaired driving traffic fatalities in recent years. The most recent Fatality Analysis Reporting System (FARS) data provided by the National Highway Traffic Safety Administration (NHTSA) indicates that 313 people died on South Carolina roadways in 2017 as a result of alcohol-impaired driving crashes. This raw number translates into a VMT alcohol-impaired driving fatality rate (traffic fatalities per 100 million vehicle miles traveled) for the state of 0.56, higher than the national rate of 0.34.

PRIORITY RECOMMENDATIONS

I. Program Management and Strategic Planning

- **Convene a Governor’s Alcohol and Drug Impaired Driving Task Force that includes both traditional and non-traditional members such as highway safety experts, law enforcement, judiciary, driver licensing services, treatment, alcohol beverage control, businesses, insurance companies, medical and health care representatives, advocacy groups, the media, and higher education, to review existing laws and regulations and make recommendations to the Governor and State Legislature**
- **Create a South Carolina *Impaired Driving Strategic Plan* sponsored by the Impaired Driving Prevention Council**
- **Require Driving Under the Influence offenders, regardless of the final disposition of the conviction stemming from a Driving Under the Influence arrest, to pay fines and fees that support the impaired driving countermeasure system**

II. Prevention

- **Enact legislation to require responsible beverage server training as a condition of liquor licensure**

III. Criminal Justice System

- **Increase impaired driving enforcement**
- **Assign a prosecutor to each of the seven Troop locations**
- **Amend the current law regarding the stringent evidentiary use of video in impaired driving cases**
- **Pilot a program to provide paralegal assistants to law enforcement who prosecute cases without assistance in summary courts**
- **Expand the use of the Ignition Interlock Device program to include all first-time offenders upon conviction regardless of blood alcohol concentration**

IV. Communication Program

- **None**

V. Alcohol and Other Drug Misuse: Screening, Assessment, Treatment and Rehabilitation

- **Enhance the current Reckless Driving statute to require mandatory enrollment in and completion of the Alcohol and Drug Safety Action Program when Driving Under the Influence is the initial charge**
- **Enhance the current Reckless Driving statute to require the recording of the initial charge when the initial charge was Driving Under the Influence for the purpose of enhancement of sentencing**

VI. Program Evaluation and Data

- **Obtain driver toxicology results from surviving drivers involved in fatal and serious injury crashes**

I. Program Management and Strategic Planning

Effective impaired driving programs begin with strong leadership, sound policy development, effective and efficient program management, and coordinated planning, including strategic planning. Program efforts should be data-driven, focusing on populations and geographic areas that are most at risk; are evidence-based; and determined through independent evaluation as likely to achieve success. Programs and activities should be guided by problem identification, carefully managed and monitored for effectiveness, and have clear measurable outcomes. Adequate resources should be devoted to the problem, and the costs should be borne, to the extent possible, by impaired drivers. Strategic planning should provide policy guidance; include recommended goals and objectives; and identify clear measurable outcomes, resources, and ways to overcome barriers.

A. State and Tribal DWI Task Forces or Commissions¹

Advisory

States and tribal governments should convene Driving While Impaired (DWI) task forces or commissions to foster leadership, commitment and coordination among all parties interested in impaired driving issues. State-level and tribal task forces and commissions should:

- *Receive active support and participation from the highest levels of leadership, including the governor and/or governor’s highway safety representative.*
- *Include members that represent all interested parties, both traditional and non-traditional, such as representatives of: government – highway safety, enforcement, criminal justice, liquor law enforcement, public health, education, driver licensing and education; business – employers and unions; the military; medical, health care and treatment; multi-cultural, faith-based, advocacy and other community groups; and others.*
- *Recommend goals and objectives, provide policy guidance and identify available resources, based on a wide variety of interests and through leveraging opportunities.*
- *Coordinate programs and activities to ensure that they complement rather than compete with each other.*
- *Operate continuously, based on clear authority and direction.*

¹ See “A Guide for Statewide Impaired Driving Task Forces” (DOT HS 811 211, September 2009) for a “how to” in support of implementing, making best use of, and continuing a task force.

Status

The State of South Carolina has convened a statewide council that is seen as the leading voice on impaired driving in South Carolina. Membership includes traditional and non-traditional parties that are pushing for the reduction and eventual elimination of impaired driving. The Impaired Driving Prevention Council (IDPC) provides leadership and guidance for citizens seeking to significantly reduce the number of crashes, injuries, and deaths caused by impaired drivers. The efforts of the IDPC are intended to provide qualitative and quantitative information to the legislative assembly, state agencies, non-profit agencies, and any organization involved in the fight against impaired driving.

Currently, the IDPC has over 40 members with positions that are vacant. Additional agencies have been identified that share an interest in reducing impaired driving. Four committees have been established in the areas of education/prevention, enforcement/prosecution/adjudication, legislation, and treatment/rehabilitation/diversion. Meetings of the full Council have not been held regularly.

While issues of statewide concern are on the agenda, the Council has not undertaken a self-assessment on their efforts and operating protocols. No strategic plan exists for the Council to follow and advocate. The Charter was last amended in 2012.

Other statewide committees and task forces exist for addressing very specific areas of the impaired driving countermeasure system on topics such as underage alcohol access, legalization of medical marijuana, victim support, and the law enforcement network. The efforts of these individual groups can be guided by the IDPC but a connection does not seem to exist today.

Recommendations

- **Convene a Governor's Alcohol and Drug Impaired Driving Task Force that includes both traditional and non-traditional members such as highway safety experts, law enforcement, judiciary, driver licensing services, treatment, alcohol beverage control, businesses, insurance companies, medical and health care representatives, advocacy groups, the media, and higher education, to review existing laws and regulations and make recommendations to the Governor and State Legislature**
- Conduct a self-assessment of the Impaired Driving Prevention Council
- Update the Impaired Driving Prevention Council Charter
- **Create a South Carolina *Impaired Driving Strategic Plan* sponsored by the Impaired Driving Prevention Council**

B. Strategic Planning

Advisory

States should develop and implement an overall plan for short- and long-term impaired driving activities. The plan and its implementation should:

- *Define a vision for the state that is easily understood and supported by all partners.*
- *Utilize best practices in strategic planning.*
- *Be based on thorough problem identification that uses crash, arrest, conviction, driver record and other available data to identify the populations and geographic areas most at risk.*
- *Allocate resources for countermeasures determined to be effective that will impact the populations and geographic areas most at risk.*
- *Include short-term objectives and long-range goals. Have clear measurable outcomes.*
- *Be an integral part of or coordinate with and support other state plans, including the Highway Safety Plan and Strategic Highway Safety Plan.*
- *Establish or adjust priorities based on recommendations provided to the state as a result of reviews and assessments, including this impaired driving assessment.*
- *Assign responsibility and accountability among the state's partners for the implementation of priority recommendations.*

Status

The strategic planning for the highway safety efforts in South Carolina start with the South Carolina Department of Public Safety (SCDPS), Office of Highway Safety and Justice Programs (OHSJP).

On an annual basis, the OHSJP holds a problem identification meeting. Staff work together to identify statewide problems, county level areas of concern, and system improvements that can be made in the coming year. When available, the results of the current slate of highway safety grants and programs are added to the traditional review of crash, citation, and public opinion survey data.

Using the problem identification process, the OHSJP produces a *Highway Safety Funding Guideline* document. Expectations for the grants considered in the coming year should address information in the *Guideline*. Specifically, to the area of impaired driving, the

established priorities are based on the eligible activities allowed under the funding sources (see Resources), continuing efforts underway, and best practices from around the country as noted in the *Countermeasures That Work* report published by the National Highway Traffic Safety Administration (NHTSA).

The OHSJP provides information and assistance to prospective grant recipients. Discussions include the use of the *Guidelines*, expectations of grantees, the process to submit an application, and assistance on completing the grant application details.

Outreach to current and potential partners is completed in order to allow time to complete the grant submission. The Law Enforcement Network (LEN) helps in encouraging law enforcement agencies to apply and take part in the high visibility enforcement campaigns (HVE). Efforts to include new, unique, or non-traditional partners has not been an emphasis in the past few years.

The OHSJP staff reviews grant applications using the earlier problem identification as a guide. All of the project detail, including specific elements in the budgets, are reviewed for compliance with the funding sources available to the OHSJP. A list of the projects, recommended for funding and no funding, are presented to the Public Safety Coordinating Council for approval.

During the year, all projects are monitored for performance, spending, and impact. Coordination with activities under the Strategic Highway Safety Plan (SHSP), the Motor Carrier Safety Assistance Program (MCSAP), Highway Safety Improvement Program (HSIP), and the grants issued by the South Carolina Department of Alcohol and Other Drug Abuse Services (DAODAS) occurs on a happenstance manner and can cause confusion at the local community level.

The SHSP is a joint effort of the SCDPS and the South Carolina Department of Transportation (SCDOT). The Plan, entitled *Target Zero*, is indicative of the State's commitment to eliminating traffic fatalities and reducing severe injuries over time. Impaired driving is an Emphasis Area in the SHSP. Twenty-two strategies are listed, of those 22 strategies the OHSJP is part of the effort on 15.

Recommendations

- Utilize additional data to enhance the problem identification process to expand the impaired driving priorities in the *Highway Safety Plan*
- Increase the outreach during the solicitation period for the *Highway Safety Plan* grant applications
- Hold a coordination meeting of the various state agencies that are providing grants and technical assistance to local communities in the area of impaired driving

C. Program Management

Advisory

States should establish procedures and provide sufficient oversight to ensure that program activities are implemented as intended. The procedures should:

- *Designate a lead agency that is responsible for overall program management and operations;*
- *Ensure that appropriate data are collected to assess program impact and conduct evaluations;*
- *Measure progress in achieving established goals and objectives;*
- *Detect and correct problems quickly;*
- *Identify the authority, roles, and responsibilities of the agencies and personnel for management of the impaired driving program and activities; and*
- *Ensure that the programs that are implemented follow evidence-based best practices.²*

Status

The lead agency for the highway safety efforts in South Carolina is the South Carolina Department of Public Safety (SCDPS), Office of Highway Safety and Justice Programs (OHSJP). The OHSJP is staffed to oversee and implement the highway safety grant program through the *Highway Safety Plan* (HSP).

The OHSJP program managers and fiscal analysts have the administrative responsibility for overall program management and operations. Statisticians and data analysts are helping to set performance expectations and monitoring overall progress. Technical assistance is offered to grantees, including media materials as needed. There are a few vacancies at this time.

On an annual basis, the OHSJP holds a problem identification meeting. Staff work together to identify statewide problems, county level areas of concern, and system improvements that can be made in the coming year. When available, the results of the current slate of highway safety grants and programs are added to the traditional review of crash, citation, and public opinion survey data. Data from driver records, Fatality Analysis Reporting System (FARS), and observation studies allow for a more detailed analysis when it comes time to select strategies and countermeasures for specific grants.

² See “Countermeasures That Work: A Highway Safety Countermeasure Guide for State Highway Offices,” Ninth Edition, August 2018.

Using the problem identification process, the OHSJP produces a *Highway Safety Funding Guideline* document. Expectations for the grants considered in the coming year should address information in the *Guideline*. Specifically, to the area of impaired driving, the established priorities are based on the eligible activities allowed under the funding sources (see Resources), continuing efforts underway, and best practices from around the country as noted in the *Countermeasures That Work* report published by the National Highway Traffic Safety Administration (NHTSA).

The OHSJP staff follow their own grant program procedures manual on specific processes on the operations and management of grant activities. Program and financial staff meet with grantees to ensure grantees are following the expectations and rules regarding the federally funded highway safety program.

The senior leadership of the OHSJP are engaged in multiple statewide and regional task forces and committees. Program partners expressed gratitude for the professionalism and availability of the OHSJP staff. Special recognition was given for the efforts to address tough subjects and long-standing barriers in the area of impaired driving.

Recommendations

- Recruit and fill the current vacant positions in the Office of Highway Safety and Justice Programs

D. Resources

Advisory

States should allocate sufficient funding, staffing and other resources to support their impaired driving programs. Programs should aim for self-sufficiency and, to the extent possible, costs should be borne by impaired drivers. The ultimate goal is for impaired driving programs to be fully supported by impaired drivers and to avoid dependence on other funding sources.

States should:

- *Allocate funding, staffing and other resources to impaired driving programs that are:*
 - *Adequate to meet program needs and proportional to the impaired driving problem;*
 - *Steady and derived from dedicated sources, which may include public or private funds; and*
 - *Financially self-sufficient, and to the extent possible paid by the impaired drivers themselves. Some States achieve financial self-sufficiency using fines, fees, assessments, surcharges or taxes. Revenue collected from these sources should be used for impaired driving programs rather than returned to the State Treasury or General Fund.*
- *Meet criteria to enable access to additional funding through various incentive programs.*
- *Identify opportunities and leverage resources on behalf of impaired driving efforts.*
- *Determine the extent and types of resources available from all sources (local, state, and federal; public and private) that are dedicated to impaired driving efforts.*
- *Designate a position and support the individual in that position with sufficient resources to adequately serve as a focal point for impaired driving programs and issues.*

Status

The State of South Carolina receives federal revenue due to qualifying for multiple highway safety grants. With a total population of just over 5,000,000, the State had a projected highway safety revenue for Fiscal Year (FY) 2020 of nearly \$9 million. The

Office of Highway Safety and Justice Programs (OHSJP) dedicates a significant portion of its highway safety grant funds to impaired driving activities. The State has been able to qualify for Section 405d funds (\$2m) that provides a dedicated fund source for impaired driving projects. A portion of the Section 164 funds (\$1.4m) are also a dedicated fund source for impaired driving countermeasures specifically earmarked for alcohol impairment. Funds from previous years complement the new funds received in the current year.

Financial amounts are included in the FY 2020 *Highway Safety Plan* (HSP). Careful management of the grant funds is important to avoid creating an unsustainable level of funding if the total amount of funds coming from prior years creates a large unspent balance. Section 405d and 164 funds are aimed directly at highway safety programs in the impaired driving effort; they do not include those amounts for projects, such as traffic records, occupant protection, planning and administration, and youth, that are resourced under other funding sources but that provide major support to impaired driving activities.

A significant amount of law enforcement time is identified as a contribution/match for traffic safety grants. Aside from this contribution, however, there was little evidence of business participation or contributions to impaired driving prevention, enforcement, treatment, or communications activities from partner agencies outside of their own federal funding. The State is prohibited from receiving certain financial contributions per state statute.

There is no ability to track the fines and fees paid by impaired drivers to assess if the impaired driving countermeasure system costs are borne by driving under the influence (DUI) offenders.

State and local agencies provide funding through their own agency budgets. Yet it is very evident that without funding from the OHSJP many DUI activities would not happen. Focused law enforcement efforts and mass media programs would be severely limited without the OHSJP support and leadership. The Department of Alcohol and Other Drug Abuse Services (DAODAS) provides funding to multiple local communities for impaired driving activities. This includes local media, driver education content, law enforcement efforts, and prevention programs.

Substance abuse assessment and treatment funding is derived through a handful of sources including client payments and a federal block grant. There is no state funding to help cover the costs for agencies providing services to indigent clients.

There are no revenue streams established on a per-drink or per-gallon basis that are specifically dedicated to the prevention and treatment programs related to the consumption of alcohol.

Recommendations

- **Require Driving Under the Influence offenders, regardless of the final disposition of the conviction stemming from a Driving Under the Influence arrest, to pay fines and fees that support the impaired driving countermeasure system**
- Hold a coordination meeting of the various state agencies that are providing grants and technical assistance to local communities in the area of impaired driving

II. Prevention

Prevention programs are most effective when they utilize evidence-based strategies, that is, they implement programs and activities that have been evaluated and found to be effective or are at least rooted in evidence-based principles. Effective prevention programs are based on the interaction between the elements of the public health model: 1) using strategies to develop resilient hosts, e.g., increase knowledge and awareness or altering social norms; 2) reducing exposure to the dangerous agent (alcohol), e.g., alcohol control policies and; 3) creating safe environments, e.g., reducing access to alcohol at times and places that result in impaired driving. Prevention programs should employ communication strategies that emphasize and support specific policies and program activities.

Prevention programs include responsible alcohol service practices, transportation alternatives, and community-based programs carried out in schools, at work sites, in medical and health care facilities and by community coalitions. Programs should prevent underage drinking or drinking and driving for persons under 21 years of age, and should prevent over-service and impaired driving by persons 21 or older.

Prevention efforts should be directed toward populations at greatest risk. Programs and activities should be evidence-based, determined to be effective, and include a communication component.

A. Responsible Alcohol Service

Advisory

States should promote policies and practices that prevent underage drinking and over-service by anyone.

States should:

- Adopt and enforce programs to prevent sales or service of alcoholic beverages to persons under the age of 21. Conduct compliance checks and “shoulder tap” activities and support the proper use of technology in alcohol retail establishments, particularly those catering to youth, to verify proper and recognize false identification.*
- Adopt and enforce alcohol beverage control regulations to prevent over-service, service in high risk situations and service to high-risk populations. Prohibit service to visibly intoxicated patrons; restrict alcohol sales promotions, such as “happy hours”; limit hours of sale; establish conditions on the number, density, and locations of establishments to limit impaired driving, e.g., zoning restrictions; and require beer keg registration.*

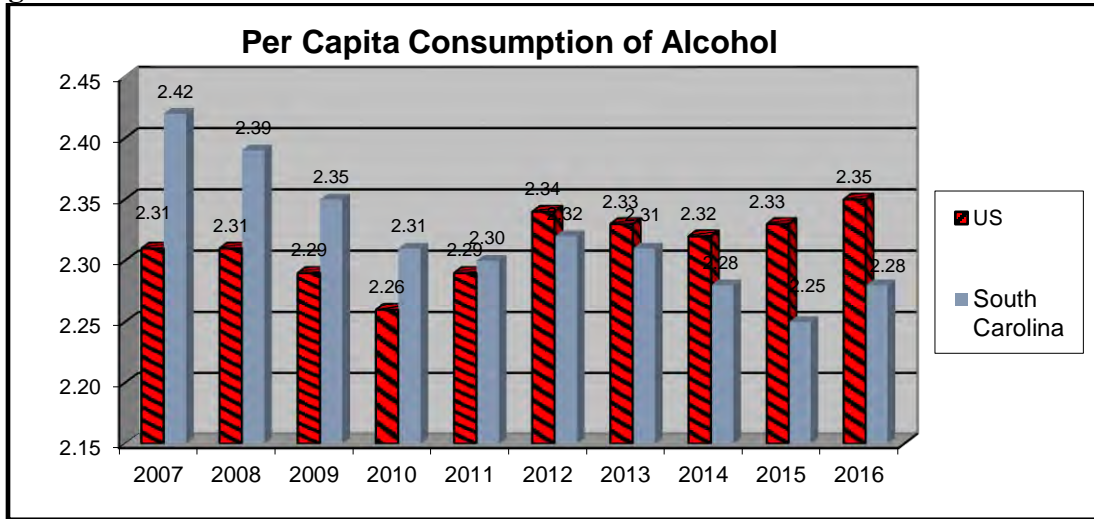
- *Provide adequate resources including funds, staff, and training to enforce alcohol beverage control regulations. Coordinate with state, county, municipal and tribal law enforcement agencies to determine where impaired drivers had their last drink and use this information to monitor compliance with regulations.*
- *Promote responsible alcohol service programs, written policies, and training.*
- *Provide responsible alcohol service guidelines such as best practices tool kits to organizations that sponsor events at which alcohol is sold or provided.*
- *Encourage alcohol sales and service establishments to display educational information to discourage impaired driving and to actively promote designated driver and alternative transportation programs.*
- *Hold commercial establishments and social hosts responsible for damages caused by a patron or guest who was served alcohol when underage or visibly intoxicated.*

Status

According to the National Institute on Alcohol Abuse and Alcoholism (NIAAA), per capita consumption of alcohol in South Carolina in 2016, the last year for which complete data were available, was below the national average. Alcohol consumption in South Carolina was the equivalent of 2.28 gallons of ethanol per capita compared to the national average of 2.35 gallons. In South Carolina, alcohol consumption, which was previously among the highest rates in the country, has been decreasing for several years. Alcohol consumption in South Carolina (see fig. 2-A-1) was well above (4.8%) the national average 10 years ago; however, the decline in apparent consumption has outpaced the national trend and is now three percent below the national average. Per capita consumption estimates are based on taxed sales of alcoholic beverages³.

³ https://pubs.niaaa.nih.gov/publications/surveillance110/tab4-5_16.htm

Figure 2-A-1



Year	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
US	2.31	2.31	2.29	2.26	2.29	2.34	2.33	2.32	2.33	2.35
South Carolina	2.42	2.39	2.35	2.31	2.30	2.32	2.31	2.28	2.25	2.28
Difference	4.8%	3.5%	2.6%	2.2%	0.4%	-0.9%	-0.9%	-1.7%	-3.4%	-3.0%

Estimated per capita consumption for South Carolina must be viewed with consideration of the fact that South Carolina has several of the largest tourist destinations in the U.S. with many visitors each year. Many visitors who consume alcohol also drive on South Carolina highways. Consumption rates are based on resident population. The trend showing decreased per capita consumption relative to the national trend might partially be due to a disproportionate decrease in consumption by tourists from other states. This could be a result of a decrease in the number of tourists or in the nature of the tourism, (e.g., more seasonal residents vs. short-term stays at entertainment venues). However, these data demonstrate a dramatic decrease in alcohol consumption that is likely due to a variety of factors including the many evidence-based prevention strategies that have been implemented at the state and community levels.

Survey results support a similar positive trend in alcohol use by young South Carolinians. Results of the 2017 Youth Risk Behavior Survey show that one in four (25.4%) South Carolina high school students reported using alcohol in the 30 days prior to the survey. This is a substantial decrease from the 2011 level of 39.7%. Consistent with the per capita consumption information cited above, in 2011, South Carolina students drank at a rate slightly above the national average (38.7%) and in 2017 the rate was well below the national average (29.8%). Self-reported driving after drinking decreased by more than half (11.1% vs. 5.4%) and is now slightly below the national average of 5.5%.

Marijuana use by South Carolina high school students shows a trend like that for alcohol decreasing from one in four (24.1%) in 2011 (compared to 23.1% nationally) to less than one in five (18.6%) in 2017 (below the national average of 19.8%).

The South Carolina Department of Alcohol and Other Drug Abuse Services (DAODAS), in collaboration with the South Carolina Department of Health and Environmental Control (DHEC), conduct the South Carolina Behavioral Risk Factor Surveillance System (BRFSS) survey. In South Carolina, self-reported binge drinking, (i.e., five or more drinks on a single occasion) in the past 30 days among adults was on the decline from 2011 to 2014 in both South Carolina and the U.S. before an uptick in rates in 2015. The rates in South Carolina have been consistently lower than the U.S. rates, although rates were nearly identical in 2016. The rate differentiated again in 2017 when 15.5% reported binge drinking compared to 17.1% nationally. Self-reported heavy alcohol use, defined as more than two drinks per day for males and more than one drink per day for females, among adults in South Carolina dipped slightly from 2011 to 2013, then rose from 2014 to 2016 before a decline in 2017. Rates in South Carolina and the U.S. have been nearly identical during this period, with South Carolina surpassing the U.S. average in this category in 2015 before returning to national levels in 2017. In 2017, 6.0% of adults in the state engaged in heavy drinking in the past 30 days in both South Carolina and nationally, down from 6.8% locally and 6.5% nationally.

While the results presented above indicate that adults in South Carolina report problematic drinking, (e.g., binge drinking or heavy drinking) at or below national levels, self-reported drinking and driving among those who reported drinking any alcohol in the past 30 days is higher in South Carolina than in the U.S. in total. In the national sample, 4.4% of adults self-reported driving after drinking any alcohol over the past 30 days in 2016 while 5.9% of adults in South Carolina reported doing so. In South Carolina, adult males were over three times more likely than females to report drinking and driving over the past 30 days at 6.5%, compared to two percent of adult females.

The South Carolina Department of Revenue oversees the regulation of alcoholic beverage commerce through a three-tiered distribution and licensing structure that strictly separates manufacturing, wholesaling, and retailing interests into distinct tiers of operation. Under this three-tier system, licenses issued under Title 61 are generally divided into the following categories:

- Retail Licenses that authorize the sale of alcoholic beverages to the public
- Wholesale Licenses that authorize the purchase of alcoholic beverages from producers for resale to retailers
- Manufacturing and Importing Licenses that authorize the production or importation of alcoholic beverages into the state

The manufacturing, distribution, and sale of alcoholic liquors are governed by the liquor manufacturers', wholesalers', and retail dealers' licenses and the liquor-by-the-drink licenses authorized under the Alcoholic Beverage Control (ABC) Act in Chapter 6 of Title 61.

South Carolina is a license state, that is, retail outlets for on- and off-premise sales of alcohol are licensed by the State. Regulations related to wholesale and retail sale of alcohol are contained in Title 61 Chapter 6 of the ABC Act. Several sections of Title 61 relate to responsible alcohol service. Many of the law's provisions appear to prescribe responsible service but there are several exceptions that might compromise their effectiveness in ensuring responsible service.

South Carolina does not have strict Dram Shop liability. Though serving a visibly intoxicated person in a licensed establishment is forbidden under statute, South Carolina does not recognize a "first party" cause of action against the establishment owner by an intoxicated adult. While serving a visibly intoxicated person can be considered negligence per se, contributory negligence and breaks in the chain of causation are mitigating factors in legal actions. In **Hartfield v. The Getaway Lounge and Grill, Inc.**, the South Carolina Supreme Court held that a bar that violated the state law against serving alcohol to a "visibly intoxicated" adult could also be held liable if that adult injured someone.

South Carolina has a social host liability statute that applies only to providing alcohol to minors. Generally, there is no liability for a social host for the actions of his or her adult guests. Social hosts are liable for actions of any minor resulting from serving that minor alcohol.

South Carolina prohibits the sale of alcoholic beverages that resemble soft drinks or other non-alcoholic beverages. South Carolina statute also prohibits the sale of powdered alcohol.

SECTION 61-4-170. Beverages resembling vegetable, fruit, or soft drinks.

It is unlawful for a person, with or without a beer or wine permit, to sell or to offer for sale a beverage generally used as and for a soft drink rather than as a medicine or for cooking purposes having an alcoholic content, when the beverage resembles in color and general appearances a vegetable drink, a fruit drink, or a soft drink. A person who violates this section is guilty of a misdemeanor and, upon conviction, must be fined in the discretion of the court or imprisoned not more than three years, or both. In addition, these beverages are contraband and must be seized by an authorized agent or inspector of the division, or by a peace officer, and disposed of in a manner provided for the disposition of unlawful alcoholic liquors.

Significant efforts have been directed at enforcement of sales to intoxicated individuals and sales to minors. However, far less, if any, attention has been given to enforcement of or compliance with the statutes cited above. For example, despite the prohibition of sale of beverages that “resembles in color and general appearances a vegetable drink, a fruit drink, or a soft drink”, it was reported that beverages such as “hard lemonade”, Not Your Father’s Root Beer, or White Claw Hard Seltzer are widely available and that the availability of these products to youth is compounded when retailers display these products in proximity to non-alcoholic products in which they resemble. It is unclear how prevalent this is or what effect it has on young people’s decisions about purchasing.



Under Section 61-6-1510,

...retail dealers are prohibited from using in an advertisement for alcoholic liquor or wine a subject matter, language, or slogans addressed to and intended to encourage persons under twenty-one years of age to purchase or drink alcoholic liquor or wine.”

While this statute recognizes the need to remove an environmental risk factor for youth, the definition of “intended to encourage” is subjective, rendering enforcement problematic.

South Carolina has limited restrictions on promotions such as Happy Hours. Licensees may not offer two-or-more-for-the-price-of-one drink specials and may not give free mixed drinks, beer or wine. However, regular drink prices may be reduced between 4:00 p.m. and 8:00 p.m. essentially allowing for Happy Hours. In addition, there appears to be a liberal interpretation of “regular” price. For example, if a bar sells a bucket of beers for a low price every Monday, that is interpreted as the “regular price” on Monday.

Off-premise retailers may sell alcohol between 9:00 a.m. and 7:00 p.m. Alcohol may be sold for on-premise consumption between 10:00 a.m. and 2:00 a.m. Monday through Friday and from 10:00 a.m. to midnight Saturday. Though the ABC Act prohibits alcohol sales on Sunday, a separate Local Option Permit is offered in most of the larger counties and cities.

SECTION 61-6-2220. Sales to intoxicated persons.

A person or establishment licensed to sell alcoholic liquors or liquor by the drink pursuant to this article may not sell these beverages to persons in an intoxicated condition; these sales are considered violations of the provisions thereof and subject to the penalties contained herein.

South Carolina has an open container statute. The law prohibits open containers of alcohol in the passenger compartment of any motor vehicle.

SECTION 61-6-4020. Transportation in motor vehicle.

(A) A person who is twenty-one years of age or older may transport lawfully acquired alcoholic liquors to and from a place where alcoholic liquors may be lawfully possessed or consumed. If the cap or seal on the container has been opened or broken, it is unlawful to transport the liquors in a motor vehicle, except in a trunk, luggage compartment, or cargo area that is separate and distinct from the driver's and passengers' compartments. For purposes of this exception, the luggage compartment or cargo area is not required to be a closed trunk that is accessible only from the exterior of the motor vehicle. A person who violates this section is guilty of a misdemeanor and, upon conviction, must be fined not more than one hundred dollars or imprisoned for not more than thirty days. For purposes of this section, alcoholic liquors means all distilled spirits regardless of the percentage of alcohol by volume that they contain.

Availability of alcohol is influenced by the environment in which alcohol is sold. South Carolina has some interesting and potentially effective statutes related to the environment of alcohol outlets. For example, section 61-6-1530 requires retail dealers to post signs with the following wording:

- (1) "The possession of beer, wine, or alcoholic liquors, by a person under twenty-one years of age is a criminal offense under the laws of this State, and it is also unlawful for a person to knowingly give false information concerning his age for the purpose of purchasing beer, wine, or liquor."
- and,
- (2) "A person may transport alcoholic liquors to and from a place where alcoholic liquors may be lawfully possessed or consumed; but if the cap or seal on the container has been opened or broken, it is unlawful to transport alcoholic liquors in a motor vehicle, except in the luggage compartment or cargo area."

Section 61-6-2230 prohibits drinking contests or games in licensed establishments.

For purposes of this section, "drinking contest" or "drinking game" includes, but is not limited to, a contest, game, event, or other endeavor which encourages or promotes the consumption of alcoholic beverages by participants at extraordinary speed or in increased quantities or in more potent form. "Drinking contest" or "drinking game" does not include a contest, game, event, or endeavor in which alcoholic beverages are not used or consumed by participants as part of the contest, game, event, or endeavor but instead are used solely as a reward or prize. Selling alcoholic beverages in the regular course of business is not considered a violation of this section.

Server training is available in South Carolina, but it is voluntary. The Palmetto Retailers Education Program (PREP) course is intended to reduce underage access to alcohol and to reduce over-service. PREP is approved by the Department of Revenue and the Department of Alcohol and Other Drug Abuse Services (DAODAS). PREP is available from local organizations including local Alcohol and Substance Abuse Commissions. All server training programs must be approved by the Department of Revenue. There are several of these merchant education curricula used nationally and in South Carolina, though the county authorities are now exclusively using the PREP curriculum.

Licenseses who violate regulations may be required to complete server training.

Legislation is pending that would mandate server training. Senate bill S-342 would:

Amend title 61 of the 1976 code, relating to alcohol and alcoholic beverages, by adding chapter 3, to provide for the establishment, implementation, and enforcement of a mandatory alcohol server training and education program, to require servers of alcoholic beverages for on-premises consumption in licensed or permitted businesses to obtain alcohol server certificates...

SECTION 61-6-4080 addresses the sale of alcohol to persons under the age of twenty-one. Sub-section (C) provides for required server training for those who violate the statute.

(A) A person engaged in the sale of alcoholic liquors who knowingly sells the alcoholic liquors to a person under the age of twenty-one is guilty of a misdemeanor and, upon conviction:

(1) for a first offense, must be fined not less than two hundred dollars nor more than three hundred dollars or imprisoned not more than thirty days, or both; and

(2) for a second or subsequent offense, must be fined not less than four hundred dollars nor more than five hundred dollars or imprisoned not more than thirty days, or both.

(B) Failure of a person to require identification to verify a person's age is prima facie evidence of a violation of this section.

(C) A person who violates the provisions of this section also is required to successfully complete a DAODAS approved merchant alcohol enforcement education program. The program must be a minimum of two hours and the cost to the person may not exceed fifty dollars.

In South Carolina, a conviction for a minor in possession can result in fines, suspension of a driver's license, loss of financial aid/scholarships, and a criminal record that might have consequences including affecting the ability to seek employment. The Alcohol Education Program (AEP) is designed to combat underage drinking and the high-risk behavior that goes with it. AEP is offered as an alternative to a conviction, and includes guidance, education, and community service. To qualify, the offender must be between the ages of 17 and 20 and be referred to the program by the court after being charged with minor in possession of alcohol, open container, possession of a fake or altered ID, public disorderly conduct, or littering. This program is not open to those charged with a DUI/Driving with an Unlawful Alcohol Concentration (DUAC). *Alive at 25* is required for young people convicted of underage alcohol possession and opting for the Alcohol Education Program.

SC Code § 61-4-1920 defines a beer keg registration program for South Carolina.

- (A) A retail licensee shall not sell a keg of beer without:
- (1) recording the date of sale, the keg identification number, the name, address, and birth date of the purchaser, and the driver's license or identification card number presented by the purchaser;
 - (2) requiring the purchaser to sign a statement attesting to the accuracy of the purchaser's information, acknowledging that, unless otherwise permitted by law, it is unlawful to transfer beer to a person under the age of twenty-one, and that, unless otherwise permitted by law, the beer in the keg will not be consumed by a person under the age of twenty-one; and
 - (3) attaching an identification tag to the keg with the name, address, and license number of the retail licensee and the keg identification number. An identification tag must consist of paper, plastic, metal, or durable material that is not easily damaged or destroyed. An identification tag must be attached to the keg at the time of the sale with a nylon tie or cording, wire tie or other metal attachment device, or other durable means of tying or attaching the tag to the keg.

Alcohol establishment licensing functions are the responsibility of the South Carolina Department of Revenue but enforcement responsibilities are placed with the South Carolina Law Enforcement Division (SLED). SLED has approximately 30 enforcement agents. Local law enforcement agencies also enforce alcohol control laws but cases are then turned over to SLED who in turn notifies the Department of Revenue to take license action.

Fines for violation of liquor laws are minimal. Violators have the option of paying an additional fine to shorten the period of license suspension.

There are 32 local Alcohol and Drug Abuse Commissions (ADAC) with oversight from DAODAS and supported with federal block grant funds. Coupled with an active public education and prevention strategy, ADACs implement Alcohol Enforcement Teams (AET) intended to implement evidence-based environmental strategies to reduce underage alcohol use and its harmful consequences.

The AET model, which includes community coalition maintenance and development, merchant education, and law enforcement partnership, utilizes a multi- or single-jurisdictional alcohol law enforcement approach (depending on the needs and participation of law enforcement within the target area) in a community to:

- Reduce youth access to alcohol utilizing various strategies (social and retail access)
- Measure, track, and improve merchant compliance with alcohol laws
- Provide research-based merchant education
- Build community support for enforcement of underage drinking laws through media advocacy and community coalition maintenance and development
- Develop local law enforcement support for underage drinking prevention and enforcement efforts

Each year, the AET holds an “Out of Their Hands” (OOTH) Spring Blitz that includes strict enforcement of underage drinking laws coupled with strong media messages throughout the month of April. AET and their enforcement and education partners engage community residents, businesses, and others to deny alcohol access to youth who are less than 21 years of age. The simple message of the OOTH campaign is that the AET works with the community to keep alcohol “out of their hands”.

AET also conducts compliance checks that include the following components:

- publicity to alcohol and tobacco sales staff that enforcement operations will be increasing
- saturation patrols
- awareness-raising with the community to increase its acceptance of compliance operations
- law enforcement operations involving the use of underage buyers attempting to purchase alcohol or tobacco with charges being brought against the clerk and establishment license holder if a sale is made
- regularly offered merchant education to help merchants improve their underage sales, policies, and practices

In FY2018, ADACs reported 6,287 alcohol compliance checks with only 6.9% of attempts generating sales. This is a decrease over the FY 2015 rate of 11.7% and a dramatic decrease from 14.4% in 2012. AET also conducted 129 underage drinking party dispersals during which 175 underage drinking violation tickets were written.

Recommendations

- Enact comprehensive dram shop liability laws
- Enact statewide social host liability laws for serving individuals who are visibly impaired, which results in property damage, injury or death to innocent third parties
- Enforce the restriction on sales of alcoholic beverages that resemble non-alcoholic beverages
- **Enact legislation to require responsible beverage server training as a condition of liquor licensure**

B. Community-Based Programs

B-1. Schools

Advisory

School-based prevention programs, beginning in elementary school and continuing through college and trade school, can play a critical role in preventing underage drinking and impaired driving. These programs should be developmentally appropriate, culturally relevant and coordinated with drug prevention and health promotion programs.

States should:

- *Implement K-12 traffic safety education, with appropriate emphasis on underage drinking and impaired driving, as part of state learning standards and comprehensive health education programs;*
- *Promote alcohol-and drug-free events throughout the year, with particular emphasis on high-risk times, such as homecoming, spring break, prom and graduation;*
- *Establish and enforce clear student alcohol and substance use policies including procedures for intervention with students identified as using alcohol or other substances, sanctions for students using at school, and additional sanctions for*

alcohol and substance use by students involved in athletics and other extra-curricular activities;

- *Provide training for alcohol and drug impaired driving, and Screening and Brief Intervention (SBI) to school personnel such as resource officers, health care providers, counselors, health educators and coaches to enable them to provide information to students about traffic safety and responsible decisions, and identify students who may have used alcohol or other drugs;*
- *Encourage colleges, universities and trade schools to establish and enforce policies to reduce alcohol, other drug, and traffic safety problems on campus, and to work with local businesses and law enforcement agencies to reduce such problems in neighboring communities;*
- *Provide training for alcohol and drug impaired driving, and Screening and Brief Intervention (SBI), to college personnel such as student affairs, student housing, health care providers, counselors, health educators and coaches to enable them to provide information to students about traffic safety and responsible decisions, and identify students who may have used alcohol or other drugs; and*
- *Establish and support student organizations that promote traffic safety and responsible decisions; encourage statewide coordination among these groups.*

Status

South Carolina does not mandate impaired driving, substance abuse, or other related curricula in schools but, like most states, has clearly defined, mandated education standards. The State Board of Education approved the *South Carolina Academic Standards for Health and Safety Education* on August 8, 2017. There are standards related to alcohol at virtually every grade level beginning in Kindergarten:

- D-K.1.3 Identify ways that alcohol, tobacco, and other drugs (ATOD) and medicines can be helpful or harmful.
- D-K.4.1 Demonstrate ways to say “no” to alcohol and tobacco.

Grade 6:

- D-6.1.1 Identify reasons why individuals use and abuse alcohol, tobacco, and other drugs (ATOD).
- D-6.1.2 Describe short and long-term effects and consequences of ATOD use, including secondhand smoke.

High School:

- D-HS.1.1 Discuss the benefits of avoiding alcohol, tobacco, and other drugs (ATOD).

- D-HS.1.2 Examine the impact of ATOD use and abuse on the individual, his or her family, and society as a whole.
- D-HS.1.3 Describe the cycle of ATOD addiction as it relates to individuals and families.
- D-HS.1.4 Examine the effects of ATOD on fetal development

However, the standards make no mention of impaired driving or highway safety.

South Carolina benefits from comprehensive and coordinated alcohol and other drug abuse prevention including evidence-based school (and community) based programs and strategies. This presents the opportunity to solidify that impaired driving is a public health concern.

The Department of Alcohol and Other Drug Abuse Services (DAODAS) *Prevention Outcomes Annual Report for Fiscal Year 2018*, prepared by Pacific Institute for Research and Evaluation, describes the numerous evidence-based prevention strategies that have been implemented in schools throughout South Carolina. The report also documents changes in alcohol use, as well as risk factors that predict not only alcohol use, but high-risk behavior including impaired driving. The impact evaluation documented that young people who participate in prevention activities showed significant decreases in risk factors including: lack of perceived risk of harm from drugs; poor decision making; perceived disapproval of use; and peer norms. The evaluation also found significant decreases in use of alcohol, cigarettes, marijuana, non-medical use of prescription drugs, and over-the-counter drugs.

In 2007, DAODAS adopted the national Parents Who Host, Lose the Most public awareness campaign to provide parents with accurate information about the health risks of underage drinking and the legal consequences of providing alcohol to youth. The campaign encourages parents and the community to send a unified message that teen alcohol consumption is not acceptable. It is illegal, unsafe, and unhealthy for anyone under age 21 to drink alcohol. Though funding for the Parents Who Host, Lose the Most program has expired, the program continues in many communities in South Carolina.

Some schools utilize Class Action, the high-school component of Project Northland, Hazelden's evidence-based alcohol prevention program. Class Action teaches students about the real social and legal consequences involving teens and alcohol. Teens are divided into six to eight Class Action legal teams to prepare and present hypothetical civil cases in which someone has been harmed as a result of underage drinking. Each team is given a casebook that contains the facts of their case, affidavits and depositions, and all legal and other information needed to argue their cases including cases that evolve from an impaired driving incident.

Mothers Against Drunk Driving (MADD) offers their evidence-based program Power of Parents®. The MADD Power of Parents® program includes a high school handbook giving parents tools to start the conversation about teen drinking, set family rules, and enforce consequences. Parent participation remains problematic. The companion

program, Power of Youth® has been provided to over 5,000 students in schools throughout South Carolina.

The South Carolina Department of Public Safety (SCDPS) has Community Resource Officers in each of the seven Troop locations around the State. These officers provide presentations and demonstrations using devices to simulate the dangers of impaired driving. SCDPS officers also conduct the Prom Promise program with activities such as mock crashes at schools during prom season.

The availability of funds for prevention of opioid abuse has increased the interest in providing Drug Impairment Training for Educational Professionals (DITEP) training for school personnel in South Carolina. DITEP can assist school counsellors, teachers, and other school staff in recognizing students who are impaired by substances.

Several colleges and universities in South Carolina have alcohol and substance abuse prevention efforts that address impaired driving. Programs use a variety of strategies including providing information, interactive demonstrations, and environmental changes. Some colleges have developed collaboration with law enforcement in surrounding communities. College programs generally subscribe to a harm reduction model, that is, concentrate on preventing the negative consequences of drinking rather than directly preventing alcohol consumption. Programs such as those that promote designated drivers or provide safe rides for alcohol impaired students are intended to prevent impaired driving. However, they can enable underage drinking by protecting young drinkers from consequences of use. This presents a challenge for colleges which have become accustomed to a culture of tolerance for alcohol use.

Several colleges in South Carolina utilize the AlcoholEdu survey and online curriculum. The survey has been used as a source of vital needs assessment data for developing prevention strategies. The University of South Carolina has developed the Carolina Community Coalition to, “nurture a safe environment on our campus, our members promote healthy behaviors among faculty, staff, students, and community organizations.” Recently members of the Coalition identified several drinking establishments that consistently served underage students. Demonstrations were held to increase awareness of these persistent violators resulting in several establishments losing their alcohol service license.

There is currently no active consortium of colleges to share best practices and strategies for prevention of underage drinking and impaired driving. With funding from DAODAS, a campus alcohol summit was held recently at which numerous colleges were represented. It is anticipated that the summit can lead to establishment of an active college prevention consortium.

DAODAS requires all sponsored or funded prevention programs to participate in evaluation including reporting details of all prevention activities to the IMPACT reporting tool. IMPACT collects data on prevention “outputs” such as counts of prevention activities and people reached. Activities might include: information

dissemination, positive alternative activities, environmental strategies, and community-based activities. Data elements include: level of strategy, (i.e., universal, selective, or indicated), service population, location, date, duration, number of attendees by age and gender, and staff hours.

There is also an Environmental Prevention Strategies Reporting System (EPS) designed for law enforcement officers to enter data about their environmental strategies operations. Data can be entered directly from the field during activities such as compliance checks or party dispersals.

DAODAS has developed the South Carolina Student Prevention Survey with versions specific to Middle School and to High School. The survey contains questions related to the learning objectives of various evidence-based prevention programs, (e.g., Life Skills Training, Class Action) and eliminates the need to use instructional time to administer multiple surveys that are provided with many programs. Questions address perceived harm, parental and peer disapproval of use, and recent (past 30 days) use of various substances. No items mention driving after drinking or using other substances.

Recommendations

- Add questions to the South Carolina Student Prevention Surveys addressing perception of harm from driving after drinking and self-reported driving after drinking
- Provide schools with information about impaired driving in South Carolina for use in Health and Safety curricula
- Provide Drug Impairment Training for Educational Professionals for school personnel in South Carolina
- Establish a South Carolina college substance abuse and impaired driving consortium

B-2. Employers

Advisory

States should provide information and technical assistance to employers and encourage them to offer programs to reduce underage drinking and impaired driving by employees and their families. These programs can be provided through Employee Assistance Programs (EAP) or Drug Free Workplace programs.

These programs should include:

- *Model policies to address underage drinking, impaired driving and other traffic safety issues, including seat belt use and speeding;*
- *Employee awareness and education programs;*
- *Management training to recognize alcohol and drug use and abuse, and appropriate responses;*
- *Screening and Brief Intervention, assessment and treatment programs for employees identified with alcohol or substance use problems (These services can be provided by internal or outside sources such as through an EAP with participation required by company policy.);*
- *Underage drinking and impaired driving prevention strategies for young employees and programs that address use of prescription or over-the-counter drugs that cause impairment.*

Status

There is currently no statewide traffic safety program for employers. However, several strategies exist that provide related services and could serve as vehicles for delivering timely and effective impaired driving prevention and other traffic safety information to employees of large and small companies in South Carolina.

The South Carolina Department of Public Safety, State Transport Police provides the Distracted Reckless Impaired Visibility Enforcement (DRIVE) program at workplaces in which they make safety presentations and provide commercial drivers with experience on an impaired driving simulator.

Many employers utilize the services of Employee Assistance Programs (EAP) from private providers. EAPs generally provide screening and intervention services but potentially could provide impaired driving information.

Recommendations

- Provide the South Carolina Department of Public Safety, State Transport Police, Distracted Reckless Impaired Visibility Enforcement program to employers throughout the State

B-3. Community Coalitions and Traffic Safety Programs

Advisory

Community coalitions and traffic safety programs provide the opportunity to conduct prevention programs collaboratively with other interested parties at the local level.

Coalitions should include representatives of: government; highway safety; enforcement; criminal justice; liquor law enforcement; public health; education; driver licensing and education; employers and unions; the military; medical, health care and treatment communities; multi-cultural, faith-based, advocacy and other community groups.

States should:

- *Encourage communities to establish community coalitions or traffic safety programs, comprised of a wide variety of community members and leaders;*
- *Ensure that representatives of local traffic safety programs participate in existing alcohol, substance abuse, injury control and other related coalitions, (e.g., Drug Free Communities, SPF-SIG), to assure that impaired driving is a priority issue;*
- *Provide information and technical assistance to these groups, including data concerning the problem in the community and information identifying evidence-based underage drinking and impaired driving programs;*
- *Encourage these groups to provide support for local law enforcement and prevention efforts aimed at reducing underage drinking and impaired driving; and*
- *Encourage professionals, such as prosecutors, judges, nurses, doctors, emergency medical personnel, law enforcement officers and treatment professionals, to serve as community spokespeople to educate the public about the consequences of underage drinking and impaired driving.*

Status

South Carolina does not have specific community traffic safety coalitions as described in the advisory above, however, there are numerous examples of collaboration between law enforcement and state and local substance abuse prevention coalitions, agencies, and organizations. Many substance abuse programs, college prevention programs, and underage drinking programs collaborate with law enforcement to address impaired driving. Some of these efforts are described in section II-A of this report.

South Carolina benefits from comprehensive and coordinated alcohol and other drug abuse prevention including evidence-based and community-based programs and strategies. There are 32 local Alcohol and Drug Abuse Commissions that are certified by the South Carolina Department of Alcohol and Other Drug Abuse Services (DAODAS). The local Commissions serve as coordinating bodies, provide prevention services, and are certified treatment providers.

Local commissions also provide the Palmetto Retailer Education Program (PREP), a certified responsible alcohol service training program. Server training is available in South Carolina, but it is voluntary. The PREP course is intended to reduce underage

access to alcohol and to reduce over-service of alcohol. PREP is approved by the Department of Revenue and DAODAS.

There are 10 Drug Free Communities (DFC) coalitions and three Partnership for Success (PFS) coalitions funded directly by the Substance Abuse Mental Health Services Administration (SAMHSA). DFC and PFS coalitions are required to have active participation from law enforcement and other members of the impaired driving prevention community.

The Office of Highway Safety and Justice Programs (OHSJP) has established the Law Enforcement Network to assist with enforcement and community outreach.

The South Carolina Department of Public Safety (SCDPS) has established a Community Advisory Council in each of the seven Troop locations around the State. These councils meet quarterly with troop commanders to share concerns and discuss law enforcement activities. The councils consist of a variety of community members. One spinoff of the councils is the participation of barbers and hairdressers who have agreed to talk to their customers about impaired driving and underage drinking, especially at high risk time such as prom season. These Community Advisory Councils would benefit from active representation and participation of local substance abuse coalitions and local Alcohol and Drug Abuse Commissions.

In June 2015, DAODAS received a five-year “Partnership for Success” grant from the SAMHSA. The grant is funding Empowering Communities for Healthy Outcomes (ECHO) in five counties with high rates of opioid use and overdose and in five counties with high rates of impaired driving crashes. ECHO specifically addresses prescription drug abuse/misuse and impaired driving among ages 12 to 25. The resulting increase in capacity, however, will benefit communities’ ability to address a wide range of local concerns.

Local programs have access to Capacity Coaches who provide technical assistance in strategic planning, measuring risk and protective factors, and evaluation of prevention strategies.

The Greenville County Enforcing Underage Drinking Laws (EUDL) Coalition was established to reduce youth access to alcohol in Greenville County. This Coalition includes representatives from Greenville County Law Enforcement, South Carolina Highway Patrol, Greenville County Schools, Mothers Against Drunk Driving (MADD), Greenville County Health and Human Service Agencies, and Community Volunteers.

The EUDL Coalition has been successful in the creation of a Multi-Jurisdictional Alcohol Enforcement Unit that enforces drinking laws through compliance checks, party patrols, and traffic sobriety checkpoints. The EUDL Coalition works to enhance Greenville County systems that support and maintain consistent underage drinking laws and their enforcement.

Prisma Health provides a program called Realistic Education About Dying Young (READY). High risk students are referred from several local agencies and are given tours of the hospital emergency department/trauma unit where they observe seriously injured patients undergoing treatment. While students give immediate feedback about the impact of the program, use of negative stimulation or shock has been shown to be of limited long-term value for behavior change and can even result in negative effects due to psychological reactance. The project has not yet been evaluated.

Mothers Against Drunk Driving (MADD), in addition to its school-based programs, have provided community-based prevention activities including: Tie One On/Red Ribbon Week, designated driver promotions, and mocktail competitions to reward the best non-alcoholic drink.

Recommendations

- Support and expand the resources of Alcohol and Drug Commissions, Alcohol Enforcement Teams, and Law Enforcement Networks
- Ensure that members of the traffic safety and impaired driving communities are actively involved in all local substance abuse coalitions such as Drug Free Community and Partnership for Success coalitions
- Ensure that Department of Public Safety Local Community Advisory Councils include representation and participation of local substance abuse coalitions and local Alcohol and Drug Abuse Commissions
- Conduct evaluations of any implemented prevention strategies, that have not already been shown to be evidence-based

B-4. Transportation Alternatives

Advisory

Alternative transportation describes methods by which people can get to and from places where they drink without having to drive. Alternative transportation includes normal public transportation provided by subways, buses, taxis, and other means. Designated driver programs are one example of these alternatives.

States should:

- *Actively promote the use of designated driver and safe ride programs, especially during high-risk times, such as holidays or special events;*

- *Encourage the formation of public and private partnerships to financially support these programs;*
- *Establish policies and procedures that ensure designated driver and alternative transportation programs do not enable over consumption by passengers or any consumption by drivers or anyone under 21 years old; and*
- *Evaluate alternative transportation programs to determine effectiveness.*

Status

Many state and local impaired driving prevention organizations promote designated driver or safe ride programs. Some local programs and law enforcement agencies promote safe-ride programs, and some college prevention programs promote or provide safe ride programs in cooperation with local drinking establishments.

Since some safe ride and designated driver programs can encourage over consumption or enable underage drinking, it is critical to ensure that all designated driver programs stress ‘no-use’ of alcohol messages for the designated driver; do not encourage or enable excessive drinking; and prohibit consumption of alcohol by underage individuals or unintentionally promote over consumption.

Recommendations

- None

III. Criminal Justice System

Each State should use the various components of its criminal justice system – laws, enforcement, prosecution, adjudication, criminal penalties, administrative sanctions, and communications, to achieve both specific and general deterrence.

Specific deterrence focuses on individual offenders and seeks to ensure that impaired drivers will be detected, arrested, prosecuted and subject to swift, sure and appropriate criminal penalties and administrative sanctions. Using these measures, the criminal justice system seeks to reduce recidivism. General deterrence seeks to increase the perception that impaired drivers will face severe and certain consequences, discouraging individuals from driving impaired.

A data-driven, evidence-based, integrated, multidisciplinary approach and close coordination among all components of the criminal justice system are needed to make the system work effectively. In addition, coordination is needed among law enforcement agencies, on the State, county, municipal and tribal levels to create and sustain both specific and general deterrence.

A. Laws

Advisory

Each State should enact impaired driving laws that are sound, rigorous and easy to enforce and administer. The laws should clearly: define the offenses; contain provisions that facilitate effective enforcement; and establish effective consequences. Monitoring requirements should be established by law to assure compliance with sanctions by offenders and responsiveness of the judicial system. Noncompliant offenders should be adjudicated swiftly.

The offenses should include:

- *Driving while impaired by alcohol or other drugs (whether illegal, prescription, or over-the-counter), and treating both offenses with similar consequences;*
- *A Blood Alcohol Concentration (BAC) limit of 0.08, making it illegal per se to operate a vehicle at or above this level without having to prove impairment;*
- *Zero Tolerance for underage drivers, making it illegal per se for persons under age 21 to drive with any measurable amount of alcohol;*
- *High BAC (e.g., 0.15 or greater), with enhanced penalties above the standard impaired driving offense;*
- *Repeat offender, with increasing penalties for each subsequent offense;*

- *BAC test refusal, with administrative sanctions at least as strict as the state's highest BAC offense;*
- *Driving with a license suspended or revoked for impaired driving (DWS), vehicular homicide or causing personal injury while driving impaired as separate offenses, with additional penalties;*
- *Open container, which prohibits possession or consumption of any open alcoholic beverage in the passenger area of a motor vehicle located on a public highway or right-of-way; and*
- *Primary seat belt provisions that do not require that officers observe or cite a driver for a separate offense other than a seat belt violation.*

Facilitate effective enforcement by enacting laws that:

- *Authorize law enforcement to conduct sobriety checkpoints, in which vehicles are stopped on a nondiscriminatory basis to determine whether operators are driving while impaired by alcohol or other drugs;*
- *Authorize law enforcement to use passive alcohol sensors to improve the detection of alcohol in drivers;*
- *Authorize law enforcement to obtain more than one chemical test from an operator suspected of impaired driving, including preliminary breath tests, evidentiary breath tests and screening and confirmatory tests for alcohol or other impairing drugs;*
- *Authorize law enforcement to collect blood sample by search warrant in any chemical test refusal situation, consistent with other provisions of criminal jurisprudence which allows body fluids to be collected as evidence of a crime; and*
- *Require mandatory BAC testing of drivers involved in fatal and serious injury producing crashes.*

Effective criminal penalties and administrative sanctions should include:

- *Administrative license suspension or revocation (ALR), for failing or refusing to submit to a BAC or other drug test;*
- *Prompt and certain administrative license suspension of at least 90 days for first offenders determined by chemical test(s) to have a BAC at or above the State's per se level or of at least 15 days followed immediately by a restricted, provisional or conditional license for at least 75 days, if such license restricts the offender to operating only vehicles equipped with an ignition interlock;*

- *Enhanced penalties for test refusals, high BAC, repeat offenders, driving with a suspended or revoked license, driving impaired with a minor in the vehicle, vehicular homicide or causing personal injury while driving impaired, including: longer license suspension or revocation; installation of ignition interlock devices; license plate confiscation; vehicle impoundment, immobilization or forfeiture; intensive supervision and electronic monitoring; and imprisonment;*⁴
- *Separate and distinct criminal penalties for alcohol- and drug-impaired driving to be applied individually or in combination to a single case;*
- *Assessment for alcohol or other drug abuse problems for all impaired driving offenders and, as appropriate, treatment, abstention from use of alcohol and other drugs, and frequent monitoring.*

Effective monitoring should include:

- *supervision of out-of-state offenders;*
- *proven technology (e.g., ignition interlock device, electronic confinement and monitoring) and its capability to produce reports on compliance;*
- *impaired driver tracking systems; and*
- *periodic reports on offender compliance with administrative or judicially imposed sanctions;*
- *Driver license suspension for persons under age 21 for any violation of law involving the use or possession of alcohol or illicit drugs; and*
- *Statutory and rule support for DWI Courts as a sentencing alternative for persistent DWI offenders.*

Status

South Carolina has a complex web of laws dealing with impaired driving. In contrast, the National Highway Traffic Safety Administration (NHTSA) Legislative section of this Advisory encourages states to enact impaired driving laws that are sound, rigorous, and easy to enforce and administer. The South Carolina statutory Driving Under the Influence (DUI) scheme is neither easy to enforce nor to administer. Thus, the statutes diminish the effectiveness of the justice system. South Carolinians bear unnecessary costs of the inefficiencies created by the impaired driving statutes; notable costs are

⁴ Limited exceptions are permitted under Federal statute and regulation, 23 U.S.C. 154 and 23 CFR Part 1270.

incurred from impaired driving crashes as costs in the legal system as well as public health costs.

At first impression, South Carolina appears to follow the NHTSA recommendations because it has statutes that treat driving under the influence of alcohol or other drugs (whether illegal, prescription, or over-the counter) with similar consequences. The statutory Blood Alcohol Concentration (BAC) limit is 0.08, making it illegal per se to operate a vehicle at or above this level without having to prove impairment. Additionally, the related South Carolina statutory provisions:

Impose Zero Tolerance for underage drivers, making it illegal per se for persons under age 21 to drive with any measurable amount of alcohol,

Provide enhanced penalties for high BAC, (i.e., 0.15 or greater), above the standard impaired driving offense,

Increase penalties for repeat offenders, with each subsequent offense,

Treat driving with a license suspended or revoked for impaired driving (DWS), vehicular homicide or causing personal injury while driving impaired as separate offenses, with additional penalties,

Prohibit possession or consumption of any open alcoholic beverage in the passenger area of a motor vehicle located on a public highway or right-of-way

In considering what statutory provisions are desirable to deter driving under the influence, NHTSA also recommends that effective criminal penalties and administrative sanctions be enacted. South Carolina statutes provide:

Administrative license suspension or revocation (ALR), for failing or refusing to submit to a BAC or other drug test

Prompt and certain administrative license suspension, of at least 90 days for first offenders determined by chemical test(s) to have a BAC at or above the State's per se level or of at least 15 days followed immediately by a restricted, provisional, or conditional license for at least 75 days, if such license restricts the offender to operating only vehicles equipped with an ignition interlock

Assessment for alcohol or other drug abuse problems for all convicted impaired driving offenders and, as appropriate, treatment, abstinence from use of alcohol and other drugs, and frequent monitoring. Effective monitoring should include:

Proven technology (e.g., ignition interlock device, electronic confinement and monitoring) and its capability to produce reports on compliance

Periodic reports on offender compliance with administrative or judicially imposed sanctions

Driver license suspension for persons under age 21 for any violation of driving law involving the use or possession of alcohol or illicit drugs.

The statutes allow for DUI Courts as a sentencing alternative for persistent DUI offenders but there are only two in the State.

However, there are some important deficiencies in South Carolina laws. The penalties for a BAC test refusal are not as strict as the state's highest BAC offense. For instance, if a person submits to a chemical test and has a BAC of 0.15 the person is financially responsible for a \$50.00 service fee; however, if the person refuses the chemical test – no fee is applicable. There, additionally, is no requirement of mandatory BAC testing of all drivers involved in serious injury producing crashes.

Although many of the South Carolina laws clearly define the offenses and authorize and provide effective countermeasures to DUI, certain provisions prevent effective enforcement. The single most problematic statute preventing efficient prosecution of driving under the influence is the video recording statute, Code of Laws of South Carolina, Section 56-5-2953. It squanders scarce law enforcement resources by requiring the video camera recording of all stages of the stop and the advising of Miranda rights. The time spent viewing the videos by prosecutors and judges is paid for by the taxpayer.

The problem is not just the dollar cost of the additional equipment for which the taxpayers are paying. The problem is that the statutorily required roadside video makes the roadways of South Carolina more dangerous and still fails to protect motorists from the impaired driver.

The consequences of this statute are twofold:

- The statute mandates unsafe roadside practices thereby endangering the safety of the public, the defendant, and the officer making the stop.
- The language does not provide a strong guarantee of defendant's rights; it endangers the defendant's safety as well as infringes upon the defendant rights.

The statute is byzantine in its structure and its arcane language is ineffective. It undermines the justice system by setting up a statute that results in a high rate of dismissals.

A simple and effective statute could be drafted that would ensure the protection of the defendant's rights after the defendant's arrest without the expense and complication of management of the current videotaping practices and records.

One South Carolina statute, Section 56-5-2933 Driving with an Unlawful Alcohol Concentration (DUAC) is notable as a unique effort to create a statutory plea bargain.

(A) It is unlawful for a person to drive a motor vehicle within this State while his alcohol concentration is eight one-hundredths of one percent or more. A person who violates the provisions of this section is guilty of the offense of driving with an unlawful alcohol concentration and, upon conviction, entry of a plea of guilty or of nolo contendere, or forfeiture of bail must be punished.

There are two pending bills in the South Carolina General Assembly. S.18 will allow the issuance of a license or permit to persons under the age of twenty-one who drive motor vehicles and have a certain amount of alcohol concentration, to enroll in the ignition interlock device program and other clarifications of the interlock statute. S.342, Responsible Alcohol Server Training Act, will mandate approved alcohol server training. The bill will provide for the establishment, implementation, and enforcement of a mandatory alcohol server training and education program, to require servers of alcoholic beverages for on-premises consumption in licensed or permitted businesses to obtain alcohol server certificates, to provide guidance for the curricula of the training programs, to provide for the department of revenue to be responsible for approval of the training programs and implementation of the alcohol server certificates, to require fees from providers of training programs and from applicants for alcohol server certificates to cover the costs of the mandatory training and enforcement, to require coordination among the department of revenue, the state law enforcement division, and other state and local agencies for the implementation and enforcement of these provisions, and to provide for fines and penalties for violations of these provision.

The South Carolina statutes currently lack adequate requirements for the following:

- Reforming the dash cam law to protect the defendant and officer safety
- De-incentivizing refusals
- Increasing the penalty for child endangerment through DUI to a felony
- Mandating the testing for and reporting of alcohol, marijuana and other drugs of all drivers in fatal crashes
- Mandating a clear pathway for the providers to inform the courts about the defendants' failure to enroll in Alcohol and Drug Safety Action Program (ADSAP) and failure to complete ADSAP information

Despite considerable length and complexity, the South Carolina impaired driving statutes fail to support the justice system's efforts to achieve a meaningful reduction in impaired driving injuries and deaths. Bridging the gap between the statutes as written and a set of statutes that provide simple, effective and fair law enforcement, prosecution, and adjudication for impaired driving seems impossible. The path does not have to be short and straight to improve statutes. A strategic action step would be to increase public understanding and therefore support for the enactment of simple, effective and fair impaired driving statutes.

Recommendations

- Deploy a public information campaign about the public health and justice system costs of poorly drafted laws that are not efficient or effective in addressing and deterring impaired driving
- Initiate a statutory review which recommends simple and effective language that leads to a reduction of impaired driving incidents
- Implement legislation that supports a reduction in impaired driving

B. Enforcement

Advisory

States should conduct frequent, highly visible, well publicized and fully coordinated impaired driving (including zero tolerance) law enforcement efforts throughout the State, utilizing data to focus on locations where alcohol related fatalities most often occur. To maximize visibility, the State should conduct frequent sobriety checkpoints, periodic saturation patrols and sustained efforts throughout the year. Both periodic and sustained efforts should be supported by a combination of paid and earned media. To maximize resources, the State should coordinate highly visible, multi-jurisdictional efforts among State, county, municipal and tribal law enforcement agencies to include liquor control enforcement officers. To increase the probability of detection, arrest and prosecution, participating officers should receive training in the latest law enforcement techniques.

States should:

- *Ensure that executive levels of law enforcement and State and local government make impaired driving enforcement a priority and provide adequate resources;*
- *Develop and implement a year round impaired driving law enforcement plan supported by a strategic communication plan which includes:*
 - *periods of heightened enforcement, e.g., three consecutive weekends over a period of 16 days, and frequent sustained coverage throughout the year; and*
 - *high levels of participation and coordination among State, liquor enforcement, county, municipal and tribal law enforcement agencies, such as through law enforcement task forces.*
- *Deploy enforcement resources based on problem identification, particularly at locations where alcohol-related fatal or other serious crashes most often occur;*
- *Conduct highly visible enforcement that maximizes contact between officers and drivers, including frequent, ongoing sobriety checkpoints and saturation patrols, and widely publicize these efforts - before, during and after they occur;*
- *Use technology (e.g., video equipment, portable evidentiary breath tests, passive alcohol sensors and mobile data terminals) to enhance law enforcement efforts;*
- *Require that law enforcement officers involved in traffic enforcement receive standardized state-of-the-art training in the latest law enforcement techniques such as Standardized Field Sobriety Testing (SFST), Advanced Roadside Impaired Driving Enforcement, (ARIDE) emerging technologies for the detection of alcohol and other drugs; selected officers should receive training in media relations and Drug Evaluation and Classification (DEC);*

- *Ensure that officers involved in traffic enforcement receive ongoing refresher training in SFST;*
- *Evaluate the effectiveness of advanced training in the identification and apprehension of drug impaired drivers;*
- *Provide training to enhance law enforcement officers understanding of ignition interlock devices;*
- *Expedite the arrest process, e.g., by reducing paperwork and processing time from the time of arrest to booking and/or release;*
- *Evaluate program effectiveness and efficiency through the use of both output and outcome based performance measures including:*
 - *the level of effort, e.g., number of participating agencies, checkpoints conducted, arrests made;*
 - *public awareness;*
 - *reported changes in behavior, e.g., reported number of drinking driving trips; and*
 - *consequences including alcohol-related fatalities, injuries and crashes.*
- *Use law enforcement professionals to serve as law enforcement liaisons within the State. Their activities would include:*
 - *Serving as a communication bridge between the highway safety office and law enforcement agencies;*
 - *Enhancing law enforcement agencies coordination in support of traffic safety activities;*
 - *Encouraging participation in high visibility enforcement of impaired driving, occupant protection and other traffic safety enforcement mobilizations; and*
 - *Improving collaboration with local chapters of police groups and associations that represent state, county, municipal, and tribal law enforcement.*

Status

The Highway Patrol and State Transport Police are enforcement divisions within the South Carolina Department of Public Safety (SCDPS). SCDPS is the State's largest law

enforcement agency with more than 1,300 employees. The SCDPS is comprised of four law enforcement divisions and nine administrative divisions:

- **Highway Patrol**
- **State Transport Police**
- Bureau of Protective Services
- Immigration Enforcement Unit
- Office of Professional Responsibility
- General Counsel
- Financial Services Office
- Human Resources Office
- Information Technology Office
- Legislative Affairs Office
- Highway Safety and Justice Programs
- Communications Office
- Strategic Services, Accreditation, Policy and Inspections

The Highway Patrol and State Transport Police are responsible for promoting a safe and secure environment for the public. Their mission is to reduce the number and severity of traffic crashes through enforcement of traffic laws and promoting traffic safety.

Table 1 FARS – South Carolina

Table 1	South Carolina Fatalities				
	2014	2015	2016	2017	2018
Traffic Fatalities	823	979	1,020	989	1,037
Rural	570	555	613	688	681
Urban	253	424	407	301	356
Fatals Per 100 MVMD	1.65	1.89	1.87	1.78	UNK
Alcohol-Impaired Fatal	331	306	343	305	291

In addition to traffic fatalities and motor vehicle miles driven (MVMD), there were nearly 258,000 people injured in motor vehicle crashes between 2011-2015 and eight percent (20,000) were impaired driving related. On average, this equates to approximately 50,000 injured as a result of motor vehicle crashes annually.

According to the *2019 Impaired Driving Assessment Briefing Book (IDABB)*, the State prioritized funding for impaired driving countermeasures, occupant protection, police traffic services/speed enforcement, and traffic records. The State recognizes impaired driving arrests/citations are trending downward.

Table 2 IDABB

Table 2 South Carolina DUI Arrests/Citations	
Year	Arrests/Citations
2013	23,977
2014	23,064
2015	21,512
2016	20,148
2017	18,684

Table 2 indicates a 22% decline in DUI arrests, over the past five years, which are related to several factors; recruiting and retention of law enforcement; training and equipment; funding; stakeholder communication and information sharing; current Driving Under the Influence (DUI) law and related legislation; and, in some instances, leadership support. Similarly, the culture of “drinking and driving” continues to be problematic within the State. The State has identified its top-three “mechanisms” of injury: falls, motor vehicle crashes, and gun shots. The SCDPS Highway Patrol arrests approximately half of all DUIs in the State. Their patrol focus includes combating impaired driving, speed enforcement, and safety belt compliance. The State encourages patrol activities through the acronym **D**istracted-**R**eckless-**I**mpaired-**V**isibility-**E**nforcement (DRIVE).

Recruiting and retention are common concerns across the state. Preliminary information suggests that many leave the profession within the first five years of service. There are many factors associated with leaving the industry, but some factors include pay, working conditions, public sentiment, and compounding stress.

The State has approximately 270 law enforcement agencies with several having less than 10 officers. Moreover, of the 270 law enforcement agencies, roughly 30% participate in patrol activities. There are 815 sworn personnel with 543 assigned to patrol services in the Highway Patrol. In addition to patrol services, the SCDPS has a State Transport Police Division with 87 commercial motor vehicle (CMV) inspectors. CMV inspectors are qualified to conduct all levels of truck inspections (Level 1-6) and all are trained in Standardized Field Sobriety Testing (SFST). Also, three CMV inspectors are trained in Advanced Roadside Impaired Driving Enforcement (ARIDE) and two additional CMV inspectors are certified as Drug Recognition Experts (DREs).

Currently, all new police recruits receive SFST training and Datamaster DMT (breath test instrument) training at the South Carolina Criminal Justice Academy (SCCJA). Once initial training is received, all patrol officers (troopers, deputies, officers) must “recertify” in administering SFSTs and Datamaster DMT operation. This is done through an on-line system – ACADIS. The State has approximately 4,700 SFST practitioners. The International Standards of the Standardized Field Sobriety Testing Program states the following regarding certification:

National Highway Traffic Safety Administration/International Association of Chiefs of Police (NHTSA/IACP) impaired driving curricula courses (i.e. Standardized Field Sobriety Testing, Advanced Roadside Impaired Driving Enforcement, Drug Recognition Expert) have approved curriculum, but the attendees do not receive certification from the IACP or NHTSA upon completion. Any certification is from the state or agency level.

SFST Instructor Training is offered every other year and the State currently has 558 SFST instructors and instructors are required to recertify every two years in order to maintain certification. The SCDPS, furthermore, has mandated all patrol troopers from the rank of Trooper - Lieutenant to complete ARIDE with an anticipated completion date of 2022. The State has trained 1,280 officers in ARIDE and offers this course 12 times a year. Since 2002, the State has incorporated the Drug Evaluation and Classification Program (DECP) better known as the DRE program, but the number of DREs and evaluations have remained stagnant.

- 2013 – 503 total evaluations (319 enforcement)
- 2014 – 423 total evaluations (266 enforcement)
- 2015 – 435 total evaluations (265 enforcement)
- 2016 – 412 total evaluations (291 enforcement)
- 2017 – 371 total evaluations (236 enforcement)

By reviewing the above data, the State DREs are performing approximately two evaluations, per DRE, annually. This is an indication of DREs not responding to DUI drug investigations or not being contacted for response.

From 2015-2017, the majority of DRE opinions regarding driver impairment have been Cannabis. According to the National Sobriety Testing Resource Center & DRE Tracking System [NSTRC & DRETS] (Jan 1, 2016 to Jan 1, 2019), the State reported a total of 1,578 total DRE opinions with 1,132 or 71.74% of those drug opinions with completed toxicology. Comparatively, the toxicology confirmation rate is at 59.51%. To clarify, the total DRE opinions confirmed with toxicology matched the DRE opinions in 939 cases, which is lower in comparison with other state programs. The NSTRC & DRETS confirms the State DREs are evaluating impaired drivers, at higher frequency, under the influence of Cannabis, Central Nervous System (CNS) Depressants, CNS Stimulants, and Narcotic Analgesics, and in most instances, are corroborated by toxicology.

The State has a population of over five million people. Other states, comparatively in size, have a larger DRE program and perform more enforcement drug evaluations. Less than only one percent of all DUI arrests result in a drug evaluation. It is clear that the DRE Program needs additional support and resources.

The State's toxicology program is managed and coordinated by the South Carolina Law Enforcement Division (SLED). The toxicology laboratory of SLED provides statewide services. In rural areas of the State, some coroners are using private laboratories in lieu of SLED services, which may cause under-reporting issues for toxicology results. The

reason is unclear, but SLED provides laboratory analysis for 75% of the coroners. Table 3, below, illustrates the Top-10 Drugs found in toxicology:

Table 3 SCDPS

Table 3		Toxicology Top 10 Drugs	
2017	2018	2019	
1. THC	1. THC	1. THC	
2. Alprazolam	2. Alprazolam	2. Alprazolam	
3. Methamphetamine/Amphetamine	3. Methamphetamine/amphetamine	3. Methamphetamine/Amphetamine	
4. Cocaine	4. Cocaine	4. Cocaine	
5. Clonazepam	5. Morphine	5. Morphine	
6. Oxycodone	6. Clonazepam	6. Clonazepam	
7. Diazepam/metabolites	7. Gabapentin	7. Gabapentin	
8. Hydrocodone	8. Oxycodone	8. Oxycodone	
9. Morphine	9. Diazepam/metabolites	9. Diazepam/metabolites	
10. Gabapentin	10. Fentanyl	10. Fentanyl	

Drug Impairment Training for Educational Professionals (DITEP) is a standalone course primarily for teachers, staff members, and other stakeholders in the education/business environment. DITEP provides an overview of the signs and symptoms associated with drug impairment and has historically been instructed by a DRE. This curriculum may be modified to suit the needs of a particular group.

The State lacks a Judicial Outreach Liaison (JOL) as a resource for criminal justice professionals regarding the facilitation of networking and training.

The State has one Traffic Safety Resource Prosecutor (TSRP). TSRPs are vitally important in combating impaired driving and supporting DECP efforts. Beyond communicating with solicitors and prosecutors, TSRPs provide technical assistance involving impaired driving cases by providing up-to-date case law, the interpretation of new impaired driving laws, and on-going training to the criminal justice system as a whole. TSRPs also monitor state defense experts and share this information with a variety of criminal justice partners.

The lack of video recording in any DUI case will result in case dismissal. This creates a problem for agencies lacking resources to purchase mobile recording devices (MRDs), train officers in its proper use, and storing digital evidence. This is of major concern, because the decision to prosecute is not directly related to the “weight of the evidence.”

Due to state law, a DUI investigation can extend beyond 20 hours from the traffic stop through trial. In summary courts, law enforcement serve as prosecutors for their own cases. This is problematic for a variety of reasons including, but not limited to, report writing, evidence distribution, case preparation (not to mention skill/ability), active patrol time, available time for police related training, and authorized leave. In addition to available time, this increased burden for officers does not allow time to network with internal and external stakeholders.

The State provides several programs that are complimentary to combating impaired driving efforts, but law enforcement seem unaware of these programs. Impaired driving communication, at its best, occurs in the South Carolina Law Enforcement Network (LEN). LEN extends across all 46 counties; however, of the 270 law enforcement agencies, participation has decreased significantly to less than 50%. This level of participation results in under reporting of *Target Zero* activities and/or initiatives.

Recommendations

- Evaluate current recruiting and retention strategies to encourage longevity within the law enforcement profession
- **Increase impaired driving enforcement**
- Expand Advanced Roadside Impaired Driving Enforcement training efforts for patrol officers (State, County, and Municipalities)
- **Assign a prosecutor to each of the seven Troop locations**
- Expand the Drug Recognition Expert Program and increase the number of evaluations in jurisdictions where prosecutors are assigned cases
- Encourage Drug Recognition Expert support by developing regional coordinators in high-volume impaired driving arrest jurisdictions
- Develop Drug Recognition Enforcement call-out procedures to ensure Drug Recognition Experts are being notified for response
- **Amend the current law regarding the stringent evidentiary use of video in impaired driving cases**

C. Prosecution

Advisory

States should implement a comprehensive program to visibly, aggressively and effectively prosecute and publicize impaired driving-related efforts, including use of experienced prosecutors, to help coordinate and deliver training and technical assistance to those prosecutors handling impaired driving cases throughout the State. Effective prosecution can include participation in a DWI Court program.

Prosecutors who handle impaired driving cases often have little experience, are responsible for hundreds of cases at a time, and receive insufficient training.⁵

States should:

- *Make impaired driving cases a high priority for prosecution and assign these cases to knowledgeable and experienced prosecutors;*
- *Encourage vigorous and consistent prosecution of impaired driving (including youthful offender) cases, particularly when they result in a fatality or injury, under both impaired driving and general criminal statutes;*
- *Provide sufficient resources to prosecute impaired driving cases and develop programs to retain qualified prosecutors;*
- *Employ experienced prosecutors, such as State Traffic Safety Resource Prosecutors, to help coordinate and deliver training and technical assistance to prosecutors handling impaired driving cases throughout the State;*
- *Ensure that prosecutors who handle impaired driving cases receive state-of-the-art training, such as in Standardized Field Sobriety Test (SFST), Drug Recognition Expert (DRE), and emerging technologies for the detection of alcohol and other drugs. Prosecutors should learn about sentencing strategies for offenders who abuse these substances and participate in multi-disciplinary training with law enforcement personnel;*
- *In drug-impaired driving cases, encourage close cooperation between prosecutors, state toxicologists and arresting law enforcement officers (including DRE). Their combined expertise is needed to successfully prosecute these cases;*
- *Establish and adhere to strict policies on plea negotiations and deferrals in impaired driving cases and require that plea negotiations to a lesser offense be made part of the record and count as a prior impaired driving offense; and*

⁵ Robertson, Robyn D. and Herb M. Simpson “DWI System Improvement for Dealing with Hard Core Drinking Drivers: Prosecution.” Ottawa, Traffic Injury Research Foundation, 2002.

- *Encourage prosecutors' participation in DWI Courts as a sentencing alternative for persistent DWI offenders.*

Status

The South Carolina Constitution assigns the responsibility of the chief prosecuting officer for the State to the South Carolina Attorney General (SCAG). The Attorney General shares responsibility for all criminal matters within the South Carolina judicial system with the locally elected prosecutors. The majority of cases prosecuted by the SCAG are referred by the local solicitors. The SCAG Prosecution Division handles a broad range of criminal matters, including cases involving securities fraud, insurance fraud, financial fraud, and environmental crimes. The Criminal Appeals Section represents the interests of the State of South Carolina in the Supreme Court, the South Carolina Court of Appeals, and the United States Supreme Court in all appeals from criminal convictions in South Carolina, except appeals arising from murder convictions. However, the bulk of the routine day in, day out, criminal prosecution work is managed by 16 local Circuit Solicitors.

While South Carolina provides funding for solicitors statewide, the State is woefully short of solicitors. As a result, in many summary courts, the arresting law enforcement officer must prosecute his or her own cases. Officers are trained to enforce laws and the best use of their time and skills is to be focused on those duties. Efforts are made to educate and train law enforcement to perform the prosecutorial functions, but such an expectation is inefficient. To require the officer to act as a quasi-lawyer decreases enforcement capacity. The dual role reduces the amount of time the officer can spend on the street and wastes the law enforcement resources and training invested in the officer. The officer is expected to remain current on the finer evidentiary points of case law, statutes, and rules. The officers have no clerical or research assistance, not even a paralegal. A stop gap measure, providing a paralegal to assist officers who prosecute their own cases, might be better than the current total absence of support. While law enforcement officers have the statutory authority to try their cases, such a practice is inefficient and worse, threatens public safety by taking officers off the streets.

The bulk of the criminal justice caseload is managed by the solicitor, an elected official who is responsible for prosecuting criminal cases in South Carolina. Other states refer to this position held by an elected official as the district attorney or prosecutor. There are 16 judicial circuits in South Carolina and each circuit has its own solicitor. The circuits consist of two to five counties. The Office of Solicitor is a constitutional office and each solicitor is elected by the voters within the circuit for a term of four years.

The South Carolina Commission on Prosecution Coordination is a state agency that is expected to support the professionalism and effectiveness of South Carolina's Solicitors and their staff. The Commission is charged with providing legal education and publications, providing technical assistance, coordinating with other state, local, and federal agencies involved in the criminal justice system, providing administrative

functions for the solicitors at the state level, as well as being a resource for the General Assembly on a range of issues. The Commission has recently employed a new State Traffic Safety Resource Prosecutor (TSRP) to help coordinate and deliver training and technical assistance to prosecutors handling impaired driving cases throughout the State. Some rural, remote, and small areas need extra support to adjudicate impaired driving cases.

Another step taken by the South Carolina Department of Public Safety Office of Highway Safety and Justice Programs (OHSJP) has been to fund two special Driving Under the Influence (DUI) prosecutors to attack the problem of DUI recidivism and increase the conviction rate of DUI offenders. This strategy was chosen because there have been difficulties in obtaining DUI convictions and there is a backlog of DUI cases. The grant project will also work to reduce the backlog of DUI cases made by SChP.

Soon the South Carolina Highway Patrol (SChP) will have three full-time attorneys to assist with DUI case preparation and trial. The South Carolina Highway Patrol has limited resources and can benefit from Troopers spending more time in enforcement activity as opposed to preparing cases for court.

Solicitors recognize the impact of the problems caused by the inefficient use of law enforcement resources. The challenge is how to get the information in the hands of the public in such a way that the legislature will respond with effective statutes and funding. The solicitors' membership organization is one entity that could inform the legislature and public about the consequences of the dual roles expected of the law enforcement officers.

Recommendations

- Increase the number of solicitors and their deputies that specialize in Driving Under the Influence cases
- **Pilot a program to provide paralegal assistants to law enforcement who prosecute cases without assistance in summary courts**

D. Adjudication

Advisory

States should impose effective, appropriate and research-based sanctions, followed by close supervision, and the threat of harsher consequences for non-compliance when adjudicating cases. Specifically, DWI Courts should be used to reduce recidivism among repeat and high BAC offenders. DWI Courts involve all criminal justice stakeholders (prosecutors, defense attorneys, probation officers and judges) along with alcohol and drug treatment professionals and use a cooperative approach to systematically change

participant behavior. Where offender supervision⁶ is housed within the judicial branch, the guidelines of Section V(A)(1) should be utilized by the judiciary.

The effectiveness of enforcement and prosecution efforts is strengthened by knowledgeable, impartial and effective adjudication. Each State should provide the latest state-of-the-art education to judges, covering Standardized Field Sobriety Testing (SFST), Drug Recognition Expert (DRE), alternative sanctions and emerging technologies, such as ignition interlock devices (IID).

Each State should utilize DWI Courts to help improve case management and to provide access to specialized personnel, speeding up disposition and adjudication. DWI Courts also improve access to assessment, treatment, and sentence monitoring. Each State should provide adequate staffing and training for community supervision programs with the necessary resources, including technology, such as IID, to monitor and guide offender behavior.

States should:

- *Involve the State's highest court in taking a leadership role and engaging judges in effectively adjudicating impaired driving cases and ensuring that these cases are assigned to knowledgeable and experienced judges;*
- *Encourage consistency in the adjudication of impaired driving (including youthful offender) cases, and the imposition of effective and appropriate sanctions, particularly when impaired driving resulted in a fatality or injury;*
- *Provide sufficient resources to adjudicate impaired driving cases in a timely manner and effectively manage dockets brought before judges;*
- *Ensure that judges who handle criminal or administrative impaired driving cases receive state-of-the-art education, such as in technical evidence presented in impaired driving cases, including SFST and DRE testimony, emerging technologies, such as IID, for the detection of alcohol and other drugs, and sentencing strategies for this class of offenders; and*
- *Use court strategies to reduce recidivism through effective sentencing and close monitoring, by either establishing DWI Courts, encouraging drug courts to hear impaired driving cases, or encouraging other courts to adopt DWI/Drug Court practice. These courts increase the use of drug or alcohol assessments, identify offenders with alcohol or drug use problems, apply effective and appropriate*

⁶ Robertson, Robyn D. and Herb M. Simpson "DWI System Improvement for Dealing with Hard Core Drinking Drivers: Prosecution. Ottawa, Traffic Injury Research Foundation, 2002.

sentences to these offenders, including abstinence from alcohol and other drugs and closely monitor compliance, leading to a reduction in recidivism.⁷

- *Eliminate ethical obstacles, such as ex parte or commitment communications, by adopting the current Model Code of Judicial Conduct so that judges can participate more freely in DWI Court administration;*
- *Provide adequate staffing and training for community supervision programs with the necessary resources, including technology such as IID and electronic confinement, to monitor and guide offender behavior and produce periodic reports on offender compliance; and*
- *Incorporate into judicial education and outreach administration the position of Judicial Outreach Liaison as a judicial educator and resource on highway traffic safety issues including impaired driving, and as an agent to create more DWI Courts.*

Status

In South Carolina courts, the adjudication of impaired driving is fraught with complex challenges. The State's Driving Under the Influence (DUI) statutes create a significant contribution to the complications. A second complication arises from the structure of the judiciary. The courts are very sheltered from the voting public.

The Chief and associate justices of the Supreme Court are "elected by a joint public vote of the General Assembly for a term of ten years." The Court of Appeals Chief Judge and eight associate judges are "elected" by the General Assembly to staggered terms of six years each.

At the trial court level, the Circuit Court judges are "elected" by the General Assembly to staggered terms of six years.

There are approximately 300 magistrates in South Carolina who are appointed to four-year terms by the Governor upon the advice and consent of the Senate. Masters-in-equity must be appointed by the Governor with the advice and consent of the General Assembly for a term of six years. Finally, approximately 200 municipal judges are appointed by the council of the court's municipality.

Not one judge in the State of South Carolina is elected by the voters or subjected to a retention vote in a general or primary election.

A third complication arises from the relationships within the legal profession and the appearances and perceptions shaped by those relationships. Many legislators who vote on judicial selections are practicing defense lawyers before the candidate judges. Some

⁷ Freeman-Wilson, Karen and Michael P. Wikosz, "Drug Court Publications Resource Guide, Fourth Edition." Alexandria, VA: National Drug Court Institute, 2002.

of the judicial aspirants are former legislators. At the local level where there are part time judges, the judges may also serve as deputy solicitors or defense lawyers in another court. It is important to note that appearances may not be reflective of the reality, but there are misleading perceptions. The South Carolina Supreme Court regularly publishes advisory opinions that are expected to guide the ethical standards for the sitting judges. Here is one example:

OPINION NO. 10-2018

RE: Propriety of a part-time municipal judge also serving as president of an association of criminal defense lawyers.

FACTS A part-time municipal judge has been elected the president of an association of criminal defense lawyers for another city (which is located in a different county than where the judge presides). The judge inquires as to the propriety of serving as president for this association. The facts indicate that the Chief of Police and the City Prosecutor in the city were (sic) the judge presides have no objection.

CONCLUSION A part-time municipal judge may serve as president of an association of criminal defense lawyers for another city.

See full opinion at <https://www.sccourts.org/advisoryOpinions/html/10-2018.pdf>

The Supreme Court has both appellate and original jurisdiction. While the court's jurisdictional details are not needed for this review, suffice it to note that the Supreme Court's most important action regarding DUI was to place the DUI cases on a priority docket.

The Supreme Court has the additional duties of rulemaking and administration of the lower courts. It promulgates rules governing all the courts of this state including rules governing the practice and procedure before these courts, rules governing the administration of these courts, rules governing the admission of persons to practice law, and the conduct of lawyers, judges, and court personnel. Further, the Chief Justice, as the administrative head of the Judicial Branch, is responsible for administering the courts, setting the terms of court, and assigning judges to preside at those terms.

The Supreme Court is responsible for disciplining lawyers and judges who commit ethical misconduct. The Supreme Court created The Commission on Judicial Conduct by Rule 502, South Carolina Appellate Court Rules, to investigate complaints of judicial misconduct and incapacity made against judges who are a part of the South Carolina unified court system. This 26-member Commission is made up of 14 judges, 4 attorneys, and 8 members of the general public.

The Court of Appeals sits either as three panels of three judges each or en banc, and it may hear oral arguments and motions in any county of the State.

The Circuit Court is the State's court of general jurisdiction. It is divided into the Court of Common Pleas and a criminal court, the Court of General Sessions. In addition to its general trial jurisdiction, the Circuit Court has limited appellate jurisdiction over appeals from the Probate Court, Magistrate's Court, and Municipal Court. It is unclear how the appeals are transferred from the lower court to the circuit court.

South Carolina has 16 judicial circuits. Each circuit has at least one resident circuit judge who maintains an office in the judge's home county within the circuit. There are 49 circuit judges who serve the 16 circuits on a rotating basis, with court terms and assignments determined by the Chief Justice based upon recommendations of Court Administration.

There are approximately 300 magistrates in South Carolina, each serving the county for which he or she is appointed. They are appointed to four-year terms by the Governor upon the advice and consent of the Senate. Magistrates must also pass a certification examination within one year of their appointment. Magistrates generally have criminal trial jurisdiction over all offenses subject to the penalty of a fine, as set by statute, but generally, not exceeding \$500.00 or imprisonment not exceeding 30 days, or both. In addition, they are responsible for setting bail, conducting preliminary hearings, and issuing arrest and search warrants.

The council of each municipality may establish, by ordinance, a municipal court to hear and determine all cases within its jurisdiction. Such courts are part of the unified judicial system. It should be noted, however, that a municipality may, upon prior agreement with county governing body, prosecute its cases in magistrate court, in lieu of establishing its own municipal court. In addition, the council may establish, by ordinance, a municipal court, and contract with the county governing authority for the services of a magistrate to serve as its municipal judge. The Chief Justice, pursuant to his/her powers as administrative head of the unified judicial system, would, in turn, delegate authority to the Chief Summary Court Judge of the county to assign a specific magistrate as municipal judge.

Municipal courts have jurisdiction over cases arising under ordinances of the municipality. The powers and duties of a municipal judge are the same as those of a magistrate, with regard to criminal matters; however, municipal courts have no civil jurisdiction. The term of a municipal judge is set by the council of the municipality but cannot exceed four years. Approximately 200 municipalities in South Carolina have chosen to create municipal courts.

Moving past the structure of the courts to look at functionality, the data for DUI cases are incomplete. One cannot track a DUI case from beginning to end in every court. However, the State of South Carolina is making great progress in the courts' record keeping. With the updated electronic citations, the State can track whether a citation originated as a DUI and was pled down. It was stated that seeing the number of citations that are pled down is disheartening. As of the date of this assessment, 100% of the magistrate courts and 60% of the municipal courts are using the Case Management

System (CMS). The Circuit Court CMS modernization project will transition the existing, internally developed CMS into a set of cloud and web-based applications. As of December 31, 2018, e-filing for Common Pleas (Civil) actions has been implemented in 41 of 46 South Carolina counties.

This *Advisory* provides information for state courts on how to improve the adjudication of impaired driving cases. The effectiveness of enforcement and prosecution efforts is strengthened by knowledgeable, impartial, and effective adjudication. Some of the *Advisory* recommendations are that each state should provide the latest state-of-the-art education to judges, covering Standardized Field Sobriety Testing (SFST), Drug Recognition Expert (DRE), alternative sanctions, and emerging technologies, such as ignition interlock devices (IID). In South Carolina, some of that education is provided by the Office of the State Court Administration to the summary courts.

All municipal judges are required to complete a training program or pass certification or recertification examinations, or both, within one year of taking office. Members of the South Carolina Bar are exempt from the examination; however, they are required to attend the orientation program. Each municipal judge must pass a recertification examination within eight years after passing the initial certification examination and at least once every eight years thereafter.

The South Carolina Summary Court Judges Association (SCSCJA) serves as the coordinating agency for South Carolina Summary Courts and the South Carolina Court Administration. SCSCJA is dedicated to the improvement of the judiciary through the promotion of professionalism, education and legislation affecting the summary courts, and the administration of fair and equal justice in accordance with the law.

The Office of Court Administration is the administrative arm of the Chief Justice, who is constitutionally designated as the administrative head of the unified judicial system. (Art. V, § 4 S.C. Const.). This office collects caseload data from the state courts, makes recommendations to the Chief Justice for terms of court and assignment of judges, administers judicial education programs, and administers the funds for foreign language interpreters and interpreters for the deaf.

The South Carolina Department of Public Safety Office of Highway Safety and Justice Programs (OHSJP) funded two DUI Courts to help improve case management and to provide access to specialized personnel, speeding up disposition, and adjudication. Although the two courts are reported to be very successful, the development of additional DUI Courts seems to have stalled in South Carolina.

The extent of community supervision programs for DUI cases appears to be very small. The only monitoring is the interlock if the offender gets the interlock. There is no probation in the summary courts nor are there the necessary resources, including technology such as IID, to monitor and guide offender behavior.

South Carolina does not have the position of a Judicial Outreach Liaison (JOL) as a judicial educator and resource on highway traffic safety issues including impaired driving. The selection of the JOL is a delicate undertaking as the JOL must be accepted by the judges as a peer. By working with those judges who are interested in improving the adjudication of impaired driving, South Carolina could create a candidate pool for the position with a focus on the summary courts.

The OHSJP has funded a Mothers Against Drunk Driving (MADD) Court Monitoring Program to monitor the prosecution of DUI-related cases in selected Judicial Circuits in the State. The program aims to promote accountability of the judicial process, and ideally increase the DUI conviction rate for the 16 Judicial Circuits in the State.

Recommendations

- Analyze and publish the court data that is increasingly available to identify the gaps and fill needs in the adjudicatory process
- Elucidate and examine the process for transfer of cases from the summary courts to circuit courts or the Court of Appeals
- Develop a Judicial Outreach Liaison plan
- Sponsor at least one state of the art training about Driving Under the Influence issues and technology at the Annual Conference of the South Carolina Summary Court Judges Association

E. Administrative Sanctions and Driver Licensing Programs

Advisory

States should use administrative sanctions, including the suspension or revocation of an offender's driver's license; the impoundment, immobilization or forfeiture of a vehicle; the impoundment of a license plate or suspension of a vehicle registration; or the use of ignition interlock devices. These measures are among the most effective actions that can be taken to prevent repeat impaired driving offenses.⁸

In addition, other driver licensing activities can prove effective in preventing, deterring and monitoring impaired driving, particularly among novice drivers.

E-1. Administrative License Revocation and Vehicle Sanctions:

Advisory

⁸ Robertson, Robyn D. and Herb M. Simpson “DWI System Improvement for Dealing with Hard Core Drinking Drivers: Prosecution. Ottawa, Traffic Injury Research Foundation, 2002

Each state's Motor Vehicle Code should authorize the imposition of administrative penalties by the driver licensing agency upon arrest for violation of the state's impaired driving laws. Administrative sanctions allow the licensing agency to maintain its authority to determine the safety and competence of the driver to whom it has issued a license, and to determine whether, at any time, continued provision of driving privileges is warranted. Administrative sanctions provide for consistency and uniformity of both sanction and treatment of offenders, apart from the political or social viewpoints of the various judicial jurisdictions within a state.

The code should provide for:

- *Administrative suspension of the driver's license for alcohol and/or drug test failure or refusal;*
- *The period of suspension for a test refusal should be longer than for a test failure;*
- *Prompt suspension of the driver's license within 30 days of arrest, which should not be delayed, except when necessary, upon request of the State;*
- *Vehicle sanctions, including suspension of the vehicle registration, or impoundment, immobilization or forfeiture of the vehicle(s), of repeat offenders and individuals who have driven with a license suspended or revoked for impaired driving; and*
- *Installation of ignition interlock device(s) on the offender's vehicle(s) until a qualified professional has determined that the licensee's alcohol and/or drug use problem will not interfere with their safe operation of a motor vehicle. Specific agencies within a State should be given responsibility and authority for oversight of the interlock program, including vendor selection, certification, and monitoring; review of data downloaded from the individual devices; and responsibility for administrative rules that guide sanctions for circumvention or other non-compliance with ignition interlock licensure. Licenses for drivers required to have ignition interlock devices installed on vehicles that they operate should be easily identifiable by law enforcement officers, either by virtue of a different colored background on the license or large print indicating that an ignition interlock device is required.*

Status

The South Carolina Department of Motor Vehicles (SCDMV) is responsible for all driver license processes from testing and issuance of credentials to suspension or revocation of a license. The current data structure runs on an Oracle platform with a robust front end called the Phoenix system. Phoenix is a robust data entry and collection application that promotes data integrity through data edit checks and business validation rules.

The South Carolina Code of Laws includes an implied consent statute and comprehensive administrative licensing sanctions related to impaired driving offenses. The alcohol related offenses include Driving Under the Influence (DUI) and Driving with an Unlawful Alcohol Concentration (DUAC). DUI is defined as operating a motor vehicle under the influence of alcohol and being materially impaired, while DUAC is defined as a person driving with a blood alcohol concentration (BAC) of 0.08 or higher but does not require proving any impairment. The administrative sanctions for DUI and DUAC are the same, but the severity of sanctions varies based on the driver’s compliance with alcohol testing and arrest recidivism. There are both license and vehicle-related statutory penalties that apply to all drivers arrested for impaired driving. This administrative process, known as Administrative License Revocation (ALR), is independent of the judicial process and associated criminal penalties for impaired driving. Separating processes allows for uniform administrative sanctions apart from any criminal proceedings. In South Carolina impairment is statutorily defined as a BAC of 0.08 or higher for adults age 21 or older and 0.02 or greater for persons under age 21 (known as a zero-tolerance law). The following sanctions will be imposed for persons who refuse an alcohol test or who fail an alcohol test:

Offense	Alcohol Concentration	Suspension Duration
Under age 21 1st	0.02+	3 months (six for refusal)
2nd within 5 years	0.02+	6 months
Age 21 and over		
1st within 10 years	0.08-0.14	6 months
1st within 10 years	0.15+	6 months (IID)
2nd within 10 years	0.08+	1 year (IID for 2 years)
3rd within 5 years	0.08+	4 years (IID for 3-4 years)
4th or more within 10 years	0.08+	7 years (IID for life)
Felony		
Great bodily injury		incarceration + 3 years
Fatality		incarceration + 5 years

Commercial Driver License (CDL) holders are subject to the same sanctions listed above with two exceptions: there is no time limit for determining repeat offenses; and DUI is defined by statute as a BAC 0.04 or greater. Any impaired offense during a CDL holder’s lifetime is counted in the sentencing algorithm.

Repeat and high BAC (0.15 and above) offenders are required to enroll in the Ignition Interlock Device (IID) program. First offenders with a BAC below 0.15 have the option to enroll in IID voluntarily to be exempted from the driver license suspension requirement. Upon conviction for DUI, offenders are required to enroll in the Alcohol and Drug Safety Action Program (ADSAP) managed by Department of Alcohol and Other Drug Abuse Services (DAODAS) in addition to any other penalties.

Upon arrest, the operator's driver license is suspended and the person has 30 days to request an ALR appeal hearing from the Office of Motor Vehicle Hearings in the South Carolina Administrative Law Court. When the appeal is received the person may apply for a temporary alcohol restricted license until the hearing. If the violation is dismissed at the ALR hearing, the full license is reinstated. If the suspension is sustained, the driver may apply for a provisional license to permit driving to work or school within South Carolina.

The criteria for determining previous impaired driving offenses considers all DUI and DUAC violations and any DUI from another state. Any impaired driving arrests made while awaiting an ALR hearing is pending will not be considered for the progressive sanctions. Any subsequent arrest will constitute a separate offense.

Vehicle sanctions are also imposed, specifically seizure of the license plate and registration of all vehicles registered to a person convicted of a second or subsequent DUI. However, the vehicle may be released to another family member.

Ignition Interlock programs have been shown to be successful in other states and the program has been in effect in South Carolina since 2009. In 2014, Emma's Law was passed strengthening the IID by requiring all high BAC (0.15 or above) and repeat DUI convicted offenders to participate in the IID program. Currently, there are approximately 1,100 people in the IID program.

Recommendations

- **Expand the use of the Ignition Interlock Device program to include all first-time offenders upon conviction regardless of blood alcohol concentration**

E-2. Programs

Advisory

Each state's driver licensing agency should conduct programs that reinforce and complement the state's overall program to deter and prevent impaired driving, including:

- (1) Graduated Driver Licensing (GDL) for novice drivers. GDL programs have been widely evaluated and all studies, although results vary significantly, have shown a reduction in crash and fatality rates.*

States' GDL program should involve a three-stage licensing system for beginning drivers (stage 1 = learner's permit; stage 2 = provisional license; and stage 3 = full license) that slowly introduces the young, novice driver to the driving task by controlling exposure to high risk driving situations (e.g., nighttime driving, driving with passengers, and driving after drinking any amount of alcohol). The three stages of the GDL system include specific components and restrictions to introduce driving privileges gradually to

beginning drivers. Novice drivers are required to demonstrate responsible driving behavior during each stage of licensing before advancing to the next level.

Each stage includes recommended components and restrictions for States to consider when implementing a GDL system.

Stage 1: Learner's Permit

- *State sets minimum age for a learner's permit at no younger than 16 years of age;*
- *Pass vision and knowledge tests, including rules of the road, signs, and signals;*
- *Completion of basic driver training;*
- *Licensed adult (who is at least 21 years old) required in the vehicle at all times;*
- *All occupants must wear seat belts;*
- *Zero alcohol while driving;*
- *Learners permit is visually distinctive from other driver licenses;*
- *Must remain crash and conviction free, including violations of the seat belt, zero tolerance, speed and other GDL provisions, for at least 6 consecutive months to advance to the next level;*
- *Parental certification of 30 to 50 practice hours; and*
- *No use of portable electronic communication and entertainment devices while driving.*

Stage 2: Intermediate (Provisional) License

- *Completion of Stage 1;*
- *State sets minimum age of 16.5 years of age;*
- *Completion of intermediate driver education training (e.g., safe driving decision-making, risk education);*
- *All occupants must wear seat belts;*
- *Licensed adult required in the vehicle from 10 p.m. until 5 a.m. (e.g., nighttime driving restriction) with limited exceptions (i.e., religious, school, medical, or employment related driving);*
- *Zero alcohol while driving;*
- *Driver improvement actions are initiated at lower point level than for regular drivers;*
- *Provisional license is visually distinctive from a regular license;*
- *Teenage passenger restrictions – not more than 1 teenage passenger for the first 12 months of Intermediate License. Afterward, limit the number of teenage passengers to 2 until age 18;*
- *Must remain crash and conviction free, including violations of the seat belt, zero tolerance, speed and other GDL provisions, for at least 6 consecutive months to advance to the next level; and*
- *No use of portable electronic communication and entertainment devices while driving.*

Stage 3: Full Licensure

- *Completion of Stage 2;*
 - *State sets minimum age of 18 for lifting of passenger and nighttime restrictions;*
 - *Zero alcohol while driving; and*
 - *Visually distinctive license for drivers under the age of 21.*
- (2) *A program to prevent individuals from obtaining and using a fraudulently obtained, counterfeit, or altered driver's license including:*
- *Training for alcoholic beverage sellers to recognize fraudulent or altered licenses and IDs and what to do with these documents and the individuals attempting to use them;*
 - *Training for license examiners to recognize fraudulent documents and individuals seeking to apply for them; and*
 - *A means by which to ensure that individuals cannot obtain driver licenses using multiple identities.*

Status

South Carolina has a Graduated Driver License (GDL) program consisting of three stages of licensure. An initial learner's permit can be obtained as early as 15 years of age. A restricted conditional license can be obtained as early as age 15 ½ and a special restricted license at age 16. At age 16 ½ a full unrestricted license can be obtained. The requirements and restrictions associated with each stage are:

Beginner's Permit

- Must be accompanied by a licensed driver age 21 or over riding in front passenger seat
- Must pass written and visual examinations
- At least 15 years of age
- If less than 18 years of age, must have a parent/guardian sponsorship
- Minimum holding period is six months
- Must complete 40 hours of supervised driving (10 during nighttime hours)

Conditional License

- For those at least 15 ½ years of age but less than 16
- Held a Beginner's Permit for at least 180 days
- Restricted from driving alone between 6pm and 6am EST and 8pm and 6am EDT
- Between midnight and 6am, must be accompanied by a licensed parent/guardian
- Complete driver's education course (eight classroom and six behind the wheel hours)
- Currently enrolled in school with satisfactory attendance

Passengers restricted to no more than two under the age of 21 unless traveling to/from school

Special Restricted License

For those at least 16 years of age but less than 17 years of age
Held a Beginner's Permit for at least 180 days
Pass vision and skills test or have a conditional license
Restricted from driving alone between 6pm and 6am EST and 8pm and 6am EDT
Between midnight and 6am, must be accompanied by a licensed parent/guardian
Complete driver's education course (eight classroom and six behind the wheel hours)
Currently enrolled in school with satisfactory attendance
Passengers restricted to no more than two under the age of 21 unless traveling to/from school

Unrestricted License

No specific restrictions from previous phases; subject to all South Carolina laws
May obtain as early as 16 ½ years of age

Some requirements of the South Carolina GDL exceed best practice recommendations, such as requiring an experienced adult driver to accompany those with a beginner's permit and restricting nighttime driving. However, there are program requirements that do not meet best practices recommendations. South Carolina age requirements for the GDL are lower than recommended and there is no GDL requirement prohibiting cellular phone use while driving.

There are several programs and technologies to prevent or deter the issuance of fraudulent driver licenses or identification cards. Driver license issuance personnel are provided Fraudulent Document Recognition (FDR) training. Personnel are issued the *I.D. Checking Guide* which is a document authentication book. The driver system runs a one-to-many facial image verification to ensure the applicant is not currently licensed in South Carolina and prevent an individual obtaining multiple licenses using different identities. The South Carolina Department of Motor Vehicles (SCDMV) also has audit processes and reports in place to detect and prevent internal fraud in the license issuance process.

The South Carolina Department of Alcohol and Other Drug Abuse Services (DAODAS) provides responsible beverage server training throughout the State in addition to private companies. A component of this training teaches servers to recognize fraudulent drivers' licenses and identification documents. The training is not currently mandated by South Carolina law except in cases where a violation of alcohol service was cited. A bill that mandates server training (SBill 342 – Alli's Law) progressed through the Legislature until the final session and is pending to be taken up when the legislature convenes in

January 2020. DAODAS currently trains servers, most of whom have violated alcohol service mandates.

There is concern about the immediate availability of almost full licensure following an impaired driving arrest. License holders who request and appeal of administrative sanctions may obtain a temporary alcohol restricted license for driving within South Carolina. Though this license is not always recognized in neighboring states, it does allow residents to drive without restrictions while awaiting a hearing.

Recommendations

- Enact legislation to require responsible beverage server training to detect fraudulent identification as a condition of liquor licensure
- Evaluate Graduated Driver License driver crash involvement statistics to determine if South Carolina age requirements for licensure should be increased
- Evaluate Graduated Driver License driver crash involvement to determine if electronic devices should be restricted while operating a motor vehicle for inexperienced drivers

IV. Communication Program

States should develop and implement a comprehensive communication program that supports priority policies and program efforts, including high visibility enforcement (HVE). Communication strategies should specifically support efforts to increase the public perception of the risks of detection, arrest, prosecution and sentencing for impaired driving. Additional communication strategies should address underage drinking, impaired driving, and reducing the risk of injury, death and the resulting medical, legal, social and other costs if there are specific programs underway in the community. Communications should highlight and support specific program activities underway in the community and be culturally relevant and appropriate to the audience.

Advisory

States should:

- *Focus their publicity efforts on creating a perception of risk of detection, arrest, prosecution and punishment for impaired driving;*
- *Use clear, concise enforcement messages to increase public awareness of enforcement activities and criminal justice messages that focus on penalties and direct costs to offenders such as loss of license, towing, fines, court costs, lawyer fees, and insurance;*
- *Employ a communications strategy that principally focuses on increasing knowledge and awareness, changing attitudes and influencing and sustaining appropriate behavior;*
- *Develop a year-round, data-driven, strategic and tactical communication plan that supports the state's priority policies and programs such as alcohol's effects on driving and consequences of being caught driving impaired or above the state's zero tolerance limit;*
- *Implement a communication program that:*
 - *Uses messages that are coordinated with National campaigns and messages that are culturally relevant and linguistically appropriate;*
 - *Considers special emphasis during holiday periods and other high risk times throughout the year, such as New Year's, 4th of July, Labor Day, Halloween, prom season and graduation;*
 - *Uses paid, earned and donated media coordinated with advertising, public affairs, news, and advocacy; and*

- *Encourages communities, businesses and others to financially support and participate in communication efforts.*
- *Direct communication efforts at populations and geographic areas at highest risk or with emerging problems such as youth, young adults, repeat and high BAC offenders and drivers who use prescription or over-the-counter drugs that cause impairment;*
- *Use creativity to encourage earned media coverage, use of a variety of messages or “hooks” such as inviting reporters to “ride-along” with law enforcement officers, conducting “happy hour” checkpoints or observing under-cover liquor law enforcement operations, and use of social media;*
- *Monitor and evaluate the media efforts to measure public awareness and changes in attitudes and behavior; and*
- *Ensure that personnel who are responsible for communications management and media liaison are adequately trained in communication techniques that support impaired driving activities.*

Status

The South Carolina Department of Public Safety (SCDPS), Office of Highway Safety and Justice Programs (OHSJP) continues to evaluate, create, implement, and distribute a multifaceted communication program. The State’s communication plan takes advantage of education, awareness, and encouragement strategies. Products are aimed at increasing the awareness of the dangers in driving impaired, supporting law enforcement efforts to remove impaired drivers from the road, and social norming campaigns to encourage modifying driver behaviors.

The OHSJP uses data in the early stages of their communication planning. High risk populations, target audiences, geographic regions, and coordination with national high-intensity campaigns all are considered in the communication plans for the upcoming year. Implementing the strategies is accomplished through multiple mediums, focused times for heightened attention, and year-long outreach. The overall goal is to address risky behavior, to the audiences shown to be involved in impaired driving crashes, in areas of the State where the crashes occur the most often, using a medium that has the highest chance of being seen or heard.

A network of public safety professionals and volunteers assist the agency by taking advantage of the materials created for the various campaigns. The SCDPS assists in the distribution of the material, provides professional assistance in the communication efforts, and adds social media support during times of high-intensity law enforcement operations. The OHSJP law enforcement liaisons, local law enforcement agency communication professionals, and spokespeople from various not-for-profit agencies,

such as Mothers Against Drunk Driving (MADD), all add their voices to the chorus calling for the end of impaired driving in South Carolina.

A mass media contractor assists with the research, development, and distribution of the media campaigns. Current and past campaign materials are made available on the <https://scdps.sc.gov/scsoberorslammer> website and include links to other information that can be used by program partners. Program partner websites are listed as an additional resource.



(source: <https://scdps.sc.gov/scsoberorslammer>)

Many of the larger law enforcement agencies take the lead on local communications and take advantage of earned media opportunities. An increase in the use and reliance on social media campaigns has expanded the coverage of impaired driving messages. MADD responds to requests, quite often from victims of impaired driving crashes, and will lend its support for increased law enforcement efforts.

A broad review of the various campaign successes, reach, message recall, and effectiveness in changing the perception and behaviors of the target audience isn't relied upon as a part of the initial discussions of the upcoming year's campaigns. Recent law changes present opportunities to use news stories as a means to get the word out about how many lives are lost, people injured, and the societal costs of impaired driving experienced in South Carolina.

Recommendations

- Perform program evaluation to determine the appropriate highway safety countermeasures and related communication campaigns to deter impaired driving, reduce alcohol-related traffic fatalities and serious injuries, and lessen societal costs

V. Alcohol and Other Drug Misuse: Screening, Assessment, Treatment and Rehabilitation

Impaired driving frequently is a symptom of the larger problem of alcohol or other drug misuse. Many first-time impaired driving offenders and most repeat offenders have alcohol or other drug abuse or dependency problems. Without appropriate assessment and treatment, these offenders are more likely to repeat their crime. One-third of impaired driving arrests each year involve repeat offenders.⁹ Moreover, on average, individuals with alcohol or other drug abuse problems, drive several hundred times within two hours of drinking before they are arrested for driving while impaired.¹⁰

States should have a system for identifying, referring and monitoring convicted impaired drivers who are high risk for recidivism for impaired driving.

Nationally, the number and diversity of problem solving courts has grown dramatically. One such problem solving model is the DWI Court. These courts provide a dedicated docket, screening, referral and treatment and intensive monitoring of impaired driving offenders. States and localities that implement DWI Courts should ensure that they are established and operated consistent with the Guiding Principles recommended by the National Center for DWI Courts.

www.dwicourts.org/sites/default/files/ncdc/Guiding_Principles_of_DWI_Court_0.pdf

In addition, alcohol use leads to other injuries and health care problems. Almost one in six vehicular crash victims treated in emergency departments are alcohol positive, and one third or more of crash victims admitted to trauma centers—those with the most serious injuries - test positive for alcohol. In addition, studies report that 24-31 percent of all emergency department patients screen positive for alcohol use problems. Frequent visits to emergency departments present an opportunity for intervention, which might prevent these individuals from being arrested or involved in a motor vehicle crash, and result in decreased alcohol consumption and improved health.

Each State should encourage its employers, educators, and health care professionals to implement a system to identify, intervene, and refer individuals for appropriate substance abuse treatment.

A. Screening and Assessment

Each State should ensure that all convicted impaired drivers are screened for alcohol or other substance abuse and dependency. The most immediate screening should take place in the criminal justice system. However, states should also encourage its health care

⁹ Repeat DWI Offenders in the United States. “Washington, DC: NHTSA Technology Transfer Series, Traffic Tech No. 85, February 1995.

¹⁰ On average, 772 such episodes, according to Zador, Paul, Sheila Krawchuck, and Brent Moore, “Drinking and Driving Trips, Stops by Police, and Arrests: Analyses of the 1995 National Survey of Drinking and Driving Attitudes and Behavior.” Washington, DC: U.S. Department of Transportation, NHTSA Technical Report No. DOT HS 809 184, December 2000.

professionals, employers and educators to have a systematic program to screen and/or assess drivers to determine whether they have an alcohol or drug abuse problem and, as appropriate, briefly intervene or refer them for appropriate treatment. Many individuals who are drivers and who have alcohol or other drug abuse problems present themselves in a variety of settings, e.g. emergency departments, in which Screening and Brief Intervention (SBI) and referral are appropriate and serve to prevent the individual from being involved in a future impaired driving crash or arrest.

A-1. Criminal Justice System

Advisory

Within the criminal justice system, people who have been convicted of an impaired driving offense should be assessed to determine whether they have an alcohol or drug abuse problem and to determine their need for treatment. The assessment should be required by law and completed prior to sentencing or reaching a plea agreement.

The assessment should be:

- *Conducted by a licensed counselor or other alcohol or other drug treatment professional or by a probation officer who has completed training in risk assessment and referral procedures;*
- *Used to decide whether a treatment and rehabilitation program should be part of the sanctions imposed and what type of treatment would be most appropriate;*
- *Based on standardized assessment criteria, including validated psychometric instruments, historical information, e.g., prior alcohol or drug-related arrests or convictions, and structured clinical interviews; and*
- *Appropriate for the offender's age and culture using specialized assessment instruments tailored to and validated for youth or multi-cultural groups.*

Status

South Carolina has established the Alcohol and Drug Safety Action Program (ADSAP), a screening, referral and treatment system for DUI offenders that provides levels of treatment matched to the needs of individual offenders and ensures compliance through monitoring. Screening and assessment for ADSAP is conducted by local agencies certified by the Department of Alcohol and Other Drug Abuse Services (DAODAS).

Offenders are screened using a Behavioral Health Screening (BHS) that includes the Alcohol Use Disorders Identification Test (AUDIT), a 10-item screening tool developed by the World Health Organization (WHO) to assess alcohol consumption, drinking behaviors, and alcohol-related problems. The screening also includes the Drug Abuse Screening Test (DAST), a 28-item self-report scale that consists of items that parallel

those of the Michigan Alcoholism Screening Test (MAST). Other items were added to the BHS to aid clinicians in assigning clients to appropriate levels of intervention based on the American Society of Addiction Medicine (ASAM) criteria.

Approximately 53% of DUI offenders entering ADSAP were assigned to the education level of the program. At this level ADSAP uses the Prime for Life curriculum developed by Prevention Research Institute (PRI). The PRI program has been extensively evaluated and is used in many states. Offenders who are initially referred to PRI are subject to referral to a higher level of treatment if behaviors or additional information indicate a problem. Approximately 59% of those who enter the ADSAP program are referred to a higher level of treatment.

Few, if any, offenders are screened pre-trial for purposes of sentencing and/or conditions of probation.

Recommendations

- Conduct screening for all Driving Under the Influence offenders prior to a court appearance, and provide information to the court for sentencing and/or conditions of probation

A-2. Medical and Other Settings

Advisory

Within medical or health care settings, any adults or adolescents seen by health care professionals should be screened to determine whether they have an alcohol or drug abuse problem. The American College of Surgeons mandates that all Level I trauma centers, and recommends that all Level II trauma centers, have the capacity to use Screening and Brief Intervention (SBI). SBI is based on the public health model which recognizes a continuum of alcohol use from low risk, to high risk to addiction. Research from the Centers for Disease Control and Prevention indicates that an estimated 25 percent of drinkers are at risk for some harm from alcohol including impaired driving crashes. These individuals' drinking can be significantly influenced by a brief intervention. An estimated four percent of the population has a serious problem with alcohol abuse or dependence. A brief intervention should be conducted and, if appropriate, the person should be referred for assessment and further treatment.

SBI can also be implemented in other settings including: Employee Assistance Programs (EAP), schools, correctional facilities, at underage drinking party dispersals and any setting in which at-risk drinkers are likely to make contact with SBI providers.

Screening and brief intervention should be:

- *Conducted by trained professionals in hospitals, emergency departments, ambulatory care facilities, physicians' offices, health clinics, employee assistance programs and other settings;*
- *Used to decide whether an assessment and further treatment is warranted;*
- *Based on standardized screening tools (e.g., CAGE, AUDIT or the AUDIT-C) and brief intervention strategies;¹¹ and*
- *Designed to result in referral to assessment and treatment when warranted.*

Status

The South Carolina Department of Alcohol and Other Drug Abuse Services (DAODAS) conducts the South Carolina Screening, Brief Intervention, and Referral to Treatment (SC-SBIRT) initiative which began in August 2013 as a five-year, Substance Abuse and Mental Health Services Administration (SAMHSA) funded cooperative agreement with DAODAS. SAMHSA has renewed funding for a second five-year cooperative agreement that began in September 2018. SC-SBIRT has three primary goals:

- To increase access to SBIRT for adults in rural hospital emergency departments
- To ensure that SBIRT is utilized as the standard of care in South Carolina's healthcare settings through state-level systems and policy change
- To improve health and behavioral outcomes among adults with Substance Use Disorders (SUD) or substance use with co-occurring mental illness

DAODAS reports that, as part of this initiative, a diverse array of healthcare sites have provided more than 94,170 initial screenings for alcohol, tobacco, and other drug use to nearly 552,328 patients.

Prisma Health has implemented a Trauma Resilience and Recovery project that assists trauma patients in recovering from the psychological effects of physical trauma. The project utilizes SBIRT including administering the AUDIT pre- and post-treatment.

In addition to identifying injured drivers, as well as problem drinkers who are potential impaired drivers, medical emergency departments are potential sources of identification of impaired drivers. The data cited above indicate that a substantial proportion (one

¹¹ For a discussion of assessment instruments, see: Allen, John and M. Columbus (Eds.), NIAAA Handbook on Assessment Instruments for Alcohol Researchers (2nd edition). Rockville, MD: National Institute on Alcohol Abuse and Alcoholism, 2003. For an overview of alcohol screening, see: "Screening for Alcohol Problems – An Update," Bethesda, MD: National Institute on Alcohol Abuse and Alcoholism, Alcohol Alert No. 56, April 2002. For a primer on helping patients with alcohol problems, see: "Helping Patients with Alcohol Problems: A Health Practitioner's Guide," Bethesda, MD: National Institute on Alcohol Abuse and Alcoholism, NIH Publication No. 04-3769, Revised February 2004.

third) of injured drivers had blood alcohol concentrations (BAC) above the legal limit. Many of these drivers are not identified by law enforcement or charged with DUI. Currently, South Carolina law prohibits healthcare providers from reporting hospital toxicology screening results to law enforcement that indicate a BAC at or above 0.08 for injured drivers. At least two states have enacted laws that not only allow such reporting but classify impaired driving as a mandatory reportable condition like gunshot wounds.

South Carolina is one of approximately 27 states that still have alcohol exclusion statutes. Under this insurance law, car insurance providers may refuse to pay medical and other expenses incurred by injured drivers who are impaired. This creates a disincentive to test and/or record the presence of alcohol in the medical record of an injured driver.

Recommendations

- Expand the South Carolina Screening, Brief Intervention and Referral to Treatment project in all hospital emergency departments in South Carolina
- Implement Screening, Brief Intervention and Referral to Treatment in all healthcare settings such as family practices, as well as on college and high school campuses and jails throughout South Carolina
- Enact legislation to require healthcare providers to report injured drivers for whom the hospital toxicology screening results indicating a BAC at or above 0.08
- Repeal the South Carolina alcohol exclusion statute

B. Treatment and Rehabilitation

Advisory

Each State should work with health care professionals, public health departments, and third party payers, to establish and maintain programs for persons referred through the criminal justice system, medical or health care professionals, and other sources. This will help ensure that offenders with alcohol or other drug dependencies begin appropriate treatment and complete recommended treatment before their licenses are reinstated.

These programs should:

- *Match treatment and rehabilitation to the diagnosis for each person based on a standardized assessment tool, such as the American Society on Addiction Medicine (ASAM) patient placement criteria;*

- *Provide assessment, treatment and rehabilitation services designed specifically for youth;*
- *Provide culturally appropriate treatment and rehabilitation services;*
- *Ensure that offenders that have been determined to have an alcohol or other drug dependence or abuse problem begin appropriate treatment immediately after conviction, based on an assessment. Educational programs alone are inadequate and ineffective for these offenders;*
- *Provide treatment and rehabilitation services in addition to, and not as a substitute for, license restrictions and other sanctions; and*
- *Require that offenders, who either refused or failed a BAC test, and/or whose driver's license was revoked or suspended, complete recommended treatment, and that a qualified professional has determined the offender has met treatment goals before license reinstatement.*

Status

South Carolina has established the Alcohol and Drug Safety Action Program (ADSAP), a screening, referral and treatment system for Driving Under the Influence (DUI) offenders that provides levels of treatment matched to the needs of individual offenders and ensures compliance through monitoring. ADSAP is conducted by local agencies certified by the Department of Alcohol and Other Drug Abuse Services (DAODAS).

All drivers convicted of DUI are required to enroll in and complete ADSAP. Enrollment in ADSAP is also mandated for all drivers with an impaired driving related administrative license suspension regardless of the outcome of the DUI case. Continued enrollment is required as a condition of a restricted license.

Once enrolled in ADSAP, local providers inform DAODAS of offenders' completion or failure to comply with the assigned intervention. DAODAS then informs the Division of Motor Vehicles that the offender is eligible for license reinstatement once other requirement and suspension periods are satisfied.

First offense DUI is prosecuted in the summary courts. Second or subsequent DUI offenses are prosecuted in circuit courts. Probation and parole services are only available in the circuit courts. Probation supervision of first offender DUI does not exist.

Under Section 56-5-2930, courts "may" hold the individuals in contempt of court if they cannot show cause as to why no enrollment occurred within the 30 days or why no progress had been made in the plan of education or treatment. The section wording does not mandate a contempt charge. Non-compliant offenders are rarely charged with contempt. It is not clear the extent to which this reflects judicial attitudes or demands on court systems and significant backlogs of court cases.

The number of offenders enrolling in ADSAP has decreased dramatically in recent years. In FY 2015, 11,901 DUI offenders enrolled. In FY 2019, there were 9,350 a 21.4% decrease. Other sections of this assessment report discuss the complexity of impediments to prosecution of DUI cases. These factors appear to be contributing to the decline in the number of convictions. However, the decline in convictions does not fully explain the decline in enrollment. Arrests have also declined. In 2018, there were approximately 19,000 DUI arrests reported compared to 21,500 in 2015, a decrease of approximately 11.6% compared to a decrease in ADSAP enrollment of 17.8%. The proportion of reported arrests that resulted in enrollment in ADSAP decreased from 71.7% in 2011 to just over 50% last year. It is critical to identify all factors contributing to the decline in DUI offenders enrolling in treatment. For example, it is possible that some drivers are more willing to forego license reinstatement rather than participate in treatment.

There appears to be some confusion among judges about the role of ADSAP and the requirement for participation and completion by all offenders. While enrollment in ADSAP is mandatory for all convicted DUI offenders, the prescribed sanction for failure to enroll or complete the program is for the court to hold the offender in contempt of court. This sanction is optional and is seldom used. In lieu of other meaningful consequences, the only consequence of failure to enroll or complete ADSAP is the inability to have one’s license reinstated.

Many DUI offenses are reduced to a lesser offense such as reckless driving. Judges rarely, if ever, prescribe ADSAP as a condition of reduction of charges to a non-alcohol offense though this option is not prohibited by statute. Thus, reduction of a DUI charge to a non-alcohol offense not only allows the offender to escape sanctions and a record of impaired driving, it allows impaired drivers to avoid screening, assessment, and treatment. Many states have enacted legislation establishing a category of “wet-reckless” which is a reduced charge that does not include the same sanctions as a DUI conviction but is recorded as an alcohol-related offense and is used to establish prior offense status. Wet-reckless also requires participation in screening, assessment, and treatment.

In addition to decreased enrollment in ADSAP, nearly one in three offenders who enroll in the program fail to complete the program. Completion rates have improved slightly since 2015.

Table 5.B.1

ADSAP Enrollment and Completions

Fiscal Year	2015	2016	2017	2018	2019
Enrolled	11,901	11,269	10,269	9,780	9,350
Completed	7,874	7,403	6,719	6,734	6,440
Rate	66.2%	65.7%	65.4%	68.9%	68.9%

Offenders are expected to pay for all ADSAP services either through insurance or self-pay. Provisions are made for clients that can demonstrate indigence. Providers make

special efforts to inform offenders of availability of financial options so no offender avoids treatment because of financial concerns. There are adequate outpatient treatment services in most of the state but inpatient treatment is less available.

Responsibility for monitoring impaired drivers falls primarily with ADSAP.

In 2013, the Office of Highway Safety and Justice Programs issued a request for proposals to fund the start-up costs of two pilot DUI Courts. Two DUI courts were implemented under these funds. Anecdotal information supported successful implementation and positive initial outcomes and these courts have become self-sufficient. There has not been expansion of DUI courts into other locations.

Closing the leaks in the system that result in DUI offenders avoiding screening, assessment, and treatment could potentially double the number of offenders enrolled in treatment. It appears that the current treatment system in South Carolina is adequate to absorb that increase in clients.

Recommendations

- **Enhance the current Reckless Driving statute to require mandatory enrollment in and completion of the Alcohol and Drug Safety Action Program when Driving Under the Influence is the initial charge**
- **Enhance the current Reckless Driving statute to require the recording of the initial charge when the initial charge was Driving Under the Influence for the purpose of enhancement of sentencing**
- Provide judicial education on the nature of the Alcohol and Drug Safety Action Program and the requirements for compliance with the mandate to participate
- Implement additional DUI Courts as defined by the National Center for DWI Courts, *Ten Guiding Principles*

VI. Program Evaluation and Data

A. Evaluation

Advisory

Each State should have access to and analyze reliable data sources for problem identification and program planning as well as to routinely evaluate impaired driving programs and activities in order to determine effectiveness. Development of a Strategic Highway Safety Plan and a Highway Safety Plan, are starting points for problem identification and evaluation efforts.

Problem identification requires quantifying the problem, determining the causes, and identifying available solutions. Strategies should be evaluated for their cost effectiveness and potential for reducing crash risk. Evaluations should include measurement of activities and outputs (process evaluation) as well as the impact of these activities (outcome evaluation). Evaluations are central to the State's traffic safety endeavors and provide a guide to future projects and evaluations.

Evaluations should:

- Be planned before programs are initiated to ensure that appropriate data are available and adequate resources are allocated to the programs;*
- Identify the appropriate indicators to answer the question: What is to be accomplished by this project or program?*
- Be used to determine whether goals and objectives have been met and to guide future programs and activities;*
- Be organized and completed at the State and local level; and*
- Be reported regularly to project and program managers and policy makers.*

The process for identifying problems to be addressed should be carefully outlined. A means for determining program/project priority should be agreed upon, and a list of proven methodologies and countermeasures should be compiled. Careful analysis of baseline data is necessary, and should include historical information from the crash system. Other data that are useful for evaluation include data from other records systems as well as primary data sources such as surveys. Record systems data include state and driver demographics, driver histories, vehicle miles traveled, urban versus rural settings, weather, and seatbelt use. Survey data can include attitudes knowledge and exposure to risk factors.

The Traffic Records Coordinating Committee can serve as a valuable resource to evaluators by providing information about and access to data that are available from various sources.

Status

The South Carolina Office of Highway Safety and Justice Programs (OHSJP) completes their problem identification/evaluation process at a vital time in their *Highway Safety Plan* (HSP) development timeline. The success of their highway safety program is due to the following stages that are built into their process:

- Problem identification (using many data sources)
- Planning to select and prioritize goals, objectives, and performance measures
- Attaining participation from traffic safety related partners
- Developing funding priorities
- Issuing of grant application notification
- Review, negotiation, and approval of grant agreements
- Implementation
- Monitoring/Evaluation
- Asking critical questions for data analysis and problem identification
- Looking at causal factors, crash characteristics, and factors affecting crash severity

Problem identification takes place on multiple levels. Problem identification begins with reviewing projects from the previous fiscal year and requesting project level input from highway safety partners as well as ongoing review of the fatality, crash, driver record, and observational survey data as it becomes available.

The OHSJP reviews traffic fatality and crash data and the Fatality Analysis Reporting System (FARS) throughout the grant cycle. Additional data is provided by:

- Department of Transportation (DOT)
- National Highway Traffic Safety Administration (NHTSA)
- traffic citations
- annual observational seatbelt surveys
- Federal Highway Administration (FHWA)
- behavioral attitude surveys

Vehicle miles traveled (VMT) data is also used and allows for analysis and comparison of other factors such as number of licensed drivers by category, motor vehicle registration, population, injury data, and others factors that impact highway safety in the state.

The OHSJP has identified the following strategies to reach their impaired driving goal of reducing impaired driving fatalities on South Carolina's roadways. All strategies center

around funding and should be expanded to action verbs to identify what will be gained by enacting the activity. The strategies are:

- Outreach and mass media communications
- High visibility enforcement
- Court monitoring
- Prosecutorial, law enforcement, and other relevant training
- Traffic Safety Resource Prosecutor (TSRP)
- Program management

A large investment is made in the law enforcement of Driving Under the Influence (DUI) laws. Recent policy changes at the federal level will require modifications in the reporting and tracking of officer time, activities, and performance.

The OHSJP process evaluations include documentation and tracking of deliverables for each project with the grantee complying with monitoring and auditing practices. Impaired driving-related law enforcement activities require the reporting of arrests and citations issued during funded hours. The OHSJP produces an annual report to NHTSA and provides it to state and local partners. The report includes outcome evaluations for funded projects and provides overall analyses of crash, conviction, and other safety metrics.

A significant alcohol driving-related program in South Carolina is the Ignition Interlock Device (IID) Program. The IID program began in 2009 and was revised by the passage of Emma's Law in 2014. The Department of Probation, Parole, and Pardon Services (DPPPS) administers the program. Participation in the program may be ordered administratively through the Office of Motor Vehicle Hearings (OMVH) or judicially through the court system. Additionally, license holders may voluntarily request to participate in the IID program in lieu of receiving an automatic suspension of their driver license for first offense DUI with a BAC below 0.15. It is estimated that approximately 1,100 individuals are participating in the program at any time. Around 20% of individuals who were convicted of a second DUI were in compliance with the IID requirements. IID unit records were not being afforded evidentiary weight when presented for program violation offenses.

Recommendations

- Use evidence-based practices to establish law enforcement grantee performance measures following the federal policy guidance for this activity
- Continue to perform program evaluation to determine the appropriate highway safety countermeasures and related projects to deter impaired driving and reduce traffic fatalities and serious injuries

B. Data and Records

Advisory

The impaired driving program should be supported by the State's traffic records system and use data from other sources, such as the U.S. Census, the Fatality Analysis Reporting System (FARS) and the Crash Outcome Data Evaluation System (CODES). The traffic records system should be guided by a statewide traffic records coordinating committee that represents the interests of all public and private sector stakeholders.

The state traffic records system should:

- *Permit the State to quantify:*
 - *the extent of the problem, e.g., alcohol-related crashes and fatalities;*
 - *the impact on various populations;*
 - *the level of effort dedicated to address the problem, e.g., level of enforcement activities, training, paid and earned media; and*
 - *the impact of the effort, e.g., crash reduction, public attitudes, awareness and behavior change.*
- *Contain electronic records of crashes, arrests, dispositions, driver licensing actions and other sanctions of DWI offenders;*
- *Permit offenders to be tracked from arrest through disposition and compliance with sanctions; and*
- *Be accurate, timely, linked and readily accessible to persons authorized to receive the information, such as law enforcement, courts, licensing officials and treatment providers.*

Status

South Carolina has an active Traffic Records Coordinating Committee (TRCC) that is a comprehensive, functional body of data system managers and stakeholders. The TRCC includes representation from all six core systems (crash, citation/adjudication, driver, vehicle, roadway, injury surveillance systems) which allows for access to and analysis of a wide range of data. The South Carolina Department of Public Safety's Office of Highway Safety and Justice Programs (OHSJP) relies primarily on crash, fatality, and arrest data for problem identification and program evaluation. A high degree of data interoperability exists between the crash, citation/adjudication, driver and vehicle systems, and roadway data as evidenced by the programs described below.

The South Carolina Collision and Ticket Tracking System (SCCATTS) was developed and implemented by the OHSJP in 2009. SCCATTS is a data collection and management tool for law enforcement for traffic crash and citation issuance. It has been deployed throughout the South Carolina Highway Patrol (SCHP) and some municipal law enforcement agencies. Approximately 95% of all crash reports are captured in SCCATTS, providing enhanced data quality through validation rules and edit checks. The system is also used by law enforcement to complete citations and warnings electronically. SCCATTS supports the direct capture of driver and vehicle information to populate crash reports and citations. Currently, 90% of all citations are captured in SCCATTS with 70% being produced directly through the SCCATTS application and another 20% being uploaded from third-party providers. All citation records are uploaded directly from SCCATTS to the South Carolina Uniform Traffic Ticket Information Exchange System (SCUTTIES).

The SCUTTIES contains all citation data. The citation information from SCCATTS is uploaded into SCUTTIES and all other citations are manually entered directly into SCUTTIES by the local agency. Courts receive citation information directly from SCUTTIES and provide adjudication information so convictions can be posted to the driver record. SCUTTIES contains the elements of a citation-tracking system including the inventory management of printed citation forms. Impaired driving violations and arrests are included in the system which provides enhanced data accessibility and provides for more significant analysis of impaired driver arrests and adjudication outcomes. Through SCUTTIES, the components of an ideal impaired driving tracking system are present except for the treatment and outcomes components.

The South Carolina Office of Court Administration has provided a statewide Circuit Court Case Management System (CMS). Currently, 100% of the magistrate courts and 60% of the municipal courts have adopted the CMS. The CMS enables court clerks to retrieve citation information directly from SCUTTIES, enter disposition information, and submit it directly back to the South Carolina Department of Motor Vehicles (SCDMV) for posting to the driver record and documenting court ordered activities.

The SCDMV maintains the driver license history file, which includes the license status, any impaired driving convictions, and crash occurrences. Additionally, driver histories contain entries related to compliance with other alcohol related programs such as Ignition Interlock Device (IID) and Alcohol and Drug Safety Action Program (ADSAP). SCDMV plans in 2020 to begin participating in the State-to-State (S2S) driver history exchange program. S2S will enable the SCDMV to obtain the full driver history of new residents to the state who apply for a driver license and were licensed in another state. SCDMV and law enforcement will be able to use convictions from the previous state for repeat offender enhancements and driver improvement actions.

The South Carolina Department of Transportation (SCDOT) also maintains a significant number of roadway databases that enhance traffic safety efforts. SCCATTS incorporates the state roadway files for identifying crash locations.

The interactive use of state data systems and applications is impressive, providing the several program areas with accurate and reliable information in a much more timely manner than previous paper based and manual systems.

The OHSJP primarily conducts traffic safety analyses utilizing the Fatality Analysis Reporting System (FARS) data, crash file, and arrest figures. The FARS analyst currently receives toxicology information from the South Carolina Law Enforcement Division (SLED) for approximately 75% of fatally injured drivers, and is in pursuit of results for any driver in a fatal crash. It was reported that some toxicology testing is performed by independent laboratories and results are not submitted to the FARS analyst. To account for the missing data the National Highway Traffic Safety Administration (NHTSA) imputation model is applied to FARS for estimating alcohol-impaired driving fatalities.

In addition to the law enforcement data systems currently used to quantify the traffic safety problems in South Carolina and evaluate programs, the State should pursue access and use of medical information. The TRCC is reportedly working to determine ways to link medical and trauma records for analyses with toxicology results and treatment charges associated with crashes. The monetary consequences of impaired driving crashes may be valuable facts to share when describing the impact of impaired driving beyond the human costs. Enhancing the OHSJP partnership with the medical community, through the TRCC, may also increase the capture of blood alcohol concentration results for drivers that were injured, but not killed in a fatal crash.

Recommendations

- Continue to pursue ways to link medical data access (pre-hospital, trauma registry, medical emergency department, inpatient) with crash information to create a more complete view of the impacts of impaired driving
- Obtain toxicology information for the Fatality Analysis Reporting System data to ensure the most accurate estimate of alcohol-related fatalities is resulting from the imputation model
- **Obtain driver toxicology results from surviving drivers involved in fatal and serious injury crashes**
- Incorporate information about injuries of all levels (specifically serious injuries) in addition to fatalities into products shared with partners and the public

C. Driver Records Systems

Advisory

Each State's driver licensing agency should maintain a system of records that enables the State to: (1) identify impaired drivers; (2) maintain a complete driving history of impaired drivers; (3) receive timely and accurate arrest and conviction data from law enforcement agencies and the courts, including data on operators as prescribed by the commercial driver licensing (CDL) regulations; and (4) provide timely and accurate driver history records to law enforcement and the courts.

The driver license system should:

- Include communication protocols that permit real-time linkage and exchange of data between law enforcement, the courts, the State driver licensing and vehicle registration authorities, liquor law enforcement and other parties with a need for this information;*
- Provide enforcement officers with immediate on-the-road access to an individual's licensing status and driving record;*
- Provide immediate and up-to-date driving records for use by the courts when adjudicating and sentencing drivers convicted of impaired driving;*
- Provide for the timely entry of any administrative or judicially imposed license action and the electronic retrieval of conviction records from the courts; and*
- Provide for the effective exchange of data with State, local, tribal and military agencies, and with other governmental or sovereign entities.*

Status

The South Carolina Department of Motor Vehicles (SCDMV) maintains all driver license and history information for state residents. All traffic convictions, including impaired driving offenses, are transmitted from the courts to the SCDMV electronically and posted to the driver record. Implied consent violations are also transmitted electronically for appropriate driver sanction actions. Conviction information includes the type of offense (charge), if treatment is required (yes/no), and court-imposed sanctions. Blood alcohol concentration (BAC) information is not recorded on the driver history but is maintained in a separate database for statistical purposes. The SCDMV enforces driver license suspension and revocation actions based on conviction information and notices from agencies related to the Alcohol and Drug Safety Action Program (ADSAP) and Ignition Interlock Device (IID) program compliance.

The SCDMV interfaces with the law enforcement and court data systems for exchange of information in near real-time. The availability of driver history information allows for accurate evaluation of drivers on the roadside and in the courtroom. The driver data system complies with national standards and systems in place to reduce identity fraud and track commercial drivers. Image verification software is utilized by the SCDMV to prevent fraud by validating the facial image of new licensees with the image on file. The

South Carolina Uniform Traffic Ticket Information Exchange System (SCUTTIES) facilitates citation and conviction processing between law enforcement, courts, and the SCDMV.

The driver system data are complete, accurate, and reliable as shown in the recent Traffic Records Assessment.

Recommendations

- None

APPENDIX

AGENDA

**SOUTH CAROLINA IMPAIRED DRIVING ASSESSMENT
COURTYARD BY MARRIOTT COLUMBIA DOWNTOWN AT USC
630 ASSEMBLY STREET
COLUMBIA, SOUTH CAROLINA
OCTOBER 27, 2019 – NOVEMBER 1, 2019**

MONDAY, OCTOBER 28, 2019

8:00 a.m. – 9:00 a.m.

State Leadership Panel / Introduction

John Westerhold	Director, SC Department of Public Safety (SCDPS), Office of Highway Safety and Justice Programs (OHSJP)
Joi Brunson	Grant Programs Manager, SCDPS, OHSJP
Cheryl Worrell	Grants Administration Manager, SCDPS, OHSJP
Jasmine Simmons	Impaired Driving Countermeasures Program Coordinator, SCDPS, OHSJP

9:00 a.m. – 10:30 a.m.

Traffic Records Data

Wilson Matthews	Traffic Records Manager, SCDPS, OHSJP
Sarah Osborne	Statistical Analysis and Research Manager, SCDPS, OHSJP
K. Larry Long, Jr.	Statistician, SCDPS, OSHJP
Beth Lancaster	Fatality Analysis Reporting System (FARS) Analyst, SCDPS, OHSJP
Lt. Dustin Smith	Forensic Toxicologist, SC Law Enforcement Division (SLED)
Emily Thomas	Safety Planning and Research Manager, South Carolina Department of Transportation (SCDOT)
Lt. Debbie Banks	Manager, Breath Records Database Program, SLED, Implied Consent Department
Special Agent Randy Brown	Manager, Breath Test Video Recording Program, SLED

10:30 a.m. – 10:45 a.m. - Break

10:45 a.m. – 12:00 p.m.

Prevention and Treatment

Michelle Nienhius	Manager of Prevention and Intervention Services, SC Department of Alcohol and Other Drug Abuse Services (SCDAODAS)
Lara Peck	Injury Prevention Coordinator, Prisma Health Richland
Dr. Rachel Houchins	Trauma Psychiatrist, Prisma Health Richland

12:00 p.m. – 1:00 p.m. - Lunch

1:00 p.m. – 2:00 p.m.

Underage Drinking Programs Provided to Schools / Colleges / Military

Kimberly Smith	School Climate Program Manager, SC Department of Education (SCDE), Office of Student Intervention Services
Tiffany Robinson	Program Assistant, SCDE, Office of Student Intervention Services
Capt. Kelley Hughes	Chief Spokesperson, SCDPS, Office of Communications; Commander, Community Relations & Recruiting Unit, SCDPS, SCHP
Ashley Bodiford	Regional Capacity Coach, LRADAC; President, SC Association of Prevention Professionals and Advocates (SCAPPA)
Dr. Michael George	Pacific Institute for Research and Evaluation (PIRE) Consultant, SCDAODAS

2:00 p.m. – 2:45 p.m.

Education Programs / Successful Strategies

Steven Burrirt	Executive Director, Mothers Against Drunk Driving (MADD) SC
Aimee Hourigan	Substance Abuse Prevention & Education Director, University of South Carolina (USC)

2:45 p.m. – 3:00 p.m. - Break

3:00 p.m. – 4:00 p.m.

Media / Outreach Efforts

Sherri Iacobelli	Communications Director, SCDPS, Office of Communications
Capt. Kelley Hughes	Chief Spokesperson, SCDPS, Office of Communications; Commander, Community Relations & Recruiting Unit, SCDPS, SCHP
Kevin Fisher	Contractor, Fisher Communications Inc.

12:30 p.m. – 1:30 p.m. – Lunch

1:30 p.m. – 2:30 p.m.

DUI Prosecution

Sara Lee Drawdy

Traffic Safety Resource Prosecutor, South Carolina
Commission on Prosecution Coordination

Mark Moore

Lowcountry Prosecutor, SCDPS, Office of General
Counsel

Maj. John T. Manley

Field Operations – Region II, SCDPS, SCHP

Jennifer Tessitore

Assistant Solicitor, Thirteenth Judicial Circuit
Solicitor's Office

2:30 p.m. – 2:45 p.m. - Break

2:45 p.m. – 3:45 p.m.

Impaired Driving Countermeasures Advocacy Groups

William Bilton

Chairman, SC Impaired Driving Prevention
Council; Assistant Solicitor/Director of Affiliate
Services, Fifth Judicial Circuit Solicitor's Office

Curtis Reece

Co-Chairman, Underage Drinking Action Group;
Manager of Prevention Services, The Phoenix
Center

Steven Burritt

Executive Director, MADD SC

3:45 p.m. – 5:00 p.m.

Adjudication of DUI Cases

Honorable Mattison Gamble

Magistrate, Sumter County

Honorable Daniel Coble

Associate Chief Magistrate, Richland County

WEDNESDAY, OCTOBER 30, 2019

8:00 a.m. – 9:00 a.m.

Screening, Intervention, Treatment, and Rehabilitation

Gayle Aycock

President and Chief Executive Officer, LRADAC;
Vice-President, Behavioral Health Services
Association (BHSA)

Christopher Reid

Alcohol and Drug Safety Action Program (ADSAP)
Coordinator, SCDAODAS

Jeremy Martin

Vice President of Treatment and Intervention,
LRADAC

Laura Aldinger

Executive Director, Behavioral Health Services
Association

9:00 a.m. – 10:00 a.m.

Driver Licensing / Program Issues / Adjudication Issues

Shirley Rivers	Director of Driver Services, SCDMV
Terry Leverette	Summary Court Representative, SC Court Administration

10:00 a.m. – 10:15 a.m. - Break

10:15 a.m. – 11:15 a.m.

BAC Reporting

Sarah Osborne	Statistical Analysis and Research Manager, SCDPS, OHSJP
K. Larry Long, Jr.	Statistician, SCDPS, OHSJP
Rafael Hellebuyck	Statistician/FARS Supervisor, SCDPS, OHSJP
Beth Lancaster	FARS Analyst, SCDPS, OHSJP

11:15 a.m. – 12:15 a.m.

State Leadership Panel Returns (Questions / Answers)

12:15 p.m. – 1:15 p.m. - Lunch

1:15 p.m. – 5:00 p.m.

Assessment Team Report Development

THURSDAY, OCTOBER 31, 2019

Assessment Team Report Development

FRIDAY, NOVEMBER 1, 2019

9:00 a.m. – 11:00 a.m.

Assessment Team Presents Report to State

TEAM CREDENTIALS

ROBERT H. (BOB) BURROUGHS

Summary of Experience

Bob Burroughs has over 29 years of law enforcement experience including over 20 years of progressive management and executive level experience in highway safety, regulatory programs, and driver licensing programs. He has over nine (9) additional years providing consulting services in the motor vehicle programs.

Bob's transportation career began as a highway patrolman and driver licensing trooper. He progressed through the ranks and served in several highway safety program oversight positions covering motor carrier, vehicle safety inspection, driver licensing, and information technology programs. He was instrumental in automating roadside commercial motor vehicle inspections and traffic citations for the Texas Department of Public Safety. He also served as a project sponsor for the Texas Crash Records Information System project and as an executive member of the Texas Traffic Records Coordinating Committee.

Professional Business Experience

- Manager of the Motor Carrier Bureau responsible for statewide data management of Commercial Motor Vehicle Roadside Inspection data and oversight of the Motor Carrier Compliance Audit program of the Texas Department of Public Safety
- Program director for the statewide Vehicle Inspection Program responsible for program oversight and enforcement
- Highway Patrol Division record management and information technology manager responsible for integrating citation and disposition data as well as development and deployment of the Texas Highway Patrol In-Car computer program
- Directed the statewide Driver License Field Operations and the Internal Fraud Investigation Unit
- Directed the development of the Compliance and Enforcement Service for the newly formed Regulatory Services Division of the Department of Public Safety.

Consulting Business Experience

- Worked with the Massachusetts Registry of Motor Vehicles documenting business processes for re-engineering revenue operations, citation processing, and driver sanctioning activities.
- Prepared response to Jamaica Department of Motor Vehicles request for proposals to upgrade the driver licensing and vehicle title and registration programs.
- Work as a subcontractor assessing traffic record system interoperability within various States and United States Territories as a condition of their receiving federal highway funds for traffic record interoperability improvement programs.

Professional Societies and National Committees

- Member of the Federal Motor Carrier Safety Administration, Commercial Driver License Advisory Group
- Member of the Federal Motor Carrier Safety Administration, Federal Negotiated Rulemaking Committee to Enhance Driver License and Identity Security Standards
- Past Regional Vice President of the Commercial Vehicle Safety Alliance
- Member of the Information Systems Committee of the Commercial Vehicle Safety Alliance
- Past International Chair of the Law Enforcement Committee of the American Association of Motor Vehicle Administrators
- Past International Chair of the Vehicle Safety Inspection Committee of the American Association of Motor Vehicle Administrators
- Past Region II Chair of the Law Enforcement Committee of the American Association of Motor Vehicle Administrators
- Past Region II Chair of the Vehicle Safety Inspection Committee of the American Association of Motor Vehicle Administrators

Education

B.S., Criminal Justice, Wayland Baptist University
Graduate of the Bill Blackwood Law Enforcement Management Institute and the State of Texas Governor's Executive Management Development Program

HONORABLE LINDA CHEZEM

After private practice in Paoli, Indiana, Chezem was consecutively appointed to the Lawrence County Court, the Lawrence Circuit Court, and the Indiana Court of Appeals for a total of 22 years of service. She was the first woman appointed to a Circuit Court bench in Indiana and the second woman to serve on the Indiana Court of Appeals.

Following 22 years on the Indiana trial and appellate bench, Chezem moved to a University-based career. She is a Professor Emerita of Youth Development and Agriculture Education, School of Agriculture, Purdue University. She continues to hold an adjunct appointment at Indiana University's School of Medicine, Alcohol Research Center. From this base, she works on federal, state, and local policy on agriculture, alcohol, and related rural health issues. Chezem serves as the town attorney for Monrovia, Indiana. She has been particularly interested in rural and agricultural law and the evidentiary issues in alcohol adjudication and legislation.

Chezem served on the National Advisory Council on Alcohol Abuse and Alcoholism, National Institutes of Health, Bethesda, Maryland and consults with the U.S. Department of Justice, and Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention, and the National Highway Traffic Safety Administration. She reviews grant applications and programs for the National Institutes of Health and the National Institute of Justice. Chezem served as Vice-President of the Robert K. Greenleaf Center Board, Vice President of the Fairbanks Hospital Board, as First Vice President and Trustee, Class A (non-Alcoholic) to the General Services Board for Alcoholics Anonymous, The Indiana Youth Institute, Indiana Rural Health Association Board, and many other state and local boards. She has chaired the Morgan County Board of Health and her current board service includes Indiana Agricultural Law Foundation.

Chezem owns and operates her family grain and beef farm in Clay County, Indiana. Her husband owns and operates his family grain farms in Clinton County and Carroll County. Chezem also is of counsel at the Martinsville, Indiana law firm of Foley, Peden, and Wisco, P.A.

TROY E. COSTALES

Mr. Costales has been the state of Oregon's Transportation Safety Division Administrator and Governor's Highway Safety Representative since September of 1997. During his time as the Governor's Representative he has worked for four different Governors. Troy has over 30 years of experience in Transportation Safety, including 22 as the Administrator of the Division. He is a member of the executive management team for the Oregon Department of Transportation.

Mr. Costales was the 2011-2012 Chairman of the Governor's Highway Safety Association. He also served on: the American Association of State Highway and Transportation Officials (AASHTO) – Standing Committee on Highway Safety, AASHTO's Strategic Highway Safety Plan initiative, NHTSA's Impaired Driving program management course writing team, Transportation Research Board's Transportation Safety Management Committee and the Naturalistic Driving Data project, and the International Association of Chiefs of Police - Drug Evaluation and Classification Program Technical Advisory Panel, and many others. He has been part of the faculty for the GHSA Executive Training Seminar for the past eighteen years.

Under Mr. Costales' leadership, Oregon experienced a dramatic decline in traffic fatalities and injuries, to the lowest levels since 1944. The number of individuals injured in traffic crashes declined more than 30 percent since its peak of 39,000 in 1996. In addition, Oregon started a strong graduated driver license program that includes an incentive for driver education. Over the past eight years, the number of 16-year-old drivers involved in fatal and injury crashes has declined over 60 percent. Oregon continues to post one of the highest safety belt use rates in the nation at 96-98 percent. With the decline in the overall fatality toll, the number of alcohol-involved fatalities decreased by double-digit percentages in this past decade.

Mr. Costales has a master's degree in Public Administration from Portland State University. He was a member and chairman for several driver education, occupant protection, and impaired driving program assessments over the past eighteen years.

LT. MICHAEL S. IWAI

Lieutenant Michael S. Iwai is a 22-year law enforcement veteran. He is currently assigned as the Salem Station Commander for the Oregon State Police. Mike served as Oregon's 4th Drug Evaluation and Classification Program State Coordinator from 2008 to 2014. He is a former Chairman of the International Association of Chiefs of Police (IACP) - Drug Recognition Expert Section and Oregon DRE Advisory Committee. He is currently a member of the IACP Technical Advisory Panel (TAP), a member of the National Law Enforcement Committee for Mothers Against Drunk Driving (MADD), and Chairman of Oregon's MADD State Advisory Board.

Since 1999, Mike has been a certified and credentialed Drug Recognition Expert (DRE) and obtained DRE instructor certification in 2002. He has instructed all NHTSA/IACP impaired driving curricula in and outside the state Oregon. Furthermore, he instructs at Oregon's Basic Police and Leadership Academies. He's recognized as an expert in alcohol and drug impairment and has testified several times at the Oregon State Legislature.

Mike, a U.S. Army veteran, earned his Master of Business Administration from Northwest Christian University and a Bachelor of Arts in Business – Management and Organizational Leadership from George Fox University. Mike is a proven leader and has been recognized for his transportation safety efforts:

- NHTSA Recognition Award 2017
- MADD National President's Award - Outstanding Individual Hero 2015
- Ken Snook - DRE Award of Excellence 2014
- DUII Multi-Disciplinary Training Conference Task Force - Senior Trooper Maria Mignano Dedication to Duty Award 2012
- DUII Multi-Disciplinary Training Conference Task Force - DUII Trainer of the Year Award 2007
- Oregon State Police - Harold Berg Life Saving Award 2004

ROBERT P. LILLIS

Rob Lillis is President of Evalumetrics Research and has been providing planning, research and evaluation services to education, youth development, traffic safety, substance abuse, criminal justice, health and mental health programs at the state and local level for over 35 years. He provides evaluation services for school districts for a variety of special programs including 21st Century Learning Center programs, school climate project, after-school mentoring programs and environmental education programs. Mr. Lillis has served as the evaluator for the Ontario County Juvenile Drug Treatment Court, the Finger Lakes Drug Court, Ontario County Youth Court, the Finger Lakes Child Abuse Response Team-Child Advocacy Center and the Ontario County Family Support Center. He also provides planning, research and evaluation services for several rural Drug Free Community Grant programs and serves as evaluation consultant to the Allegany Council on Alcoholism and Substance Abuse (ACASA) and numerous other local substance abuse prevention and youth development programs. He conducted outcome studies for the Yes Pa Foundation, character education program.

Mr. Lillis was the primary source of research support to the governor and Legislature during the debate on the 21-year-old minimum drinking age law in New York. He also served on the consultant panel for the U.S. General Accounting Office Special review of Minimum Drinking Age Laws.

His experience with the projects cited above included extensive work with multiple data sources including: school-based file, criminal justice files, health records systems, and primary data sources such as student surveys. The Evalumetrics Youth Survey (EYS) measures substance use, health risk behaviors, and risk and protective factors. Mr. Lillis has conducted the survey in over 30 rural schools every odd-numbered year since 1999.

Since 1991 Mr. Lillis has served as a member of the Impaired Driver Assessment Consultant Team for the National Highway Traffic Safety Administration (NHTSA) and has conducted over 70 assessments of prevention and treatment programs in 38 states, Puerto Rico and for the Indian Nations. He was the 2011 recipient of the NHTSA Public Service Award.

405(f) MOTORCYCLIST SAFETY GRANT

To qualify for a Motorcyclist Safety Grant in a fiscal year, a State shall submit as part of its HSP documentation demonstrating compliance with at least two of the following criteria. Select application criteria from the list below to display the associated requirements.

Criteria under which the state is demonstrating compliance:

1. Motorcycle rider training course
2. Motorcyclist awareness program

Motorcycle rider training course

Enter the name and organization of the head of the designated State authority over motorcyclist safety issues.

State authority agency:	SC Technical College System
State authority name/title:	Sean McCullough, State Coordinator for the SC Motorcycle Education Program

Select the introductory rider curricula that has been approved by the designated State authority and adopted by the State.

Approved curricula:	Motorcycle Safety Foundation Basic Rider Course
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Enter a list of the counties or political subdivisions in the State where motorcycle rider training courses will be conducted during the fiscal year of the grant and the number of registered motorcycles in each such county or political subdivision according to official State motor vehicle records, provided the State must offer at least one motorcycle rider training course in counties or political subdivisions that collectively account for a majority of the State's registered motorcycles.

County or Political Subdivision	*Number of registered motorcycles
Aiken County	4,068

Anderson County	5,477
Beaufort County	3,366
Charleston County	6,508
Greenville County	10,199
Greenwood County	1,426
Horry County	12,285
Richland County	5,547
Spartanburg County	7,428
York County	7,283

*Source: South Carolina Department of Motor Vehicles (SCDMV)

Enter the total number of registered motorcycles in State:	115,092
---	---------

	Registered Motorcycles in Counties with Training Sites	Registered Motorcyclists in Counties without Training Sites
TOTALS:	63,587	51,505
Total motorcycle registrations:		115,092
Note: Majority coverage of 55%. The State offers at least one motorcycle rider training course in counties that collectively account for the majority of the State's registered motorcycles.		

Motorcyclist awareness program

Enter the name and organization of the head of the designated State authority over motorcyclist safety issues.

State authority agency:	SC Technical College System
State authority name/title:	Sean McCullough, State Coordinator for the SC Motorcycle Education Program

CERTIFICATION: The State’s motorcyclist awareness program was developed by or in coordination with the designated State authority having jurisdiction over motorcyclist safety issues.

Select one or more performance measures and corresponding performance targets developed for motorcycle awareness that identifies, using State crash data, the counties or political subdivisions within the State with the highest number of motorcycle crashes involving a motorcycle and another motor vehicle.

Fiscal Year	Performance Measure Name	Target Period(Performance Target)	Target End Year	Target Value (Performance Target)
2023	C-7) Number of motorcyclist fatalities (FARS)	Annual	2023	151
2023	C-8) Number of unhelmeted motorcyclist fatalities (FARS)	Annual	2023	107

Enter the counties or political subdivisions within the State with the highest number of motorcycle crashes (MCC) involving a motorcycle and another motor vehicle. Such data shall be from the most recent calendar year for which final State crash data are available, but data no older than three calendar years prior to the application due date.

County or Political Subdivision	# of MCC involving another motor vehicle
Horry County	133
Greenville County	114
Charleston County	112
Richland County	93
Spartanburg County	75
Lexington County	55
Anderson County	54
York County	47
Berkeley County	40

Enter total number of motorcycle crashes (MCC) involving a motorcycle and another motor vehicle.

Total # of MCC crashes involving another motor vehicle:	1,050
--	-------

Submit countermeasure strategies that demonstrate that the State will implement data-driven programs in a majority of counties or political subdivisions where the incidence of crashes involving a motorcycle and another motor vehicle is highest. The State shall select countermeasure strategies to address the State’s motorcycle safety problem areas in order to meet the performance targets identified above.

Countermeasure Strategy: Motorcyclist Awareness Campaign

Program Area: Motorcycle Safety

Project Safety Impacts

The importance of helmet use, the dangers of impaired motorcycling, and the importance of having a valid motorcycle endorsement on one's driver's license are all important objectives for improving motorcycle safety in the state of South Carolina. Another objective is to increase other motorists’ awareness of motorcyclists by increasing the visibility of motorcyclists and by educating other drivers on the importance of sharing the road with motorcycles. If these objectives are accomplished, the positive traffic safety impact of improved motorcycle safety could be achieved. Thankfully, these objectives can be met, in part, through communications and outreach efforts intended to promote helmet use, reduce impaired motorcycling, increase licensing, and spread Share the Road messaging to the motoring public.

Linkage Between Program Area

As evidenced by the problem identification data, motorcyclist fatalities represented 12.88% of the state's total fatalities in 2020. Of the 1,851 motorcycle collisions that occurred during the year 2020, 1,050 involved another vehicle. It is clear that there is an impetus for increasing other motorists' awareness of motorcyclists, given the severity of such collisions. Communication and outreach can be used to improve other motorists' awareness of motorcyclists and to promote the use of helmets and other protective gear among motorcyclists. As such, allocation of funds to motorcyclist awareness campaigns and the importance of protective gear is needed in order to help the state achieve its motorcycle safety performance targets.

Rationale

Efforts relative to motorcycle safety in SC have utilized countermeasures deemed by the *Countermeasures that Work: A Highway Safety Countermeasure Guide For State Highway Safety Offices, Tenth Edition, 2020* document as having limited evidence in terms of improving motorcycle safety, such as strengthening motorcycle licensing requirements (Chapter 5, Section 3.1, pp. 5-19); motorcycle rider training (Chapter 5, Section 3.2, pp. 5-20); helmet use promotion (Chapter 5, Section 1.2, p. 5-13); Communications and Outreach: Conspicuity and Protective Clothing (Chapter 5, Section 4.1, pp. 5-21); and Communications and Outreach: Motorist Awareness of Motorcyclists (Chapter 5, Section 4.1, p. 5-22). Though the document indicates limited evidence in terms of effectiveness, SC lacks a universal helmet law and has a strong legislative lobby against such a law; therefore, these types of efforts are essential to the state if it is to address the problem of motorcycle safety.

Submit planned activities that demonstrate that the State will implement data-driven programs in a majority of counties or political subdivisions where the incidence of crashes involving a motorcycle and another motor vehicle is highest. The State shall select planned activities to address the State’s motorcycle safety problem areas in order to meet the performance targets identified above.

Planned activity unique identifier	Planned Activity Name	Primary Countermeasure
M11MA	Motorcyclist Awareness Campaign	Motorcyclist Awareness Campaign

The Motorcyclist Awareness Campaign will be implemented statewide, but it will focus on counties having the majority of motorcyclist fatalities and motorcyclist traffic injuries during the preceding year. It will occur during the month of May to correspond with Motorcycle Safety Awareness Month and Horry county’s two major bike rallies: Myrtle Beach Bike Week and Atlantic Beach Bikefest. The focus counties for the campaign are those in which the greatest number of motorcycle collisions involving another motor vehicle occurred: Horry, Greenville, Charleston, Spartanburg, Richland, Lexington, Anderson, and York.

MC-5: Collisions Involving a Motorcycle by County, 2020 State Data				
Rank	County	Motorcycle vs Motor Vehicle	Motorcycle vs Motorcycle	Total Motorcycle Involved Collisions
1	Horry	133	4	218
2	Greenville	114	1	184
3	Charleston	112	2	173
4	Richland	93	3	123
5	Spartanburg	75	3	130
6	Lexington	55	1	95
7	Anderson	54	2	104
8	York	47	1	72
9	Berkeley	40	0	79
10	Pickens	28	4	61
11	Aiken	28	0	57
12	Dorchester	28	0	45
13	Oconee	23	0	47
14	Beaufort	21	1	43
15	Sumter	20	1	33
16	Laurens	17	0	34
17	Lancaster	14	2	27
18	Cherokee	14	0	25
19	Orangeburg	13	0	28
20	Florence	12	2	31
21	Kershaw	12	1	22
22	Colleton	10	0	22
23	Greenwood	9	0	15
24	Georgetown	9	1	13
25	Darlington	8	0	22
26	Fairfield	7	1	16
27	Chesterfield	7	0	10
28	Lee	7	0	10
29	Clarendon	6	0	11
30	Jasper	5	0	12
31	Marlboro	4	0	13
32	Union	4	1	6
33	Dillon	3	0	9
34	Abbeville	3	0	7
35	Chester	2	0	14
36	Williamsburg	2	0	6
37	Calhoun	2	0	4
38	Saluda	2	1	4
39	Edgefield	2	0	3
40	McCormick	2	0	3
41	Marion	1	1	3
42	Barnwell	1	0	2
43	Bamberg	1	0	1
44	Newberry	0	0	8
45	Hampton	0	0	5
46	Allendale	0	0	1
Totals		1,050	33	1,851

*Source: 2020 State data, which is the state's most recent final crash data.

Statewide Motorcycle Safety Awareness Public Information and Education Campaign

A successful motorcycle safety awareness public information and education campaign began in FFY 2007 and has been maintained with slight variations over the years. In FFY 2023, the state of South Carolina will launch a statewide motorcycle safety awareness campaign utilizing Section 405f funds as well as a portion of Section 402 funding. It will occur during the month of May 2023 during Horry county's two major motorcycle rallies (Myrtle Beach Bike Rally and Atlantic Beach Bikefest) and Motorcycle Safety Awareness Month. Messaging will focus on awareness of motorcyclists on the part of motor vehicle drivers.

The primary feature of the campaign will involve "Share the Road" messaging to increase motorists' awareness of the presence of motorcyclists on the roadways and sharing the road appropriately with these vehicles. The campaign will utilize radio public service announcements, outdoor advertising, social media, and displays placed at motorcycle rallies and events. Though statewide, the campaign will focus on counties having the majority of motorcyclist fatalities and injuries during the preceding year and those counties in which the greatest number of motorcycle collisions involving another motor vehicle occurred: Horry, Greenville, Charleston, Richland, Spartanburg, Lexington, Anderson, and York.

Motorcycle Safety Task Force

The Motorcycle Safety Task Force will continue to meet quarterly and form partnerships with various state, federal, and local agencies, as well as community groups to develop and implement strategies to reduce the number of motorcycle collisions, fatalities, and injuries.



South Carolina Department of Public Safety

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HENRY MCMASTER
GOVERNOR

ROBERT G. WOODS, IV
DIRECTOR

June 23, 2022

Ms. Carmen Hayes, Regional Administrator
National Highway Traffic Safety Administration
Atlanta Federal Center
61 Forsyth Street, SW, 17T30
Atlanta, GA 30303

Dear Ms. Hayes:

The purpose of this communication is to verify that the SC Department of Public Safety works in conjunction with its Motorcycle Safety Task Force to develop its Statewide Motorcycle Safety Awareness Campaign, which is approved by the Task Force each year.

Although the State of South Carolina does not have an official State document designating a State authority having jurisdiction over motorcycle safety issues, S.C. Code Section 59-53-2010 and 59-53-2020 indicate that (A) *the State Board for Technical and Comprehensive Education [i.e., the SC Technical College System] is authorized to establish a Motorcycle Safety Instruction Program.* The law further states that this entity will designate an individual ... *who is currently an employee of the technical education system to coordinate and administer the program subject to the availability of funds necessary to support such activity; (B) the program must be implemented through the state technical education system at institutions which choose to provide the program. The coordinator shall select and facilitate the training and certification of instructors who shall implement the program; and (C) the program of instruction must incorporate the Motorcycle Safety Foundation Motorcycle Rider Course core curriculum or equivalent as determined by the executive director.*

As indicated above, the individual referenced under Sections 59-53-2010 and 59-53-2020, Sean McCullough, State Coordinator for the SC Motorcycle Education Program, is designated with authority over Motorcycle Safety instruction in South Carolina. It should be noted that this individual serves as part of the Motorcycle Task Force, which has input relative to the design of the Motorcycle Safety Awareness Campaign each year.

Should you need additional information or have further questions, please do not hesitate to contact Phil Riley, Office of Highway Safety and Justice Programs Director, at 803-896-9970.

Sincerely,

Robert G. Woods, IV
Director

RW/pr



SOUTH CAROLINA HIGHWAY PATROL



STATE TRANSPORT POLICE



BUREAU OF PROTECTIVE SERVICES



Internationally Accredited Law Enforcement Agency

FY 2023 Motorcycle Training Courses

Attachment MC

Complete List of Counties in the State	Motorcycle Registration Data by County		Training Courses will be offered in the county during the month(s) selected:											
	Yes, there is a Training Site in the County	No, there is not a Training Site in the County	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23
ABBEVILLE		636												
AIKEN	4,068		X	X			X	X	X	X	X	X	X	X
ALLENDALE		82												
ANDERSON	5,477		X	X			X	X	X	X	X	X	X	X
BAMBERG		166												
BARNWELL		424												
BEAUFORT	3,366		X	X				X	X	X	X	X	X	X
BERKELEY		5348												
CALHOUN		428												
CHARLESTON	6,508		X	X	X	X	X	X	X	X	X	X	X	X
CHEROKEE		1834												
CHESTER		1118												
CHESTERFIELD		1051												
CLARENDON		599												
COLLETON		748												
DARLINGTON		1512												
DILLON		665												
DORCHESTER		3770												
EDGEFIELD		556												
FAIRFIELD		509												
FLORENCE		2411												
GEORGETOWN		1430												
GREENVILLE	10,199		X	X			X	X	X	X	X	X	X	X
GREENWOOD	1,426		X	X					X	X		X		X
HAMPTON		353												
HORRY	12,285		X	X				X	X	X		X		X
JASPER		545												
KERSHAW		1958												
LANCASTER		2463												
LAURENS		1868												
LEE		349												
LEXINGTON		6884												
MARION		603												
MARLBORO		545												
MCCORMICK		221												
NEWBERRY		892												
OCONEE		2839												
ORANGEBURG		1332												
PICKENS		3650												
RICHLAND	5,547		X	X	X	X	X	X	X	X	X	X	X	X
SALUDA		460												
SPARTANBURG	7,428		X	X	X	X	X	X	X	X	X	X	X	X
SUMTER		2271												
UNION		567												
WILLIAMSBURG		399												
YORK	7,283		X	X	X									
Undetermined		19												
TOTALS	63,587	51,505												
Total motorcycle registrations:		115,092												

Note: Majority coverage of 55%. The State offers at least one motorcycle rider training course in counties that collectively account for the majority of the State's registered motorcycles.

Appendix B to Part 1300 – Application Requirements for Section 405 and Section 1906 Grants

[Each fiscal year, to apply for a grant under 23 U.S.C. 405 or Section 1906, Pub. L. 109-59, as amended by Section 4011, Pub. L. 114-94, the State must complete and submit all required information in this appendix, and the Governor's Representative for Highway Safety must sign the Certifications and Assurances.]

State: South Carolina

Fiscal Year: 2023

Instructions: Check the box for each part for which the State is applying for a grant, fill in relevant blanks, and identify the attachment number or page numbers where the requested information appears in the HSP. Attachments may be submitted electronically.

■ PART 1: OCCUPANT PROTECTION GRANTS (23 CFR 1300.21)

*[Check the box above **only** if applying for this grant.]*

All States:

[Fill in all blanks below.]

- The lead State agency responsible for occupant protection programs will maintain its aggregate expenditures for occupant protection programs at or above the average level of such expenditures in fiscal years 2014 and 2015. (23 U.S.C. 405(a)(9))
- The State's occupant protection program area plan for the upcoming fiscal year is provided in the HSP at SC_FY23_402 pg. 86 (location).
- The State will participate in the Click it or Ticket national mobilization in the fiscal year of the grant. The description of the State's planned participation is provided in the HSP at SC_FY23_405b pg. 19 (location).
- Countermeasure strategies and planned activities demonstrating the State's active network of child restraint inspection stations are provided in the HSP at SC_FY23_402 pg. 106 and SC_FY23_405b pg. 6 and pg. 21 (location). Such description includes estimates for: (1) the total number of planned inspection stations and events during the upcoming fiscal year; and (2) within that total, the number of planned inspection stations and events serving each of the following population categories: urban, rural, and at-risk. The planned inspection stations/events provided in the HSP are staffed with at least one current nationally Certified Child Passenger Safety Technician.

- Countermeasure strategies and planned activities, as provided in the HSP at SC_FY23_402 pg. 101 and SC_FY23_405b pg. 1 and pg. 22 (location), that include estimates of the total number of classes and total number of technicians to be trained in the upcoming fiscal year to ensure coverage of child passenger safety inspection stations and inspection events by nationally Certified Child Passenger Safety Technicians.

Lower Seat Belt Use States Only:

[Check at least 3 boxes below and fill in all blanks under those checked boxes.]

- The State's **primary seat belt use law**, requiring all occupants riding in a passenger motor vehicle to be restrained in a seat belt or a child restraint, was enacted on _____ (date) and last amended on _____ (date), is in effect, and will be enforced during the fiscal year of the grant.
Legal citation(s): _____.

- The State's **occupant protection law**, requiring occupants to be secured in a seat belt or age-appropriate child restraint while in a passenger motor vehicle and a minimum fine of \$25, was enacted on _____ (date) and last amended on _____ (date), is in effect, and will be enforced during the fiscal year of the grant.

Legal citations:

- _____ Requirement for all occupants to be secured in seat belt or age appropriate child restraint;
- _____ Coverage of all passenger motor vehicles;
- _____ Minimum fine of at least \$25;
- _____ Exemptions from restraint requirements.

- The countermeasure strategies and planned activities demonstrating the State's **seat belt enforcement plan** are provided in the HSP at _____ (location).
- The countermeasure strategies and planned activities demonstrating the State's **high risk population countermeasure program** are provided in the HSP at _____ (location).

- The State's **comprehensive occupant protection program** is provided as follows:
 - Date of NHTSA-facilitated program assessment conducted within 5 years prior to the application date _____ (date);

 - Multi-year strategic plan: HSP at _____ (location);
 - The name and title of the State's designated occupant protection coordinator is _____.
 - List that contains the names, titles and organizations of the Statewide occupant protection task force membership: HSP at _____ (location).

- The State's NHTSA-facilitated **occupant protection program assessment** of all elements of its occupant protection program was conducted on _____ (date) (within 3 years of the application due date);

■ PART 2: STATE TRAFFIC SAFETY INFORMATION SYSTEM IMPROVEMENTS GRANTS (23 CFR 1300.22)

*[Check the box above **only** if applying for this grant.]*

All States:

- The lead State agency responsible for traffic safety information system improvement programs will maintain its aggregate expenditures for traffic safety information system improvements programs at or above the average level of such expenditures in fiscal years 2014 and 2015. (23 U.S.C. 405(a)(9))

*[Fill in **all** blank for each bullet below.]*

- A list of at least 3 TRCC meeting dates during the 12 months preceding the application due date is provided in the HSP at SC_FY23_405c pg. 1 (location).
- The name and title of the State's Traffic Records Coordinator is **Wilson Matthews, State Traffic Records Manager**
- A list of the TRCC members by name, title, home organization and the core safety database represented is provided in the HSP at SC_FY23_405c pg. 2 (location).
- The State Strategic Plan is provided as follows:
 - Description of specific, quantifiable and measurable improvements at Attachment SC_FY23_405c Approved TRCC Strategic Plan and SC_FY23_405c pg.13 (location);
 - List of all recommendations from most recent assessment at: SC_FY23_405c pg. 3 (location);
 - Recommendations to be addressed, including countermeasure strategies and planned activities and performance measures at SC_FY23_405c pg. 4 (location);
 - Recommendations not to be addressed, including reasons for not implementing: HSP at SC_FY23_405c pg. 11 (location).
- Written description of the performance measures, and all supporting data, that the State is relying on to demonstrate achievement of the quantitative improvement in the preceding 12 months of the application due date in relation to one or more of the significant data program attributes is provided in the HSP at SC_FY23_405c pg. 13 & SC_FY23_405c FY 22 Progress Report Attachments (location).
- The State's most recent assessment or update of its highway safety data and traffic records system was completed on 4/15/2022 (date).

**■ PART 3: IMPAIRED DRIVING COUNTERMEASURES
(23 CFR 1300.23(D)-(F))**

*[Check the box above **only** if applying for this grant.]*

All States:

- The lead State agency responsible for impaired driving programs will maintain its aggregate expenditures for impaired driving programs at or above the average level of such expenditures in fiscal years 2014 and 2015.
- The State will use the funds awarded under 23 U.S.C. 405(d) only for the implementation of programs as provided in 23 CFR 1300.23(j).

Mid-Range State Only:

*[Check **one** box below and fill in all blanks under that checked box.]*

The State submits its Statewide impaired driving plan approved by a Statewide impaired driving task force on 6/14/2022 (date).
Specifically –

- HSP at SC_FY23_405d pg. 1 (location) describes the authority and basis for operation of the Statewide impaired driving task force;
- HSP at SC_FY23_405d pg. 2 (location) contains the list of names, titles and organizations of all task force members;
- HSP at Attachment SC_FY23_405d 2023 Impaired Driving Countermeasures Plan (location) contains the strategic plan based on Highway Safety Guideline No. 8 – Impaired Driving.

The State has previously submitted a Statewide impaired driving plan approved by a Statewide impaired driving task force on _____ (date) and continues to use this plan.

High-Range State Only:

[Check one box below and fill in all blanks under that checked box.]

The State submits its Statewide impaired driving plan approved by a Statewide impaired driving task force on _____ (date) that includes a review of a NHTSA-facilitated assessment of the State's impaired driving program conducted on _____ (date). Specifically, –

- HSP at _____ (location) describes the authority and basis for operation of the Statewide impaired driving task force;
- HSP at _____ (location) contains the list of names, titles and organizations of all task force members;
- HSP at _____ (location) contains the strategic plan based on Highway Safety Guideline No. 8 – Impaired Driving;
- HSP at _____ (location) addresses any related recommendations from the assessment of the State's impaired driving program;
- HSP at _____ (location) contains the planned activities, in detail, for spending grant funds;
- HSP at _____ (location) describes how the spending supports the State's impaired driving program and achievement of its performance targets.

The State submits an updated Statewide impaired driving plan approved by a Statewide impaired driving task force on _____ (date) and updates its assessment review and spending plan provided in the HSP at _____ (location).

PART 4: ALCOHOL-IGNITION INTERLOCK LAWS (23 CFR 1300.23(G))

[Check the box above only if applying for this grant.]

[Fill in all blanks.]

The State provides citations to a law that requires all individuals convicted of driving under the influence or of driving while intoxicated to drive only motor vehicles with alcohol-ignition interlocks for a period of 6 months that was enacted on _____ (date) and last amended on _____ (date), is in effect, and will be enforced during the fiscal year of the grant.

Legal citation(s):

_____.

PART 5: 24-7 SOBRIETY PROGRAMS (23 CFR 1300.23(H))

[Check the box above only if applying for this grant.]

[Fill in all blanks.]

The State provides citations to a law that requires all individuals convicted of driving under the influence or of driving while intoxicated to receive a restriction on driving privileges that was enacted on _____ (date) and last amended on _____ (date), is in effect, and will be enforced during the fiscal year of the grant.

Legal citation(s):

_____.

[Check at least one of the boxes below and fill in all blanks under that checked box.]

Law citation. The State provides citations to a law that authorizes a Statewide 24-7 sobriety program that was enacted on _____ (date) and last amended on _____ (date), is in effect, and will be enforced during the fiscal year of the grant.

Legal citation(s):

_____.

Program information. The State provides program information that authorizes a Statewide 24-7 sobriety program. The program information is provided in the HSP at _____ (location).

□ **PART 6: DISTRACTED DRIVING GRANTS (23 CFR 1300.24)**

[*Check the box above **only** if applying for this grant and fill in all blanks.*]

Comprehensive Distracted Driving Grant

- The State provides sample distracted driving questions from the State's driver's license examination in the HSP at _____ (location).

- **Prohibition on Texting While Driving**

The State's texting ban statute, prohibiting texting while driving and requiring a minimum fine of at least \$25, was enacted on _____ (date) and last amended on _____ (date), is in effect, and will be enforced during the fiscal year of the grant.

Legal citations:

- _____ Prohibition on texting while driving;
- _____ Definition of covered wireless communication devices;
- _____ Minimum fine of at least \$25 for an offense;
- _____ Exemptions from texting ban.

- **Prohibition on Youth Cell Phone Use While Driving**

The State's youth cell phone use ban statute, prohibiting youth cell phone use while driving, driver license testing of distracted driving issues and requiring a minimum fine of at least \$25, was enacted on _____ (date) and last amended on _____ (date), is in effect, and will be enforced during the fiscal year of the grant.

Legal citations:

- _____ Prohibition on youth cell phone use while driving;
- _____ Definition of covered wireless communication devices;
- _____ Minimum fine of at least \$25 for an offense;
- _____ Exemptions from youth cell phone use ban.

- The State has conformed its distracted driving data to the most recent Model Minimum Uniform Crash Criteria (MMUCC) and will provide supporting data (i.e., NHTSA-developed MMUCC Mapping spreadsheet) within 30 days after notification of award.

■ PART 7: MOTORCYCLIST SAFETY GRANTS (23 CFR 1300.25)

*[Check the box above **only** if applying for this grant.]*

*[Check at least 2 boxes below and fill in all blanks under those checked boxes **only**.]*

■ Motorcycle riding training course:

- The name and organization of the head of the designated State authority over motorcyclist safety issues is Sean McCullough. See SC_FY23_405f pg. 1 for organization name.
- The head of the designated State authority over motorcyclist safety issues has approved and the State has adopted one of the following introductory rider curricula:
[Check at least one of the following boxes below and fill in any blanks.]
 - Motorcycle Safety Foundation Basic Rider Course;
 - TEAM OREGON Basic Rider Training;
 - Idaho STAR Basic I;
 - California Motorcyclist Safety Program Motorcyclist Training Course;
 - Other curriculum that meets NHTSA's Model National Standards for Entry-Level Motorcycle Rider Training and that has been approved by NHTSA.
- In the HSP at SC_FY23_405f pg. 1 (location), a list of counties or political subdivisions in the State where motorcycle rider training courses will be conducted during the fiscal year of the grant AND number of registered motorcycles in each such county or political subdivision according to official State motor vehicle records.

■ Motorcyclist awareness program:

- The name and organization of the head of the designated State authority over motorcyclist safety issues is Sean McCullough. See SC_FY23_405f pg. 2 for organization name.
- The State's motorcyclist awareness program was developed by or in coordination with the designated State authority having jurisdiction over motorcyclist safety issues.
- In the HSP at SC_FY23_HSP pg. 202 and SC_FY23_405f pg. 3 (location), performance measures and corresponding performance targets developed for motorcycle awareness that identify, using State crash data, the counties or political subdivisions within the State with the highest number of motorcycle crashes involving a motorcycle and another motor vehicle.
- In the HSP at SC_FY23_HSP pg. 203 and SC_FY23_405f pg. 4 (location), the countermeasure strategies and planned activities demonstrating that the State will implement data-driven programs in a majority of counties or political subdivisions

where the incidence of crashes involving a motorcycle and another motor vehicle is highest, and a list that identifies, using State crash data, the counties or political subdivisions within the State ranked in order of the highest to lowest number of crashes involving a motorcycle and another motor vehicle per county or political subdivision.

□ Reduction of fatalities and crashes involving motorcycles:

- Data showing the total number of motor vehicle crashes involving motorcycles is provided in the HSP at _____ (location).
- Description of the State's methods for collecting and analyzing data is provided in the HSP at _____ (location).

□ Impaired driving program:

- In the HSP at _____ (location), performance measures and corresponding performance targets developed to reduce impaired motorcycle operation.
- In the HSP at _____ (location), countermeasure strategies and planned activities demonstrating that the State will implement data-driven programs designed to reach motorcyclists and motorists in those jurisdictions where the incidence of motorcycle crashes involving an impaired operator is highest (i.e., the majority of counties or political subdivisions in the State with the highest numbers of motorcycle crashes involving an impaired operator) based upon State data.

□ Reduction of fatalities and accidents involving impaired motorcyclists:

- Data showing the total number of reported crashes involving alcohol-impaired and drug-impaired motorcycle operators is provided in the HSP at _____ (location).
- Description of the State's methods for collecting and analyzing data is provided in the HSP at _____ (location).

Use of fees collected from motorcyclists for motorcycle programs:

[Check one box only below and fill in all blanks under the checked box only.]

Applying as a Law State –

- The State law or regulation requires all fees collected by the State from motorcyclists for the purpose of funding motorcycle training and safety programs are to be used for motorcycle training and safety programs. **AND**
- The State’s law appropriating funds for FY ____ demonstrates that all fees collected by the State from motorcyclists for the purpose of funding motorcycle training and safety programs are spent on motorcycle training and safety programs.

Legal citation(s): _____

Applying as a Data State –

- Data and/or documentation from official State records from the previous fiscal year showing that **all** fees collected by the State from motorcyclists for the purpose of funding motorcycle training and safety programs were used for motorcycle training and safety programs is provided in the HSP at

_____ (location).

□ PART 8: STATE GRADUATED DRIVER LICENSING INCENTIVE GRANTS (23 CFR 1300.26)

*[Check the box above **only** if applying for this grant.]*

[Fill in all applicable blanks below.]

The State's graduated driver's licensing statute, requiring both a learner's permit stage and intermediate stage prior to receiving an unrestricted driver's license, was last amended on _____ (date), is in effect, and will be enforced during the fiscal year of the grant.

Learner's Permit Stage –

Legal citations:

- _____ Applies prior to receipt of any other permit, license, or endorsement by the State if applicant is younger than 18 years of age and has not been issued an intermediate license or unrestricted driver's license by any State;
- _____ Applicant must pass vision test and knowledge assessment;
- _____ In effect for at least 6 months;
- _____ In effect until driver is at least 16 years of age;
- _____ Must be accompanied and supervised at all times;
- _____ Requires completion of State-certified driver education or training course or at least 50 hours of behind-the-wheel training, with at least 10 of those hours at night;
- _____ Prohibits use of personal wireless communications device;
- _____ Extension of learner's permit stage if convicted of a driving-related offense;
- _____ Exemptions from learner's permit stage.

Intermediate Stage –

Legal citations:

- _____ Commences after applicant younger than 18 years of age successfully completes the learner's permit stage, but prior to receipt of any other permit, license, or endorsement by the State;
- _____ Applicant must pass behind-the-wheel driving skills assessment;

- _____ In effect for at least 6 months;
- _____ In effect until driver is at least 17 years of age;
- _____ Must be accompanied and supervised between hours of 10:00 p.m. and 5:00 a.m. during first 6 months of stage, except when operating a motor vehicle for the purposes of work, school, religious activities, or emergencies;
- _____ No more than 1 nonfamilial passenger younger than 21 years of age allowed;
- _____ Prohibits use of personal wireless communications device;
- _____ Extension of intermediate stage if convicted of a driving-related offense;
- _____ Exemptions from intermediate stage.

■ PART 9: NONMOTORIZED SAFETY GRANTS (23 CFR 1300.27)

[Check the box above *only* if applying for this grant AND *only* if NHTSA has identified the State as eligible because the State annual combined pedestrian and bicyclist fatalities exceed 15 percent of the State's total annual crash fatalities based on the most recent calendar year final FARS data.]

The State affirms that it will use the funds awarded under 23 U.S.C. 405(h) only for the implementation of programs as provided in 23 CFR 1300.27(d).

PART 10: RACIAL PROFILING DATA COLLECTION GRANTS (23 CFR 1300.28)

*[Check the box above **only** if applying for this grant.]*

*[Check one box **only** below and fill in **all** blanks under the checked box **only**.]*

- In the HSP at _____ (location), the official document(s) (i.e., a law, regulation, binding policy directive, letter from the Governor or court order) demonstrates that the State maintains and allows public inspection of statistical information on the race and ethnicity of the driver for each motor vehicle stop made by a law enforcement officer on all public roads except those classified as local or minor rural roads.
- In the HSP at _____ (location), the State will undertake countermeasure strategies and planned activities during the fiscal year of the grant to maintain and allow public inspection of statistical information on the race and ethnicity of the driver for each motor vehicle stop made by a law enforcement officer on all public roads except those classified as local or minor rural roads.
-

In my capacity as the Governor's Representative for Highway Safety, I hereby provide the following certifications and assurances –

- I have reviewed the above information in support of the State's application for 23 U.S.C. 405 and Section 1906 grants, and based on my review, the information is accurate and complete to the best of my personal knowledge.
- As condition of each grant awarded, the State will use these grant funds in accordance with the specific statutory and regulatory requirements of that grant, and will comply with all applicable laws, regulations, and financial and programmatic requirements for Federal grants.
- I understand and accept that incorrect, incomplete, or untimely information submitted in support of the State's application may result in the denial of a grant award.

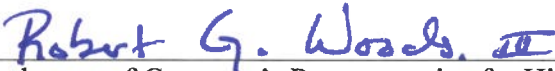
I understand that my statements in support of the State's application for Federal grant funds are statements upon which the Federal Government will rely in determining qualification for grant funds, and that knowing misstatements may be subject to civil or criminal penalties under 18 U.S.C. 1001. I sign these Certifications and Assurances based on personal knowledge, and after appropriate inquiry.



Signature Governor's Representative for Highway Safety



Date



Printed name of Governor's Representative for Highway Safety