



The NHTSA Traffic Records Team
Traffic Safety Information Systems Newsletter



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Guidelines for Impaired Driving Records Information Systems

The NHTSA guidelines for impaired driver reporting were published in the Federal Register in August, 2006. This document outlined the types of data and core functions that comprised a model impaired driving information system. This year NHTSA will be publishing two follow-on documents that will be of interest to the traffic safety community, and in particular TRCCs. One of these will be a final report on the five-state pilot effort and the second will be a draft model system data dictionary and functional specification.

The states of Wisconsin, Alabama, Nebraska, Connecticut, and Iowa were funded to develop their own versions of an improved impaired driving information system. These projects are being wrapped up at this time, and will be documented in a comprehensive final report that will be published later this year. As soon as the document is available, State Data Coordinators and subscribers to this newsletter will receive an email notification.

The second effort, to compile a model system data dictionary and set of functional specifications, will build upon the Federal Register entry of last year. The end product of this effort will hopefully provide a basis for states to establish performance measures for the citation and adjudication core system area. Once the guideline is available, NHTSA will also be providing technical assistance to states that are ready to undertake comprehensive citation and adjudication system improvements that follow the August 2006 Federal Register entry.

NHTSA hopes that State TRCCs keep this new model system in mind when looking to update their own citation/adjudication and driver license systems. The Model Impaired Driving Records Information System, as outlined in the Federal Register, supports several important functions. It should:

- Track each impaired driving offender from arrest through dismissal or sentence completion;
- Provide aggregate impaired driving data;
- Conform to national standards and system performance standards;
- Provide accurate, complete, timely, and reliable data; and
- Contain quality control and security features that prevent core and essential data elements and/or driving records from becoming corrupted or compromised.

It is important for states to focus on interaction across agencies to create a coordinated system. In part, states need to examine their current statutes to coordinate existing laws, close loopholes, and enact legislative authority to create a comprehensive system that can:

- Ensure offenders are charged at the proper level;
- Provide prosecutors with accurate and complete information to obtain a conviction;
- Apply a number of connected sanctions that are individualized to the offender, backed by scientific research and reinforce each other;
- Verify compliance with sentencing terms;
- Assist in determining appropriate treatment based on previous record and intervention efforts;
- Ensure accurate and timely data to identify hardcore drunk drivers and allow appropriate handling through the judicial process; and
- Provide accurate data to detect trends and determine the effectiveness of the overall system.¹

The development of a model impaired driver tracking system is underway. A draft copy of this document should be available at the 2008 Traffic Records Forum for comment by the traffic safety community. If you are interested in contributing your knowledge and experience with impaired driver tracking systems prior to draft release, please contact Richard Paddock, project facilitator at Richard.Paddock@dot.gov.

To view the Federal Register document, including specific system features and core data set, go to http://www.nhtsa-tsis.net/workshops/pdfs/DUI_Reporting_Guidelines.pdf.

¹ National Highway Safety Administration. The National Agenda: A System to Fight Hardcore DUI, pages 11-12.

State Traffic Records Assessments

The NHTSA traffic records program assessment is a technical assistance tool available to states and territories, where a team of national highway safety experts is assembled to review all components of a state traffic safety program and compares them to current guidelines. The NHTSA Traffic Records Assessment Team will leave the state with a detailed report about the strong points and the deficiencies in their systems. From these deficiencies a state may identify a plan of action and good traffic records improvement projects that correspond to them.

A superior strategic plan is based on solid information about the status of a state's current traffic records systems, and in order for a state to receive subsequent year Section 408 funds, the state must have a Traffic Records Assessment conducted within the previous five years. If your state does not have a recent Traffic Records Assessment, be sure to make arrangements soon as time slots rapidly disappear. For more information on NHTSA sponsored State Traffic Records Assessments, contact Marietta Bowen, NHTSA Highway Safety Specialist, Marietta.Bowen@dot.gov.

Section 408 Funds Distributed

The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, SAFETEA-LU, authorizes funds for Federal-aid highways, highway safety programs, and transit programs for the years 2005-2009. Under SAFETEA-LU Section 408, funding may be awarded to states to improve traffic records systems in terms of timeliness, accuracy, uniformity, completeness, and integration.

Recipients of year 2007 Section 408 funding have been announced as follows:

AK – Alaska	\$300,000	MT – Montana	\$500,000
AL – Alabama	\$500,000	NC - North Carolina	\$705,094
AR – Arkansas	\$500,000	ND - North Dakota	\$500,000
AS - American Samoa	\$500,000	NE – Nebraska	\$500,000
AZ – Arizona	\$500,000	NH - New Hampshire	\$300,000
CA – California	\$2,552,026	NJ - New Jersey	\$624,682
CO – Colorado	\$500,000	NN - Indian Nations	\$0
CT – Connecticut	\$500,000	NM - New Mexico	\$500,000
DE – Delaware	\$300,000	NV – Nevada	\$500,000
DC - District of Columbia	\$300,000	NY - New York	\$1,459,498
FL – Florida	\$1,265,019	OH – Ohio	\$953,435
GA – Georgia	\$737,530	OK – Oklahoma	\$500,000
GU – Guam	\$500,000	OR – Oregon	\$500,000
HI – Hawaii	\$500,000	PA – Pennsylvania	\$1,020,272
IA – Iowa	\$500,000	PR - Puerto Rico	\$500,000
ID – Idaho	\$500,000	RI - Rhode Island	\$500,000
IL – Illinois	\$1,059,263	SC - South Carolina	\$0
IN – Indiana	\$560,801	SD - South Dakota	\$500,000
KS – Kansas	\$500,000	TN – Tennessee	\$524,726
KY – Kentucky	\$500,000	TX – Texas	\$1,889,056
LA – Louisiana	\$500,000	UT – Utah	\$500,000
ME – Maine	\$500,000	VI - Virgin Islands	\$500,000
MD – Maryland	\$500,000	VT – Vermont	\$500,000
MA – Massachusetts	\$500,000	VA – Virginia	\$590,585
MI – Michigan	\$865,536	WA – Washington	\$527,463
MN – Minnesota	\$544,729	WV - West Virginia	\$500,000
MP - Mariana Islands	\$300,000	WI – Wisconsin	\$542,935
MS – Mississippi	\$500,000	WY – Wyoming	\$500,000
MO – Missouri	\$577,350		

TSIS Strategic Planning Training Workshops

NHTSA is in round number three of Strategic Planning Training Workshops to better inform the states of the Section 408 requirements, in hopes of maximizing the number of qualifying states and to promote good planning and monitoring practices. The goal of the regional workshops is to assist NHTSA Region staff in understanding the requirements of the Section 408 Program, and to educate Regional Program Managers so they may collaborate with their states in revising their strategic plans. Emphasis is to be placed on how to formulate viable performance measures and obtaining baseline data, which are necessary to demonstrate progress for a subsequent year grant. There will also be discussion about questions that the 408 Review Team had about the state's 408 application for year 2007, the state's response, and commentary from the Review Team.

Release of Information by State EMS Agencies to NEMSIS Under the Health Insurance Portability and Accountability Act (HIPAA)

NEMSIS, the National Emergency Medical Services Information System, is a national effort to standardize the data collected by EMS agencies. NEMSIS is the national repository of EMS data that contains data from state and local agencies nationwide, defining EMS care and standardizing data.

For purposes of Section 408 certification, a state must list what NEMSIS fields are collected by EMS providers. This certification identifies what fields are collected by the state and is not a list of the fields made available by the EMS software, as some states may choose to not collect all of the elements. For questions or to request a NEMSIS review for a state EMS system, contact Tammy Paddock, RN at tpaddock@tsass.com.

Several state EMS agencies have expressed reluctance on the part of state attorneys to release state EMS data to the National EMS Database because of HIPAA. As a result, a third-party legal party was hired to interpret how HIPAA may impact NEMSIS.

It was interpreted that state EMS agencies may share EMS data and other health information with the University of Utah for purposes of the NEMSIS database, without either party violating HIPAA, and without causing the ambulance services, EMS organizations, or others from where these data originate to violate HIPAA. In summary, the reasons for this conclusion are:

- State EMS offices are likely not "covered entities" under HIPAA and therefore are not even bound by the HIPAA regulations;
- The University of Utah, by virtue of being a NHTSA contractor for purposes of administering NEMSIS, is a "public health authority," to which disclosures of protected health information (PHI) are expressly permitted under HIPAA; and
- The information being shared quite likely satisfies the standards for "de-identified" health information, and its release would not be regulated by HIPAA in any event.²

A copy of this letter may be viewed at:

<http://www.nemsis.org/media/pdf/06.26.07-FinalLettertoClayMannreNEMSISandHIPAA.pdf>.

² Opinion Letter re NEMSIS and HIPAA, Page, Wolfberg & Wirth, LLC, page 2.

Model Minimum Inventory Roadway Elements (MMIRE) – Developing Model for Roadway Data

As MMUCC is to crash, the Model Minimum Inventory Roadway Elements (MMIRE) is to roadway and traffic, defining a data set which states should collect for roadway systems. With the development of new safety analysis tools, including FHWA's Interactive Highway Safety Design Model (IHDSM) and *SafetyAnalyst*, AASHTO's Data and Analysis Guide, and the Highway Safety Manual, it is critical that states understand the importance of quality roadway data and to be informed of critical elements.

A draft set of MMIRE was first presented during the 2006 Traffic Records Forum to engineers, data managers, researchers, and other professionals in state and local agencies to provide input and feedback on the proposed MMIRE elements. Based on this input, a revised proposal for MMIRE elements was submitted to FHWA in November 2006, and the revision process has continued into year 2007. Future plans call for the establishment of an Executive Steering Committee to oversee the MMIRE development process. A series of web-conferences will be conducted to obtain additional input from the collectors, maintainers and users of roadway data regarding the selection of data elements, element definitions and recommended element collection practices. A website will be established to communicate with the public on the status of MMIRE and planned future events. The culmination of this process is expected to result in the release of MMIRE version 1.0.

Concurrent with the MMIRE development process, a campaign to market MMIRE to potential users will be undertaken. A marketing plan will be developed to promote MMIRE to state and local safety engineers and data inventory collectors. Additionally, "lead" states will be identified to serve as pilot test sites for determining the viability of the MMIRE. The marketing plan will also contain outreach efforts to promote MMIRE to the broader engineering community (e.g. FHWA, state Traffic Records Coordinating Committees, city/county engineers, MPO's and highway safety researchers).

The collection of MMIRE elements by the states will be voluntary. MMIRE may be considered as the functional equivalent of the Model Minimum Uniform Crash Criteria (MMUCC), which has become the de-facto standard for crash data variables used by state and local jurisdictions when improving their crash data systems. Like MMUCC, MMIRE is envisioned as a tool to be used by state and local agencies in their safety data improvement efforts.

For more information about MMIRE, contact:

Carol Tan, FHWA Office of Safety Research and Development, Carol.Tan@dot.gov or
Robert Pollack, FHWA Office of Safety, Robert.Pollack@dot.gov.

Model Minimum Uniform Crash Criteria (MMUCC) Undergoes Third Revision

The purpose of MMUCC is to provide a model data set for motor vehicle crashes that will provide the traffic safety community with the information necessary to make educated decisions about safety efforts to

improve road safety. A single model dataset is necessary because the disparities between state crash data make it difficult to aggregate them on a multi-state level, thus hindering research.

During the 2007 Traffic Records Forum, the MMUCC Expert Panel received input and feedback from the traffic safety community for the proposed third revision of MMUCC. The final meeting of the MMUCC Expert Panel is November 13-15, in Crystal City, Virginia and the final version is expected to be released in the Spring of 2008.

For more information on MMUCC, the community forum, and MMUCC training, visit <http://www.mmucc.us>.

NHTSA's Not in Traffic Surveillance (NiTS) Effort

The National Highway Traffic Safety Administration Administrator Nicole R. Nason has called for a comprehensive solution to a tragic problem – children who are backed over by motor vehicles. In addition to educational outreach, NHTSA will continue research to analyze the safety problem more thoroughly and better understand the various scenarios under which such incidents occur. Additional research will be aimed at making technology-based countermeasures more effective.

An obstacle to understanding more about this and other events that do not occur on public trafficways is the lack of their representation in crash data. Crashes occurring on public trafficways are the most prominent segment of motor vehicle hazards, but there are potentially many injuries and fatalities in crashes that occur in driveways, parking stalls and aisles, and on private roads that do not appear in federal or state crash databases. One of the goals of NHTSA's new Not in Traffic Surveillance (NiTS) project is to determine the number and nature of injuries and fatalities that occur off of trafficways or in what the ANSI D16.1 "Manual on Classification of Motor Vehicle Traffic Accidents" refers to as non-traffic accidents.

Another goal of the NiTS project is to determine the number and nature of non-crash motor vehicle injuries and fatalities. Examples of non-crash injury incidents include the following:

- Carbon monoxide poisoning
- Excessive heat
- Power window strangulation
- Trunk entrapment
- Injuries related to motor vehicle radiators and batteries

NHTSA is currently working through its Fatality Analysis Reporting System (FARS) and National Automotive Sampling System (NASS) to collect information about non-traffic crashes and with the Consumer Product Safety Commission (CPSC) to collect information about non-crash injury incidents seen in emergency departments. However, it is important that NHTSA be able to identify additional sources of information regarding injuries and fatalities involving motor vehicles that occur in non-traffic crashes and in non-crash incidents so that appropriate countermeasures may be taken. If you have any questions regarding the Not in Traffic Surveillance (NiTS), please contact Dr. Rory Austin, NiTS Project Lead at Rory.Austin@dot.gov.

*The **Traffic Safety Information Systems Newsletter** is published by the National Highway Traffic Safety Administration, National Center for Statistics and Analysis, Traffic Records Team, as a resource for the traffic safety data community. The newsletter is published at least quarterly at the NHTSA Traffic Records web site and is also distributed electronically to those that subscribe on line at www.nhtsa-tsis.net/newsletter. Contributions to the newsletter or comments on its content should be sent to newsletter@nhtsa-tsis.net, but must contain contact information for the submitter: name, postal address, and e-mail address, in order to be considered for publication.*