



South Carolina Department of Public Safety

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NIKKI R. HALEY
GOVERNOR

LEROY SMITH
DIRECTOR

August 3, 2013

The Honorable Deborah A.P. Hersman
Chairman
National Transportation Safety Board
Washington, DC 20594

RE: H-13-05 through -08 and -10
H-12-34, -35, -36, and -45 (Reiteration)
H-00-26 (Reclassification)

Dear Chairman Hersman:

Thank you for your letter to Governor Nikki R. Haley dated June 3, 2013 concerning the National Transportation Safety Board's (NTSB) safety report adopted on May 14, 2013. As the Director of the South Carolina Department of Public Safety, which includes the Highway Patrol, State Transport Police, and Office of Highway Safety and Justice Programs, the Governor has asked that I respond on her behalf.

The report issued five new recommendations to the states and reiterated four earlier recommendations concerning the issue of impaired driving. South Carolina has previously responded to the four recommendations, and I will briefly offer comment on the five new recommendations. However, for a comprehensive description of our state's progress toward improving highway safety and our priorities for the future, I encourage NTSB staff to review our state's *FFY 2014 Highway Safety Plan* which was recently submitted to the National Highway Traffic Safety Administration's (NHTSA) regional office in Atlanta. This plan offers an exhaustive discussion of the many initiatives this agency and other state agencies are taking in concert to reduce fatal crashes and injuries, including those that are impaired driving-related, on our roadways.

The first recommendation cited in your letter, H-13-05, calls for the establishment of a breath alcohol concentration (BAC) of .05 or lower for all drivers not already required to adhere to lower BAC limits. As is likely the case in most other states, this matter is beyond the authority of the South Carolina Department of Public Safety and rests solely within the purview of our General Assembly.



SOUTH CAROLINA HIGHWAY PATROL
ENFORCEMENT UNIT



STATE TRANSPORT POLICE



BUREAU OF PROTECTIVE SERVICES



IMMIGRATION



Internationally Accredited Law Enforcement Agency

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Regarding H-13-06, we concur with your view that passive alcohol-sensing technology can be a valuable tool in some circumstances. In fact, our Office of Highway Safety and Justice Programs has funded grants in the past to several local law enforcement agencies which provided for the purchase of passive alcohol-sensing equipment. We will continue to give favorable consideration to well-supported requests from our subgrantees for equipment related to high-visibility enforcement of impaired driving laws.

Similarly, we will continue to include elements in our highway safety plan which target repeat offenders as recommended by H-13-07 and H-13-10. In fact, we are in the process of drafting an Impaired Driving Plan for submittal to NHTSA by September 1, 2013. The plan will address final recommendations that are forthcoming from a team of national experts who conducted an Impaired Driving Assessment for this state during the week of July 22 – 26, 2013. Those recommendations will likely include strategies to deal with the issue of repeat offenders. The Impaired Driving Plan will also address ignition interlock policies and will include two (2) Driving Under the Influence Court grant projects that will commence on October 1, 2013. It is expected that both courts will utilize ignition interlock technology with an array of other sanctions in deterring recidivism.

The recommendation designated H-13-08 encourages states "...to move toward zero deaths from impaired driving." I am pleased to advise you that the South Carolina Department of Public Safety, with the support of the Office of the Governor, has adopted the theme of "Target Zero" to represent the entirety of our highway safety efforts. "Target Zero" is now our agency goal and encompasses all of our enforcement, prevention and education initiatives. This goal is not limited to the elimination of impaired driving-related deaths, but all roadway deaths, regardless of cause.

Please know we will take the recommendations promulgated by the National Transportation Safety Board under careful consideration as we move forward in the process of updating and deploying our state's *Strategic Highway Safety Plan*. Thank you for what you and the National Transportation Safety Board do to bring down the number of deaths on our nation's highways.

Sincerely,

Leroy Smith
Director

LS/PR/bf