

Executive Leadership Team
July 12, 2016
10:00 a.m. – 12:00 p.m.
MDT Commission Room, 2701 Prospect Avenue
Helena, Montana



zero deaths | zero serious injuries

Attend by:

Tom Butler, Colonel, Montana Highway Patrol, Montana Department of Justice
& on behalf of Attorney General Tim Fox, Montana Department of Justice
Mike Batista, Director, Montana Department of Corrections
Karin Billings, Administrator, Health Enhancement & Safety, Office of Public Instruction
David Nielsen, Lobbyist, Montana League of Cities and Towns
Kevin McLaury, Division Administrator, Montana Division Federal Highway Administration
Beth McLaughlin, Administrator, Court Administrator's Office
Judge Mary Jane Knisely, 13th Judicial District Court Judge - Judicial Outreach Liaison
Jason Smith, Director, Office of Indian Affairs Governor's Office
Shauna Helfert, Administrator, Liquor Control, Montana Department of Revenue- proxy
John Iverson, Government Affairs Director, Montana Tavern's Association
Mike Tooley, Director, Montana Department of Transportation & Governors Representative on Highway Safety
Linda Hull, Policy and Legislative Services Director, Utah Department of Transportation
Wendy Olson Hansen, Buckle Up Montana Coordinator, Flathead City-County Health Department
Denice Harris, Public Affairs, AAA MountainWest
Lynn Zanto, Administrator, Planning Division, Montana Department of Transportation
Pam Langve-Davis, Safety Planner, CHSP Program, Montana Department of Transportation
Kevin Dusko, Safety Planner, Impaired Driving Program, Montana Department of Transportation
Shana Helfert attended on behalf of Mike Kadas, Montana Department of Revenue
David Neilsen attended on behalf of Tim Burton, Montana League of Cities and Towns

Not In attendance:

Governor Bullock, State Of Montana
Tim Fox, Montana Attorney General, Montana Department of Justice
Richard Opper, Director, Montana Department of Health and Human Services
Mike Kadas, Director, Montana Department of Revenue
Tim Burton, Executive Director, Montana League of Cities and Towns
Harold Blattie, Executive Director, Montana Association of Counties
William Hooks, Chief Public Defender, Office of the State Public Defender
Jim Smith, Montana County Attorney's Association
Pat Roos, Undersheriff Custer County, Montana Sheriff's and Peace Officers Association
Montana State Legislative Representative

Call to Order

Chairman Tooley opened the meeting thanking everyone for attending the second Executive Leadership Team (ELT) meeting and reported that as of July 11, 2016, there have been 85 roadway fatalities to date, 1 more than last year at this time.

The Chair reported that consensus for approval of the March 13, 2016 meeting minutes was received by the attending members via email, and requested a motion for formal approval of the meeting minutes.

Director Batista motioned to approve; Colonel Butler second the approval. All were in agreement. The minutes were approved as written.

Old Business

The Chair reported that a minor revision was provided from the membership to the ELT charter. Specifically the additional text on page 2, Article I, Section 4: Membership that reads, *“Any Executive Team member may designate a proxy in their absence. Designation of a proxy shall be in writing addressed to the Secretary of the Executive Leadership Team.”*

Tooley asked that these designations be provided to the ELT secretary, Pam Langve-Davis. Colonel Butler asked if an email would be sufficient and the Tooley responded yes. Shauna Helfert noted the omission of Department of Revenue under the membership section and requested that it be listed. The Chair said that it would be added and asked for approval with the addition of Revenue. Helfert motioned to approve; Batista second the motion.

A consensus on the work plan was received via email following the last meeting. John Iverson stated that while he appreciates the work plans focus on safety efforts he could not necessarily be supportive of every implementation effort. Chairman Tooley said that he understood that the work plan is a state level plan and other agencies like Montana Tavern Association, MACO, and Montana League of Cities and Towns may have conflicts or may not be able to support specific implementation steps. The input and involvement of these stakeholders is still necessary in working together to reduce crashes and fatalities in reaching vision zero.

Work plan expansion and amendment was discussed. Strategy discussion and possible recommendations from the Impaired Driving assessment will be discussed at the Annual Transportation Safety Planning meeting- October 12-13.

A motion was called to approve the Work Plan by the Chair. Judge Knisely motioned to approve; Colonel Butler second the motion. All were in favor. The motion was carried and the work plan was approve.

New Business

- **Impaired Driving Assessment-**

Montana had a Federal Assessment of its Impaired Driving Program on April 11-15, 2016. Assessments are required every three years due to Montana’s high ranking impaired driving roadway fatality rate.

There were 16 priority recommendations and 80 lower tier recommendations. The state is not required to comply with the recommendations; but is required to provide a response. A few recommendations applicable to state agencies and how Montana is already addressing these recommendations were provided to the ELT. MDT staff is working through the Impaired Driving Emphasis Area and various agency staff to address these recommendations.

- *Karin Billings, Administrator, Health Enhancement & Safety, Office of Public Instruction requested a copy of the recommendations report. Kevin Dusko will provide the report to ELT members upon request.*

- **Impact of 80 mph Speed Limit-**

SB 375 approved revising the maximum speed limits on Montana's Interstate System and went into effect October 1, 2015. MDT typically uses a 3 year time period after a safety improvement is completed to determine effectiveness. This 3 year time frame provides a sufficient sample data size for comparison purposes. It's too early to tell whether the increase in the number of fatalities this year is due to the increased speed limits. In speaking with the Montana Highway Patrol, they are seeing an increase in speed of 1.2 mph. SB 375 provided two things 1) ratified the speed being traveled and 2) provide us the opportunity to conduct a speed study which is scheduled to be completed this summer.

- **Crash Data & History of Drivers Involved**

MDT can pull data that includes a description of motor vehicle crash characteristics for crashes that have occurred on Montana's public roadways. It provides driver's demographic information such as age, race and gender. The Fatality Analysis Reporting System (FARS) collects motor vehicle histories for those drivers involved in a fatality crash. Over the past 5 years, 6% of driver's involved in a fatality had a previous DUI. 68% had no prior violations. Criminal, substance abuse, or driver's education histories are not collected by MDT.

DPHHS is looking to fund a Substance Abuse Disorder Epidemiologist. The Intent of the substance abuse disorder epidemiologist is to study the prevalence of alcohol and drug use and related problems. An epidemiologist could research impaired driving topic areas, such as histories of those involved in an impaired driving crash.

Beth McLaughlin, Administrator, Court Administrator's Office spoke to efforts being done with youth court to identify interventions that work and said there is an opportunity to discuss data collaboration with Department of Justice, Department of Public Health and Human Services, Office of Public Instruction Office of Court Administrators , and Montana Department of Transportation.

- **State Effort to enact Primary Seat Belt laws**

A review of states that have recently passed a primary seat belt law have seen increases of seatbelt use by 4-7 % and decreases of 2-11% in motor vehicle fatalities.

Alaska passed primary law in 2006 with a fine of \$15

Observed Seatbelt Usage in 2008 = 83.2% and in 2015 = 89.3% (increase 6.1%)

Since the passage of the bill, motor vehicle fatalities have decreased by 2%

Kansas passed primary law in 2010 with a fine of \$10 for over 18 years of age and no points against driver's license; \$60 for teens 14-17 and no points; and \$60 for those under 13.

Observed Seatbelt Usage in 2010 = 81.8% and in 2015 = 82.1% (increase 0.3%)

Since the passage of the bill, motor vehicle fatalities have decreased by 3%.

Rhode Island passed "sunset" in 2011, which passed permanent in 2013 with a fine of \$40

Observed Seatbelt Usage Rate in 2011 = 80.4% and in 2015= 86.7% (increase 6.3%)

Since the passage of the bill, motor vehicle fatalities have decreased by 7%.

Utah passed "sunset" in 2015, will readdress in 2018. A fine of \$45

Observed Seatbelt Usage Rate in 2013 =82% and in 2015 = 87.2% (increase of 4%)
No information in fatality reduction since the passage of the bill.

West Virginia passed primary law in 2013 with a fine of \$25
Observed Seatbelt Usage Rate in 2013 82.2% and in 2015 89% (increase 6.8%)
Since the passage of the bill, motor vehicle fatalities have decreased by 11%

Top Safety Issue to reduce fatality crashes identified at the first ELT meeting was the need for a primary seat belt law. Seat belt compliance in Montana is below 80%. Two thirds of the people killed is due to lack of seat belt use. Public Health should probably take the lead on primary seat belt use especially as they can speak about the money paid each year due related to occupant protect and lack of seat belt use. The importance of a primary seat belt law is not lost on our Legislators. At a recent Revenue and Transportation Interim Committee meeting this group voted (7-5) to draft a primary seat belt bill.

Guest Speaker-

Linda Hull, Policy and Legislative Services Director, Utah Department of Transportation and architect of Utah's Primary Seat Belt Law spoke on the three keys to passing a seat belt law – leadership, coalition, and messaging; and timing of activities before, during, and after session.

Key points-

- Strong leadership with a personal mission to pass a primary seat belt law- DOT, Highway Patrol, and influential legislators.
- Steering Committee that worked together to develop and drive the strategy to achieve the law, consisting of high level senior leaders of the Highway Patrol, Highway Safety Office, DOT, and communication consultants. As needed others specialists were pulled in as part of a larger committee, especially communication specialists.
- Large coalition- SLC Chamber of Commerce, influential business leaders, transportation industry leaders, and state and local government representatives that were committed and personally advocated for the law.
- Accurate facts – have them and don't give opponents an opportunity to discredit you. Keep current and share updates with coalition members.
- Developed Key Messages, and shared those messages with all partners and encouraged everyone to use these messages. Everyone spoke from the same page to ensure consistent messaging and statistics. Different elements of the Key Messages were used by different entities (transportation, health care, law enforcement, etc.), but everyone spoke from these messages. (Met to provide updated information to key partners when statistics changed)
- Repeatedly used contributing factors chart of comparison years before and during legislative session.
- Collected personal stories and shared them with media.
- Relied on the personal relationships among leaders and within the coalition. Strategized with coalition networks and worked with lawmakers who could influence other lawmakers.
- Anticipated arguments like personal rights and government overreach/excuse for law enforcement to pull drivers over.
- Addressed concerns from rural legislators about difficulty of putting on seat belt when driving on farmland vs. UPS trains drivers to put on seat belt EVERY TIME they get in their vehicle. A driver can make up to 180 stops in a single day – that's 180 they put on their seat belt in a day without impacting delivery time.

- Discussed acceptable concessions in advance of session including sunset legislation, waive fine for online class for 1st time offenders.
 - Set clear goals, objectives, and strategies after the session to ensure permanent law in next session.
 - Leadership within the difference agencies and in the kick-off meeting everyone in the group agreed to a common goal, objective and strategy.
 - More data. More frequently to determine whether progress was being made, and to demonstrate to lawmakers the results of the bill.
 - Get the word out. Educate law enforcement. Track traffic stops and fatalities and show resulting correlation. Initial results showed – when the number of contacts goes up, the number of fatalities goes down.
 - Develop an “influencer” campaign. Conduct focus groups in both rural and urban settings to determine why some do not use a seat belt. Tell a love one to buckle up
<http://ut.zerofatalities.com/influencer/>
- *David Nielsen inquired about some sort of talking points about data in municipalities regarding seatbelt use. The data is readily available on MDT’s website. Staff will follow-up with Mr. Nielson with municipal level data.*

Next Steps

- Chairman to discuss strategies shared by Linda Hull with other ELT members and other potential partners.

Meeting Dates/ Adjournment

- Annual Transportation Safety Meeting- October 12 &13, 2016
- April 27, 2017 from 10 a.m.- noon, unless necessary to call a special meeting.

Hearing no further comments or announcements the meeting was adjourned.