

# NEW HAMPSHIRE TRAFFIC SAFETY COMMISSION

## ANNUAL REPORT (Nov. 2018-2019)

### HISTORY:

The Traffic Safety Commission was established by RSA 21-P:64 on July 1, 2015. The members of the Commission consist of individuals from various backgrounds and professions including, but not limited to, The Association of Chiefs (Fire & Police), The New Hampshire Municipal Association, and The New Hampshire Automobile Dealers Association. Members do not receive compensation or expenses. Membership and participation is completely voluntary. I was honored to be named Chairperson of the Commission formally in March of 2019.

In the past, the Commission, as a group, did not discuss recommendations relative to legislative changes and/or proposals. Furthermore, there was no discussion about proposed legislation/bills and whether the Commission desired to support or express non-support as a Commission. There seemed to be confusion as to the purpose or mission of the Commission.

After going over the statute several times and educating ourselves about the legislative process, the Commission is now in a better position to make recommendations as it relates to proposed legislation in future years. This year, the Commission will focus on practical issues and possible legislative changes for next year.

### MISSION:

The mission of the Commission as described in RSA 21-P:64 is "... [to] review and analyze topics related to roadway safety and identify initiatives, policy recommendations, and proposed legislative changes to further the public safety mission of the department." RSA 21-P:64. Furthermore, the "...commission shall report annually...to the speaker of the house of representatives, the president of the senate, and the governor." RSA 21-P:64, V. The reports are meant to describe the activities, findings and any recommendations for proposed legislation.

### MEETINGS:

From November 2018 through November of 2019, the Commission met on four occasions. The Commission discussed and tackled issues such as motorcycle safety, bicycle safety, pedestrian safety, New Hampshire's unbelted fatality rate being the highest or one of the highest in the

Country, the benefits of rumble strips and guardrails, the lack of prosecution or follow through on DWI arrests, impaired driving, speeding and distracted driving. Our presenters included Roberta Witham, Department of Safety Business Systems Analyst, Glen Wilder, Department of Safety FARS (Fatal Analysis Reporting System), Jennifer Tramp, the Office of Highway Safety Public Information Officer, Traci Beaurivage, President of the New Hampshire Motorcycles Rider's Association, Sherman Packard, New Hampshire State Representative, Sgt. Greg Dube, NHSP, Crash, Analysis and Reconstruction Unit, Trudy Sutherland, iHeart Media Senior Account Executive and Joanna Helen Bailey, NHSP, Justice Bureau E-Crash Data.

### FINDINGS:

Based on the information presented to the Commission, the Commission makes the following findings:

It appears that the decrease in circuit court time for criminal trials and hearings has negatively impacted the conviction rate for misdemeanor driving while intoxicated charges.

Since recreational marijuana was legalized in Colorado, traffic deaths involving drivers who tested positive for marijuana more than doubled from 55 in 2013 to 115 people in 2018.

Source: Rocky Mountain HIDTA 2019

It is difficult, at best, for our law enforcement officers and prosecutors to arrest and successfully prosecute driving while under the influence of a drug due to lack of information as it relates to what level of the drug is impairing to an individual. The problems come up when a person is using marijuana, prescription drugs and/or opioids.

In 2018, New Hampshire had the highest unrestrained fatality rate in the country at 70%. New Hampshire is the only state in the country that does not have an adult seat belt law.

### RECOMMENDATIONS:

The Commission recommends the following to improve safety on our roads and highways:

1. Continue public safety announcements through our partners at the Office of Highway Safety, NHTSA, and iHeart Radio. These announcements are focused on preventing crashes by educating the public on issues such as impaired driving, distracted driving and speeding.
2. Consider enacting tougher laws as it relates to driving while impaired.
3. Increase circuit court time available to litigate driving while impaired cases. There appears to be pressure on judges, prosecutors and defense attorneys to resolve cases without a trial due to lack of court time.

4. Study and research the effects drugs, specifically, marijuana and opioids, can have on a person's ability to safely operate a motor vehicle and at what levels in the human body these drugs can cause impairment.

5. Establish a commission to study and/or research seat belt legislation in other states and whether these laws have decreased the number of fatalities in motor vehicle crashes.

### CONCLUSION:

All in all, the Commission had a productive year in that we became comfortable with a new chair, with each other and with the mission and purpose of the Commission. Furthermore, we discussed and learned about issues very important to Highway Safety such as motorcycle safety, bicycle safety, pedestrian safety, New Hampshire's unbelted fatality rate being the highest or one of the highest in the Country, the benefits of rumble strips and guardrails, the lack of prosecution or follow through on DWI arrests, impaired driving, speeding and distracted driving which enabled the group to make recommendations to our law makers with the hope that these recommendations will improve safety on our roads and highways.

Respectfully,

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Chair Traffic Safety Commission  
Patricia G. Conway, Esq.