



Oregon

Tina Kotek, Governor

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TO: Chuck Hayes, Chair of GAC – DUII

FROM: Ryan Stone, TSO Impaired Driving Program Manager

SUBJECT: Proposal for updates to GAC meeting agendas/processes

Introduction

The ODOT Transportation Safety Office (TSO) partnered with the National Highway Traffic Safety Administration (NHTSA) to conduct a comprehensive assessment of Oregon's Impaired Driving program between November 2022 and April 2023. A team of five subject matter experts in the areas of enforcement, judiciary, treatment, data, and program management reviewed information provided by participants in Oregon's impaired driving prevention processes and prepared a report outlining suggestions for how we could make improvements.

Although the assessment team was assembled by NHTSA, none of the members were NHTSA employees. Rather, their backgrounds were in particular areas relevant to highway safety. The team will nonetheless be referred to in this memorandum as a NHTSA assessment team in the interest of brevity. The team utilized NHTSA's *Highway Safety Program Guideline No. 8* as a baseline against which to evaluate Oregon's successes, challenges, and opportunities.

The assessment team's final report included commentary on the Governor's Advisory Committee on DUII (GAC), to include suggestions for how the structure and processes of the committee might be updated to improve the body's effectiveness in achieving positive change to Oregon's impaired driving prevention landscape. Additionally, I have heard from participants and observers of GAC meetings their suggestions for how the committee might be able to better advance its overall goal to promote highway safety.

Although the assessment team's final report has been made available to GAC and the public, I will summarize its contents here as they relate to the work of the committee. I will also provide my suggestions for how to incorporate the assessment team's ideas within the framework of the committee's existing bylaws.

In addition to relating the assessment team's recommendations, I will include suggestions for the committee's consideration based on feedback I have received from interested parties.

Recommendations:

The NHTSA assessment team made four recommendations specific to the work of this GAC, which included:

- Create an annual report to document specific recommendations for consideration by the Governor's Advisory Committee (GAC) on Driving Under the Influence of Intoxicants to compliment the GAC Strategic Plan.
- Invite underrepresented entities and groups to the Governor's Advisory Committee (GAC) on Driving Under the Influence of Intoxicants for the purpose of gauging their interest in being involved in GAC activities.
- Explore securing a representative and voting position for the Transportation Safety Office through the Governor's Advisory Committee on Driving Under the Influence of Intoxicants procedures.
- Form a sub-committee, through the Governor's Advisory Committee (GAC) on Driving Under the Influence of Intoxicants, with the directive to evaluate Executive Order No. EO-83-20 that created the GAC and make recommendations for changes if necessary to keep or make the GAC relevant and functional.

The team's recommendation that GAC create an annual report to compliment the committee's strategic plan seems predicated on the idea that the strategic plan itself is used to guide the group's activities. As such, I recommend the strategic plan be reviewed by the committee at regular intervals to ensure steps are being taken toward actionable goals. To facilitate this, TSO could send the strategic plan to committee members as part of a meeting mail-out semi-annually, and an agenda item can be added for discussion/updates regarding progress on goals.

I also recommend the GAC consider the creation of a one-page document to summarize observations, data, and advisory comments following each committee meeting. TSO could prepare this document based on direction from the committee, and it could be presented for approval at the following GAC meeting. This document, once approved, could then be forwarded to the appropriate policy advisor for the Governor so as to keep the committee's work from being done in something of an echo chamber or vacuum.

The above-described document would not take the place of meeting minutes, which would still be produced, but instead, would provide a tighter snapshot of any items deemed particularly significant. In short, even meeting minutes can be too long for a policy advisor to spend time reading/digesting. This document would be intended to convey *the* hot issue of the month's meeting.

On the topic of the Governor's Office, I also recommend the Governor's policy advisor on Transportation and Infrastructure be invited to attend GAC meetings at least quarterly so they can hear for themselves the important conversations related to impaired driving that take place.

Regarding an annual report, TSO could again take the lead in creating such a document to compliment the strategic plan and show what, if any, progress has been made in achieving strategic goals. This report could then be submitted for committee approval and forwarded to the Governor's Office.

All of the above documents could be made publicly available via the GAC's website, and that of the TSO Impaired Driving Program. By making the documents easily accessible to interested parties, the committee can help spread information about the challenges and opportunities facing our state as we continue to the fight against impaired driving.

The NHTSA assessment team's recommendation that additional members be added is consistent with discussions that have gone on at numerous GAC meetings in the time since I joined TSO. While GAC has discussed adding members from the education and legal defense sectors, the assessment team went on to recommend adding members representing business (employers and unions), the military, medical, multi-cultural interests, faith-based interests, and alcohol and cannabis manufactures, distributors, and retailers. They also specifically recommended adding private *and* public DUII defense attorneys.

I recommend the committee review the list of suggested sectors to identify where additional liaisons and/or voting members might be added, and assignments be made for specific members to engage in identification and recruitment activities.

The significant concern that arose as I considered adding additional members was that the existing structure of GAC meetings already lends itself toward meetings that run long, and are almost entirely consumed by reports from members, liaisons, and TSO staff. I propose making several changes to monthly meeting agendas to increase the amount of time the committee has to discuss topics of interest in detail and to designate plans of action.

First, I recommend GAC liaisons be divided into two equal-sized groups. The first group will provide their report out during the first month of a quarter, and the other group will provide their report during the second month. Where feasible, liaisons could be encouraged to provide their liaison report in writing in time for the coming meeting's mail out so members can review them and determine if they have any questions. Liaisons can still provide an oral report during GAC meetings, but they could be substantially limited in length. TSO can help develop a standardized liaison report form if that would be helpful to the process. By reducing the amount of time dedicated to oral liaison reports, members will have more time to discuss topics, even if more members are ultimately added.

For the third month of each quarter, there could be no liaison reports. Rather, the GAC could consider holding this meeting at a location away from Salem, so as to encourage public participation from other areas of the state. TSO's Regional Transportation Safety Coordinators could assist GAC in locating appropriate sites for these meetings, and in bringing partners to the table to offer comment for the committee's consideration during the public input item on the agenda. By hosting GAC meetings in other parts of the state, the committee will have a better opportunity to engage with partners who otherwise might not be able to attend, or who are not comfortable participating in discussions via Teams.

The NHTSA assessment team made a recommendation that TSO be considered for representation as a voting member on the committee, however, I do not see that as necessary at this time. GAC has always welcomed input from TSO, and I feel we have been able to collaborate on committee projects without the need for us to have a vote. Further, TSO asks GAC to approve certain documents and activities, and it would muddy the waters to have a TSO representative participating as a voting member, even if they abstained from voting in those limited instances. I suspect there would also be considerations from ODOT Government Relations and others if this assessment recommendation were to be explored.

The final recommendation from the assessment team regarding the conduct of GAC was that a subcommittee be formed to evaluate the executive order that authorized the creation and the mission of the committee to see if there was room to request an update to make the committee's work more relevant and functional. This recommendation has merit since the executive order that created this GAC was signed in 1983. Even if no changes were ultimately recommended, a thorough review of the order might help guide the committee on its activities, similar to what might come of a routine review of the strategic plan.

Conclusion:

My intention in drafting this memo was to make suggestions for how the GAC can evolve in the way it conducts its important business in the interest of saving lives. None of the recommendations provided by myself or the NHTSA assessment team should be considered instructive to the committee in any way, but rather serve as suggestions. Regardless of any temporary or permanent changes that may or not be adopted by the committee, TSO will remain ready to serve in any way that we can. We sincerely appreciate the work of the GAC's members and liaisons, and we look forward to our continued partnership in making Oregon's highways safer for everyone.