

## EXAMINING ALCOHOL-IMPAIRED DRIVERS INVOLVED IN MOTOR VEHICLE CRASHES

**SUMMARY:** This issue brief examines DUI-related crashes and conviction outcomes in Georgia between 2017 and 2021, focusing on the patterns of convictions among first-time and repeat offenders. The objectives of this study were to examine differences in alcohol-related conviction rates between repeat and first-time DUI offenders, describe pre- and post-DUI-crash conviction patterns, and assess the relationship between crash citations and resulting convictions among confirmed and suspected impaired drivers. The DUI conviction outcomes were analyzed using descriptive statistics, with categories such as DUI offender status, crash severity, and types of citations/convictions. Statistical analyses, including Cochran-Mantel-Haenszel and Breslow-Day tests and linear regression, were conducted to compare conviction rates between repeat and first-time offenders across varying crash severities. The analysis of DUI-related crashes from 2017 to 2021 reveals significant differences in conviction outcomes between first-time and repeat offenders. Repeat offenders were more likely to receive alcohol-related convictions, especially in non-severe and serious injury crashes; however, the conviction rate for alcohol-related offenses decreases as crash severity increases for both groups. Recidivism is an issue, as half of all repeat offenders with at least one prior DUI-related conviction had a DUI crash event within 8.7 months of the last conviction or were involved in another DUI crash within 1.9 years of their last conviction. Furthermore, the frequent reduction of DUI citations to lesser charges, such as reckless driving, complicates conviction outcomes with only 54% of DUI citations resulting in a DUI conviction and 17% resulting in a lesser charge. These findings emphasize the importance of a comprehensive state DUI control system, a unified reporting system for DUI in Georgia, and the need to mitigate negotiated pleas for first-time offenders to prevent future risks.

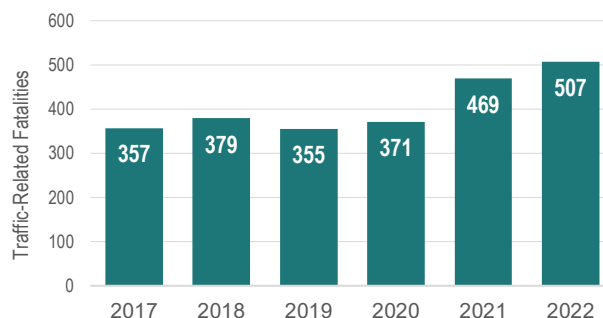
### Introduction

In Georgia, a driver over 21 years of age and operating a non-commercial vehicle is considered legally alcohol-impaired when either their alcohol concentration is 0.08 grams of alcohol per 100 milliliters of blood or per 210 liters of breath.<sup>1</sup> The National Highway Traffic Safety Administration (NHTSA) provides annual estimates of traffic fatalities involving alcohol-impaired<sup>2</sup> drivers, both nationwide and by state. According to NHTSA, 32% of all traffic fatalities nationwide involved at least one alcohol-impaired driver in 2022. Between 2017 and 2022, the number of alcohol-impaired traffic fatalities and the rate of alcohol-impaired traffic fatalities per 100 million vehicle miles traveled (VMT) increased by 24%.

In Georgia, 28% of all traffic fatalities were alcohol-impaired related in 2022. According to NHTSA estimates, the rate of alcohol-impaired traffic fatalities

and the number of alcohol-impaired traffic fatalities in Georgia increased by 42% between 2017 and 2022 (Figure 1).

**Figure 1. Estimated Number of Georgia Alcohol-Impaired Related Traffic Fatalities Involving Confirmed Alcohol-Impaired Drivers, 2017-2022**



Source: FARS 2017-2022

<sup>1</sup> O.C.G.A. § 40-6-391(a)(1) and § 40-1-1(1). See Appendix B for more information on alcohol impairment related to drivers under 21 years and/or commercial drivers.

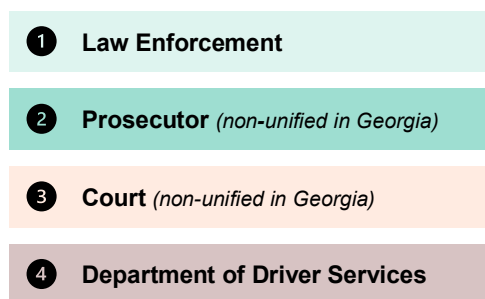
<sup>2</sup> NHTSA imputes the blood alcohol concentration for drivers with missing BAC. Therefore, the number of alcohol-related fatalities reported in the Fatality Analysis Reporting System (FARS) are estimates.

Most multi-vehicle traffic fatalities involving impaired drivers occurred among occupants of other vehicles not operated by the impaired driver (59%) or non-motorists (16%). In contrast, 25% of the fatalities involved occupants of the impaired driver's vehicle, with 22% of those being the impaired driver themselves and 3% being passengers of the impaired driver. Additionally, Georgia crash reports indicate that an average of 444 serious traffic injuries occur annually due to drivers whose condition was reported by police as impaired by alcohol and/or drugs.

### *DUI Control Systems: Process for Reporting and Prosecuting Impaired Drivers*

There has been a longstanding interest in reducing alcohol-impaired traffic fatalities, injuries, and crashes, as well as decreasing the number of impaired drivers on the road. To achieve these goals, it is crucial to review and enhance the operations of the Driving Under the Influence (DUI) control system and to address the challenges faced by law enforcement, prosecutors, and the courts. Figure 2 provides an overview of the general process for reporting and prosecuting impaired drivers in Georgia.

**Figure 2. General Process of Georgia's DUI Control System for Reporting and Prosecuting Impaired Drivers**



Adopted and modified from U.S. Government Accountability Office summary of Department of Justice documentation and information from selected states (GOA-23-105859)

The DUI control system is complex and the process of reporting and prosecuting impaired drivers requires cohesive and comprehensive traffic enforcement and adjudication.

1. Detecting impaired drivers can be difficult because law enforcement agencies have limited resources.

In a typical DUI (confirmed or suspected) traffic stop, law enforcement would pull over a driver who is displaying behaviors of impaired driving, such as swerving, difficulty maintaining speed, or erratic braking. Law enforcement can also detect drivers at sobriety checkpoints where a driver may not be displaying erratic driving behaviors but give other indications of impairment. After the initial interaction at closer observation and questions, the officer may conclude that the driver's responses and behaviors further indicate impairment, and they may move forward with testing that can include voluntary field sobriety tests or on-site Breath Alcohol Content (BrAC) Preliminary Breath Tests (PBTs)<sup>3</sup>. If the officer has probable cause of impairment, the driver is placed under arrest and the driver may undergo a more accurate chemical test to determine their alcohol concentration. The officer may also issue other citations that support the DUI charge.

2. After the driver is booked and released, the driver (now defendant) appears in court for the hearing of the charges and enters a plea of guilty, not guilty, or no contest (applicable only for drivers over 21 years and who are not admitting guilt, but accepting that the prosecution has sufficient evidence to convict). The prosecution and defense may negotiate a plea deal, where the defendant agrees to plead guilty to a lesser charge (that may not be DUI-related). In some cases, a DUI charge is not included on the driver's record if it is dismissed or reduced (absent of a conviction for DUI) by the prosecutor prior to trial or if the defendant is acquitted at trial. Pleas to lesser offenses are recorded as pleas to those offenses.
3. If no plea deal is reached, and the case goes to trial before a judge or jury, the defendant is either found guilty, not guilty of the DUI charge, or receives a lesser charge. A guilty verdict, with consideration of historical driving/criminal records within Georgia, results in sentencing that may include a sentence for DUI and/or other citations issued.
4. The Department of Driver Services processes convictions reported, and the record will be reported on the offender's driver's record. A DUI sentence in Georgia, even for a first conviction,

<sup>3</sup> *Ammons v. State*, 315 Ga. 149 (2022). See Appendix B2 for more information.

must include jail time, a fine, probation, community service, evaluation and treatment, and a license suspension. Ignition interlock is mandatory upon a second offense within five years as a condition of reinstating the driver's privilege.<sup>4</sup>

An effective DUI control system can deter impaired driving and reduce recidivism if an offense occurs; however, there are challenges within the system, including how Georgia's courts operate. Georgia operates under a non-unified court system, leading to variations in how laws are interpreted and enforced. As a result, legal outcomes, including those related to DUI cases, can be inconsistent across different regions of the state, potentially affecting the overall effectiveness of the state's efforts to combat impaired driving.

### Law Enforcement & Judiciary Challenges within the Georgia DUI Control System

In Georgia, law enforcement officers document the condition of drivers involved in motor vehicle crashes. Through the administration of field sobriety evaluations and chemical tests, law enforcement can confirm if alcohol and/or drugs were involved or if the driver is suspected of driving under the influence.

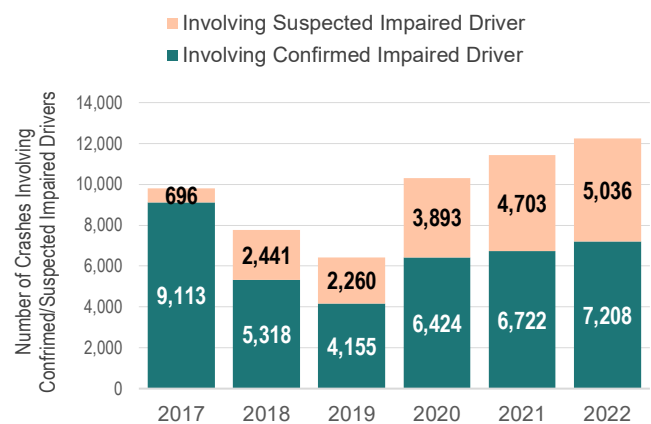
However, a challenge nationwide and in Georgia is the legal parameters for how law enforcement is permitted to collect specimens or tests that may determine if a driver is alcohol- and/or drug-impaired. Starting in 2019, the Georgia Implied Consent Notice<sup>5</sup> no longer allowed law enforcement to advise drivers that refusal to submit to breath testing would be offered into evidence at trial. Between 2017-2021, an average of 26% of drivers involved in a crash where the officer observed indicators of alcohol- and/or drug impairment *refused* to take an alcohol test of any method (breath, blood, or urine) each year. Officers, however, can still arrange to obtain blood tests after receiving a search warrant. As a result, officers frequently used more blood tests to confirm driver impairment by alcohol and/or drugs after 2019. Between 2017-2021, 63% of alcohol tests administered to drivers with indicators of impairment

who were involved in crashes were blood tests, 32% were breath tests, and 2% were other tests, and 3% were missing test types in the crash record.

Even though breath tests were the second most common test used to confirm impairment among 2017-2021 DUI-related crashes, the Georgia Supreme Court ruled that drivers have the right to refuse to perform the preliminary breath test and the field sobriety tests under the Georgia Constitution, and evidence of refusals cannot be introduced at trial. They determined that the Georgia Constitution's privileges and immunities clause does not bar the admission of evidence that the driver refused to consent to a blood test.<sup>6</sup> If the driver is taken to the hospital, the hospital may take and test blood samples as part of the driver's treatment, and such records cannot be subpoenaed by prosecuting authorities for criminal purposes.<sup>7</sup> As such, a warrant is required to obtain hospital records.

This has led to officers procuring a search warrant for a blood or urine test. This process is lengthier than the field sobriety and breath test. The delayed laboratory test results for collected samples led to the underreporting of confirmed alcohol/drug-impaired drivers. To address this potential error due to delayed reporting, Georgia crash reports allow officers to document the drivers' conditions if the driver is suspected of alcohol and/or drug impairment, even if an alcohol test is not administered or a citation is not issued. Figure 1 shows the crashes that involved drivers who were either confirmed or suspected of alcohol impairment and/or drug use between 2017 and 2022.

**Figure 3. Crashes Involving Impaired Drivers by Police-Reported Driver Condition, 2017-2022**



Source: CODES 2017-2022. Note: Values are reported at the crash level. Crashes involving at least one confirmed impaired driver and a suspected impaired driver were categorized as crashes involving a confirmed impaired driver.

<sup>4</sup> O.C.G.A. § 40-6-391 (c); 40-5-63 (a)(2). See Appendix B1 for more information.

<sup>5</sup> *Elliott v. State*, 305 Ga. 179 (2019). See Appendix B2 for more information.

<sup>6</sup> *State v. Randall*, 315 Ga. 134 (2022). See Appendix B2 for more information.

<sup>7</sup> *King v. State*, 272 Ga. 788 (2000). See Appendix B2 for more information.

## Study Objectives

The objective of this investigation was to analyze and understand the patterns of adjudication outcomes and reoffending among drivers involved in crashes with drivers who were confirmed or suspected of driving under the influence between **2017** and **2021**.

1. Explore the differences in alcohol-related conviction rates among repeat and first-time offenders involved in DUI-related crashes (crashes where the driver is confirmed or suspected of alcohol and/or drug impairment).
2. Describe the types and patterns of pre- and post-DUI-crash convictions among repeat and first-time offenders involved in DUI-related crashes.
3. Investigate the relationship between the crash citation on the police crash report and the resultant conviction among confirmed and suspected DUI drivers involved in crashes.

## Methods

### *Confirmed vs. Suspected Impaired Drivers*

Laboratory test results for collected samples are often delayed at the time of the crash report, leading to the underreporting of confirmed alcohol- or drug-impaired drivers. Consequently, test results such as BAC were not used to determine driver impairment in this study. Instead, the condition of the driver, as reported by the police at the time of the motor vehicle crash, was utilized to categorize drivers as either "suspected of alcohol and/or drug impairment" or "confirmed to be alcohol and/or drug impaired."

If the police report indicated that the driver was under the influence of alcohol, drugs, or both, the driver was classified as "confirmed" of impaired driving. If the report documented the driver as "suspected of alcohol and/or drug impairment," the driver was classified as "suspected of impairment." In cases where the driver's condition was unknown or missing, but the police reported that an alcohol and/or drug test was administered with a positive or unknown result, the driver was also classified as "suspected" of alcohol and/or drug impairment.

### *Linking Methodology*

Drivers suspected or confirmed of alcohol and/or drug

impairment who were involved in a crash between 2017 and 2021 were identified by the Department of Public Health, Crash Outcomes Data Evaluation System (DPH/CODES). These drivers' identifying information (name, date of birth, and/or driver's license number) was shared with the Department of Driver Services (DDS) for linking. If drivers in the crash database matched the DDS database on at least two of three unique identifiers, then DDS returned the driver's records and licensing history to DPH/CODES. DDS used matching criteria to obtain the drivers' conviction history and driver record for any Georgia incident that occurred before, during, or after the crash up to the date of data extraction (December 2023).

The final dataset used for this analysis included 45,725 DUI-related crashes that involved 44,394 unique drivers who were confirmed or suspected of alcohol and/or drug impairment. Of these drivers, 31,019 drivers were confirmed of impairment and 13,375 drivers were suspected of impairment. Drivers could be involved in multiple DUI-related crashes between 2017 and 2021. These unique drivers may be under the legal drinking age of 21 and/or hold various license class types, including commercial and non-commercial licenses.

### *Crash Citations and Convictions Groupings*

The Official Code of Georgia Annotated (O.C.G.A) and citation descriptions documented in police crash reports were used to categorize and group citations issued after a crash. In many instances, multiple citations were issued during a single incident. For this analysis, a hierarchical categorization was also applied to ensure that each driver was assigned one citation category after a crash by prioritizing the most serious offense when multiple citations were issued. The hierarchical order is as follows:

1. Vehicular homicide, § 40-6-393
2. Serious injury by vehicle, § 40-6-394
3. DUI child endangerment, § 40-6-391(l)
4. DUI, § 40-6-391
5. Reckless driving, § 40-6-390
6. Possession of an open container, § 40-6-253
7. Hit and run, § 40-6-270
8. Speeding and aggressive driving, § 40-6-181, § 40-6-397
9. Failure to maintain lane, § 40-6-48
10. Other (inclusive of speed less than minimum, striking unattended vehicle, and distracted driving)

It is important to note that *not* all crashes involving a suspected or confirmed alcohol and/or drug-impaired driver have a citation code or description on the police crash report. The final dataset used for the analysis included 99,694 citations issued to 35,751 unique drivers suspected or confirmed of impairment—8,643 drivers involved in DUI-related crashes did not have a citation listed in the crash report.

All driver convictions returned by DDS (prior to the crash, for the crash, and after the crash) were also categorized using O.C.G.A. Each conviction was assessed independently, even if there were multiple convictions in a single event where the driver violated Georgia law. The most serious convictions were categorized using the same hierarchical order as the crash citations. It is important to note that child endangerment is counted for each child involved in a single event. Additionally, not all citations issued during a crash resulted in a conviction. The final dataset used for the analysis included 55,191 convictions (pre-DUI crash, at-DUI crash, or post-DUI crash) among 30,850 unique drivers suspected or confirmed of impairment during a crash that happened between 2017 and 2021—35,345 out of the 55,191 convictions were related to a crash event.

### *Repeated Offenders and First-Time Offenders*

DUI convictions are determined by the Georgia Legal Code, DUI (O.C.G.A. § 40-6-391(a-k)), including DUI Child Endangerment (O.C.G.A. § 40-6-391 (l)). For the purposes of this study, a repeat DUI offender is defined as a driver with:

- At least one DUI conviction *before* the DUI crash (2017-2021), or
- At least one DUI conviction *after* the DUI crash (2017-2023), or
- At least two DUI crashes between 2017 and 2021 (that may or may not have resulted in a DUI conviction).

A first-time offender is a driver who did not have a secondary DUI crash between 2017 and 2021 or a pre/post-DUI conviction between 2017 and 2023. However, as a limitation in this study, first-time offenders may or may not have had a DUI conviction before 2017. First-time offenders may

also have been cited for DUI between 2017 and 2021 for a non-crash event, but the case may not have concluded, or previous citations may not have resulted in a DUI conviction. The final dataset used for the analysis included 5,856 repeat offenders and 38,538 first-time offenders who were confirmed or suspected of DUI involved in a crash between 2017 and 2021.

### *Analysis*

Descriptive statistics (including counts, proportions, and measures of central tendency) were used to summarize and interpret the data in alignment with the research objectives. The categories for analysis were determined based on the variables available in the dataset, such as DUI offender status (repeat or first-time offender), police-reported driver condition (confirmed or suspected DUI), crash severity, and types of citations/convictions.

Using SAS software, statistical differences in the distributions of alcohol-related convictions and citations among repeat and first-time offenders were examined. Cochran-Mantel-Haenszel analysis was conducted on a 3x2x2 table to determine the relative risk for conviction between first and repeat offenders, controlling for the three crash severity types. Breslow-Day Tests for Homogeneity of Odds Ratios were conducted to determine if rates of conviction among first and repeat offenders were different and if rates were correlated among the severity types. Z tests for difference in proportion were conducted to determine if differences in rates of convictions existed among first and repeat offenders. Chi-square tests were conducted to determine if differences in conviction rates existed between drivers who were confirmed or suspected of DUI and involved in a DUI-related crash.

Ordinal variables (1,2,3) were used to represent crash severity and linear regression was conducted for the first and repeat offenders (6 observations). A t-test for the slope of the regression line was conducted to determine if a relationship between crash severity and proportion of drivers who received a conviction existed and to determine the direction of that relation. Linear regression was used to estimate that relationship.

## Results

### Alcohol-Related Convictions Among Suspected/Confirmed Drivers Involved in DUI-Related Crashes: Repeat vs. First-Time Offenders

Between 2017 and 2021, there were 44,394 drivers involved in motor vehicle traffic crashes that were confirmed or suspected of alcohol and/or drug impairment (DUI-related crashes). Among all drivers involved in DUI-related crashes, 39% were sentenced for alcohol-related convictions (as the most serious offense), 17% were sentenced for non-alcohol-related convictions, 42% were not convicted or had a verdict pending as of December 2023, and 3% were fatally injured during the crash, therefore, having no conviction.

Thirteen percent of all drivers confirmed or suspected of impairment and involved in DUI-related crashes (13%, 5,856) were repeat offenders and 87% (38,538) were first-time offenders.

- Among all *first-time* offenders involved in DUI-related crashes, 37% were convicted for alcohol-related offenses, 17% were convicted of non-alcohol-related convictions, 43% were not convicted or had a verdict pending, and 3% were fatally injured during the crash (Figure 4).
- Among all *repeat* offenders involved in DUI-related crashes, 52% were convicted for alcohol-related offenses, 15% were convicted of non-alcohol-related convictions, 32% were not convicted or had a verdict pending, and 1% were fatally injured during the crash (Figure 4).

The conviction rate for alcohol-related offenses (as the most serious offense) in non-severe (non-SI/Fatal) or serious injury (SI) crashes was significantly higher among repeat offenders compared to first-time offenders (Figure 4, Appendix A1).

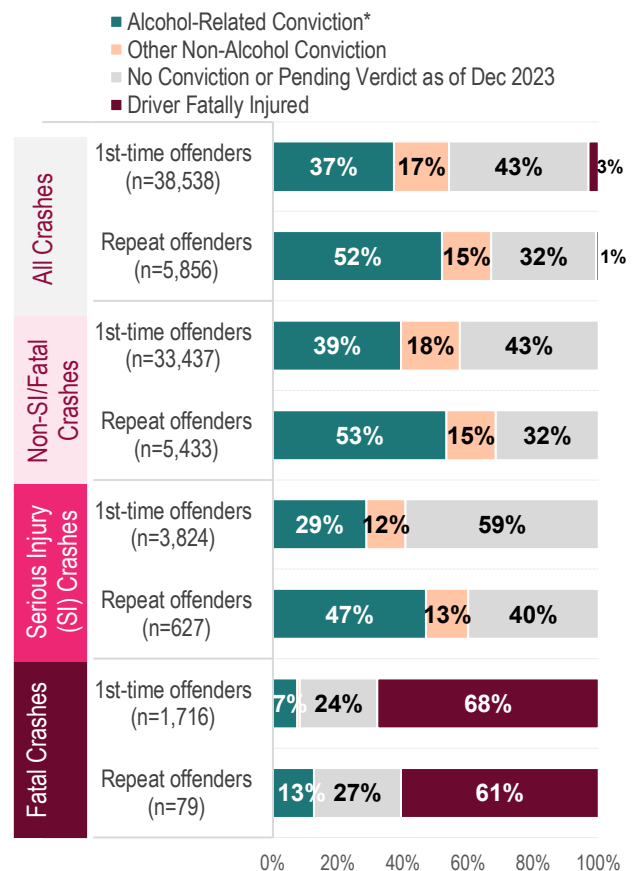
- 39% of first-time offenders and 53% of repeat offenders received an alcohol-related conviction for all *non-severe* DUI-related crashes, not serious injury or fatal crashes ( $p < 0.0001$ ).
- 29% of first-time offenders and 47% of repeat offenders received an alcohol-related conviction for all *serious injury* DUI-related crashes ( $p < 0.0001$ ).
- There were no significant differences in the alcohol-related conviction rate for surviving first-time

offenders and surviving repeat offenders involved in *fatal* DUI-related crashes ( $p = 0.25$ , 23% of all surviving first-time offenders, 32% of all surviving repeat offenders).

However, the conviction rate for alcohol-related offenses among drivers suspected or confirmed as alcohol- and/or drug-impaired decreased as the severity of the crash increased. In other words, the driver conviction rate for alcohol-related violations *decreased* by 18% as the crash severity level increased ( $p = 0.02$ ) (Appendix A2).

- Among first-time offenders, the alcohol-related conviction rate decreased from 39% in non-severe crashes to 29% in serious injury crashes and further to 7% in fatal crashes.
- Similarly, the alcohol-related conviction rate among repeat offenders decreased from 53% in non-severe crashes to 47% in serious injury crashes and further to 13% in fatal crashes.

**Figure 4. Most Serious Convictions Among First-Time Offenders and Repeat Offenders Involved in a 2017-2021 DUI-Related Crash by Crash Severity**



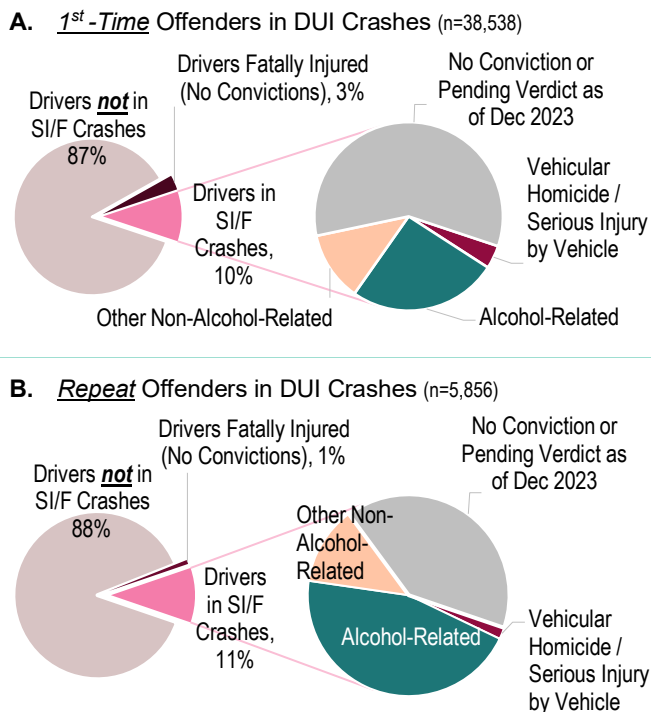
\*Alcohol-related convictions include vehicular homicide, serious injury by vehicle, and possession of an open container. Other non-alcohol-related convictions include reckless driving, speeding, aggressive driving, failure to maintain lane, hit and run, and other traffic-related offenses.

Figure 5 shows the distribution of the most serious conviction type for first-time and repeat offenders involved in severe (serious injury or fatal) DUI-related crashes. Thirteen percent (13%) of all first-time offenders and 12% of all repeat offenders were involved in a DUI-related crash that involved at least one serious injury or fatality. Among the surviving drivers involved in severe crashes, most did not receive an alcohol-related conviction (as the most serious offense) or had a verdict pending as of December 2023—58% among surviving first-time offenders and 40% among surviving repeat offenders.

DUI offenders can receive multiple alcohol-related convictions for a single incident. Table 1 shows the distribution of alcohol-related convictions received for DUI-related crashes among surviving offenders by Georgia violation code and crash severity.

- Over 90% of surviving repeat offenders and nearly 80% of surviving first-time offenders with an alcohol-related conviction from a severe or non-severe crash receive a “DUI of alcohol or any drug to the extent it is less safe.” (Table 1).
- Nearly 3 out of 10 (29%) repeat offenders and 2 out of 10 (19%) first-time offenders involved in *non-severe* crashes receive convictions related to alcohol impairment. Twenty-six percent (26%) of repeat offenders and 16% of first-time offenders involved in *severe* crashes receive convictions related to alcohol impairment.
- Nearly 17% of repeat offenders and less than 8% of first-time offenders involved in severe or non-severe crashes receive convictions related to “possession of an open container.”

**Figure 5. Percent of Convictions Among Drivers Involved in DUI-Related SI/F Crashes: 1<sup>st</sup> Time Offenders vs. Repeat Offenders**



NOTE: The conviction categories are the most serious convictions received by the driver involved in the SI/F crashes. Repeat offenders can be involved in multiple DUI-related crashes during the evaluation period (2017-2021).

Source: 2017-2021 DUI driver involved in crashes; 2017-2023 Convictions among DUI drivers involved in crashes between 2017 and 2021

**Table 1. Alcohol-Related Convictions Received for DUI-Related Crashes among Surviving Offenders by Georgia Violation Code and Crash Severity**

At-Crash Alcohol-Related Convictions Convictions documented on the driver's record for the DUI crash incident.	Surviving Repeat Offenders in DUI Crashes (5,808 out of 5,856)		Surviving 1 <sup>st</sup> -Time Offenders in DUI Crashes (37,379 out of 38,538)	
	Non-Severe Crashes	Severe Crashes	Non-Severe Crashes	Severe Crashes
Vehicular Homicide 40-6-393(a-b)	--	2.5%	--	0.8%
Serious Injury by Vehicle 40-6-394	0.1%	0.7%	0.6%	5.5%
DUI Child Endangerment* 40-6-391(l)	1.7%	2.8%	1.3%	2.5%
DUI, Repeat offense within 10 years, 40-6-391(c2-c4)	0.5%	--	--	--
DUI, BAC 0.08+ g/dL 40-6-391(a5)	28.8%	25.9%	18.6%	16.4%
DUI, Underage of 21 years 40-6-391(k)	1.0%	1.4%	1.0%	0.8%
DUI of alcohol or any drug to the extent it is less safe, 40-6-391 & 40-6-391(a1-a4, a6)	92.8%	93.1%	79.1%	81.5%
Possession of an open container, 40-6-253	16.7%	16.9%	6.8%	7.6%

\* DUI child endangerment violations are counted for each child involved in the crash incident. Repeat offenders can be involved in multiple DUI-related crashes during the evaluation period (2017-2021).

### Pre-Crash and Post-Crash Convictions Among Suspected/Confirmed Drivers Involved in DUI-Related Crashes: Repeat vs. First-Time Offenders

Among the repeat offenders who were involved in a single DUI-related crash from 2017-2021, 51.3% received at least one DUI conviction prior to the crash, and 52.9% received a DUI conviction after the crash. Some repeat offenders in this analysis did not receive any DUI convictions pre- or post-DUI-crash between 2017 and 2023; however, they were involved in multiple DUI crashes between 2017 and 2021 (4% of all repeated offenders).

- The median time between the last pre-crash DUI conviction and the DUI crash incident date was **8.7 months** (up to 4.8 years). In other words, half of all repeat offenders with at least one prior DUI-related conviction had a DUI crash event within 9 months of the last conviction.
- The median time between the DUI crash incident date and the earliest post-crash DUI conviction for another incident was **1.9 years** (up to 6.3 years).
- Among drivers involved in multiple DUI crashes, the median time between crash dates was **1.1 years** (up to 4.9 years).

According to O.C.G.A. § 40-5-58, a habitual violator is someone who has been arrested and convicted three or more times within five years for serious traffic offenses in the United States. These offenses may include those covered under specific Georgia laws, such as vehicular homicide, hit-and-run, DUI, or other dangerous driving behaviors.<sup>8</sup> DUI Child endangerment convictions are counted for each child involved in a single incident. Of all drivers involved in DUI-related crashes, 3.5% had their licenses suspended for habitual violations. Among those, 15.6% of repeat offenders and 1.6% of first-time offenders had prior habitual violations leading to suspensions.

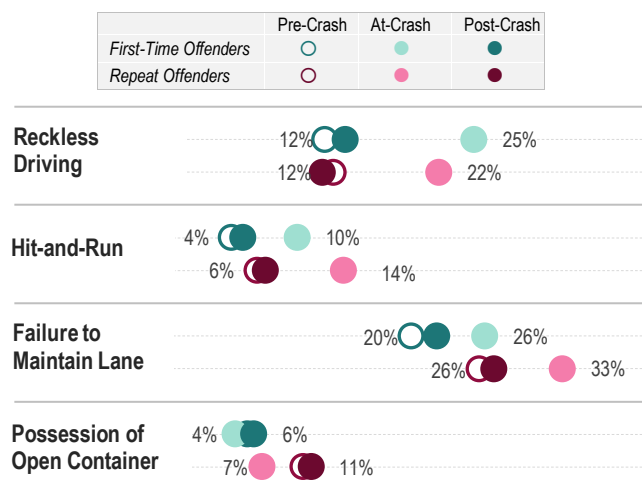
Among the first-time offenders involved in DUI-related crashes, 16% (6,186 out of 38,538) had a non-alcohol-related conviction as the most serious offense on their driving record. The remaining

(84%) had no other traffic or DUI-related convictions. Of the 6,186 first-time offenders with prior non-alcohol-related convictions as the most serious offense on their driving record, 11% were involved in severe (serious injury or fatal) DUI-related crashes.

Driving behaviors such as swerving, rapid or erratic acceleration/deceleration, difficulty maintaining speed, aggressive driving, and failure to obey signals/signs are often considered probable indicators of alcohol and/or drug impairment. Unlike other states, Georgia has no lesser included offenses for DUI. As a result, reckless driving (a non-DUI-related offense) is often used as a reduced charge and only occurs when the state and defense agree to that reduction. The distribution of reckless driving and hit-and-run convictions among first-time and repeat offenders between 2017 and 2023 shows similar patterns for pre-crash, at-DUI-crash, and post-crash (Figure 6).

- 12% of first-time offenders and 13% of repeat offenders had a reckless driving conviction prior to the DUI crash.
- 25% of first-time offenders and 22% of repeat offenders had a reckless driving conviction resulting from a DUI crash.
- 14% of first-time offenders and 12% of repeat offenders had a reckless driving conviction after the DUI crash, but not associated with a DUI crash.

**Figure 6. Non-DUI-Related Convictions Among Drivers Involved in DUI-Related Crashes by Occurrence Relative to DUI-Crash**



Drivers involved in multiple crashes may be counted more than once. A crash could be a first offense or a repeat offense for a separate crash incident.

<sup>8</sup> See Appendix B3 for more information.



The proportion of ‘failure to maintain lane’ pre-convictions among repeat offenders (26%) is similar to the proportion of ‘failure to maintain lane’ convictions at the time of the DUI crash for first-time offenders (26%). Additionally, repeat offenders show a higher conviction rate for ‘failure to maintain lane’ during a DUI crash compared to all other non-alcohol-related traffic convictions (33%).

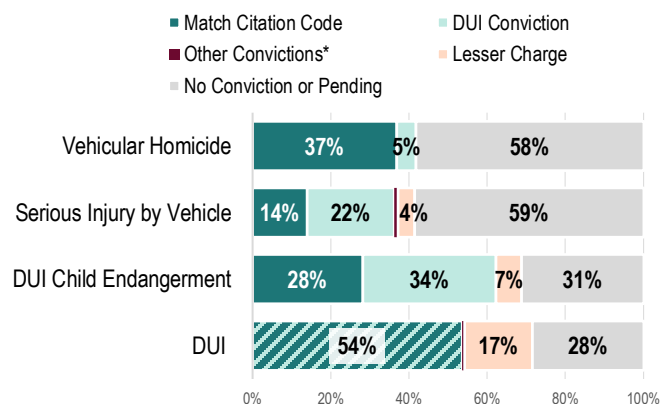
### Pre-Crash and Post-Crash Convictions Among Drivers Involved in DUI-Related Crashes: Confirmed DUI vs. Suspected DUI

Between 2017 and 2021, there were 45,725 DUI-related crashes involving 44,394 unique drivers confirmed or suspected of alcohol and/or drug impairment. During this time, 4% of drivers were involved in multiple DUI-related crashes, and 0.1% of crashes involved multiple drivers who were either suspected or confirmed to be impaired. Multiple citations are commonly issued during a crash event; however, not all citations lead to convictions. Additionally, some citations or offenses are pled down to a lesser charge.

Among drivers issued a vehicular homicide citation (as the most serious charge), 37% were convicted of vehicular homicide, matching the original DUI crash citation. Five percent (5%) received a DUI conviction as the most serious charge for DUI-related crashes. More than half of the drivers who received a vehicular homicide citation between 2017 and 2021 (approximately 58%) were either not convicted of any violation or were awaiting a verdict as of December 2023.

For drivers issued a DUI citation as the most serious charge, 54% were convicted of DUI (matching original DUI crash citation), and 17% received a lesser charge (according to the hierarchical structure outlined in the methodology). Moreover, 28% of drivers issued a vehicular homicide citation between 2017 and 2021 were either not convicted or had pending verdicts by December 2023.

**Figure 7. Proportions of Most Serious Conviction Outcomes by Most Serious Citation Issued to Surviving Drivers at DUI-Related Crashes**



Convictions are among the surviving drivers of DUI-related crashes with crash citations. Based on the hierarchical order established in the methodology, a “lesser charge” means that the resulting conviction is less serious than the citation issued at the DUI-related crash.

The most common lesser charge for DUI-related vehicular homicide or serious injury by vehicle crash citations was DUI. Five percent (5%) of vehicular homicide citations and 22% of serious injury citations resulted in a DUI conviction ([Appendix A3](#)).

The most common lesser charge for DUI-related crash citations was reckless driving ([Appendix A3](#)):

- Less than 1% of drivers with vehicular homicide or serious injury by vehicle crash citations received a reckless driving conviction as their most serious charge for the DUI-related incident.
- 7% of drivers with DUI child endangerment crash citations were convicted of reckless driving as their most serious charge.
- 16% of drivers with DUI crash citations were convicted of reckless driving as their most serious charge for the incident.

Some hit-and-run and reckless driving crash citations at DUI-related incidents lead to DUI convictions as the most serious violation. While DUI violations may not always be identified on the original crash report, they can be recorded on supplemental crash reports, which may later result in a DUI conviction. Nearly 20% of hit-and-run citations (as the most serious charge) and 10% of reckless driving citations resulted in a DUI conviction ([Appendix A3](#)).

Based on police-reported driver conditions (not alcohol or drug test results), 31,019 drivers were confirmed to be DUI in at least one crash, and 13,375 drivers were suspected of DUI. Not all drivers in DUI-related crashes received a citation—86.0% of all police-reported confirmed DUI drivers received at least one citation, and 71.7% of all police-reported suspected DUI drivers received at least one citation.

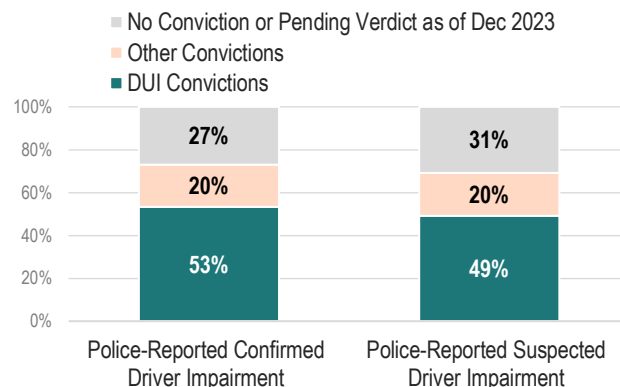
Of all the drivers issued DUI citations involved in DUI-related crashes between 2017-2021, 77% were issued to drivers that were police-reported confirmed impaired, and 23% were issued to drivers suspected of impairment. 80% of all confirmed DUI drivers and 63% of suspected DUI drivers receive a DUI citation, as documented in the crash reports.

Issued DUI citations at a crash had similar outcomes among confirmed and suspected DUI drivers, which were marginally (but statistically significant) different (p=0,0002) (Figure 8).

- More than half (53%) of police-reported confirmed DUI drivers and 49% of suspected DUI drivers who received a DUI citation also received a DUI-related conviction.
- 20% of both confirmed and suspected DUI drivers who received a DUI citation were convicted of a non-DUI-related offense.
- 27% of confirmed DUI drivers and 31% of suspected DUI drivers who received a DUI citation had either not been convicted or were still awaiting a verdict as of December 2023.

In general, the median time between the DUI crash citation and the DUI conviction is longer among suspected impaired drivers (8.9 months) in comparison to confirmed impaired drivers (7.3 months).

**Figure 8. Proportion of Most Serious Conviction Outcome among *Surviving* Drivers Issued a DUI Citation at Crash by Police-Reported Driving Condition\***



\* Driver condition is based on police-reported driver conditions (not alcohol or drug test results)

The median time between a DUI crash date and the 'guilty' verdict date for all convictions before the COVID-19 pandemic (2017-2019) was 6.8 months, ranging from 1 day to 6.4 years. In other words, half of DUI-related convictions were determined within 6-7 months of the crash incident date before the COVID-19 pandemic. The median time increased to 10.8 months (ranging from 1 day to 3.1 years) during and after the COVID-19 pandemic (2020-2021).

This timeframe for DUI-related convictions varies depending on the severity of the crash:

- For non-severe crashes, the median time is 6.3 months (taking up to 6.4 years).
- For serious injury crashes, the median time increases to 7.3 months (taking up to 6.4 years), with 70% of drivers being convicted within one year of the crash.
- For fatal crashes, the average time increases to 1.2 years, ranging from 14 days to 4.8 years, with 41% of drivers being convicted within one year of the crash.

## Conclusion and Recommendations

The analysis of DUI-related crashes from 2017 to 2021 highlights distinct patterns in conviction outcomes between first-time and repeat offenders. While 39% of all drivers involved in DUI-related crashes were convicted of alcohol-related offenses, there were notable differences between offender groups. Repeat offenders were significantly more likely to receive alcohol-related convictions compared to first-time offenders, particularly in non-severe and serious injury crashes. Additionally, the conviction rate for alcohol-related offenses decreased as crash severity increased for both groups, with a notable drop in fatal crashes.

These findings showed that repeat offenders are more likely to face legal consequences for DUI-related crashes than first-time offenders, particularly in less severe incidents. However, in fatal crashes, the difference in conviction rates between the two groups was not statistically significant. This suggests the legal challenges in securing DUI convictions in the more severe DUI-related crashes. These results highlight the importance of a comprehensive DUI control system and the need to increase the rate of DUI convictions following DUI citations for first-time offenders to prevent future risks. A unified reporting system for DUI citations and convictions across Georgia could greatly improve the courts' ability to track repeat offenders and ensure consistent enforcement of penalties. This would help identify and monitor repeat offenders and prevent offenders from avoiding penalties. A unified system would support Georgia's participation in the Interstate Driver's License Compact (IDLC), enabling the state to share DUI conviction information with other states. A unified reporting system and involvement in IDLC will track DUI offenders across jurisdictions within Georgia and state lines, allowing judges access to drivers' entire driving history.

The analysis also showed similar patterns of other, non-alcohol-impairment risky driving behaviors and legal outcomes of repeat and first-time offenders before and after their involvement in DUI-related crashes. First-time offenders showed a notable proportion of non-alcohol-related convictions, with

16% having prior offenses, some of which involved severe crashes. Reckless driving and failure to maintain lane convictions demonstrate that repeat and first-time offenders follow similar patterns in pre-crash, at-crash, and post-crash convictions.

Additionally, the analysis showed the persistent nature of repeat DUI offenses, with some individuals involved in multiple DUI-related crashes despite not having received DUI convictions pre- or post-crash. More than half of offenders with prior DUI convictions are involved in a DUI-related crash within 8.7 months of their DUI conviction and involved in another DUI crash within 1.9 years. This finding illustrates the ongoing pattern of recidivism and the need for interventions to reduce further incidents.

Despite the issuance of multiple citations during crashes, not all citations resulted in DUI convictions. Many citations resulted in convictions for lesser charges, such as reckless driving. For those issued DUI citations as the most serious charge, 54% were convicted of DUI, and 17% received a lesser charge. The remaining DUI citations issued were either not convicted or had pending verdicts as of December 2023. Reckless driving was a common lesser charge, with 16% of drivers initially cited for DUI-related crashes being convicted of reckless driving. Hit-and-run and reckless driving citations at DUI-related incidents were also frequently associated with DUI convictions.

## Appendix

### A1. Alcohol-Related Convictions Among Repeat Offenders and First-Time Offenders Involved in DUI-Crashes

This table compares conviction rates among repeat offenders and first-time offenders by the timing of those convictions.

- Repeat offenders as a driver with at least one DUI conviction before the DUI crash (2017-2021), at least one DUI conviction after the DUI crash (2017-2023), or at least two DUI crashes between 2017 and 2021 (that may or may not have resulted in a DUI conviction). First-time offenders do not have any pre- or post-crash DUI convictions on their driving record between 2017 and 2023.

Crash Severity	First-Time Offenders		Repeat Offenders		Statistical Test	
	Count	Percent	Count	Percent	Z-value	P-value
Non-Severe DUI Crashes	13,180	39%	2,890	53%	19.28	<0.0001
Serious Injury DUI Crashes	1,095	29%	295	47%	9.27	<0.0001
<i>Among Surviving</i> Drivers in Fatal DUI Crashes	128	23%	10	32%	1.13	0.25

### Cochran-Mantel-Haenszel Test of General Association

Crash Severity	Driver Status	Count with Alcohol-Related Conviction	Count with NO Alcohol-Related Conviction	Total Drivers Involved in DUI Crashes	Proportion of Drivers with Alcohol-Related Conviction
Non-Severe DUI Crashes	<i>First-Time Offenders</i>	13,120	20,257	33,377	0.39
	<i>Repeat Offenders</i>	2,890	2,543	5,433	0.53
Serious Injury DUI Crashes	<i>First-Time Offenders</i>	1,095	2,729	3,824	0.29
	<i>Repeat Offenders</i>	295	332	627	0.47
Fatal DUI Crashes	<i>First-Time Offenders</i>	128	1,580	1,708	0.07
	<i>Repeat Offenders</i>	10	69	79	0.13

### Mantel-Haenszel Odds Ratio with 95% confidence interval

Crash Severity	Odds Ratio	Confidence Interval
Non-Severe DUI Crashes	0.57	(0.54, 0.60)
Serious Injury DUI Crashes	0.45	(0.38, 0.54)
Fatal DUI Crashes	0.56	(0.28, 1.11)

The confidence intervals of the odds ratios for non-severe and serious injury crashes do not include 1, indicating a significant difference between first-time and repeat offenders, consistent with the results of the two-proportion z-test. However, the odds ratio for fatal crashes includes 1, suggesting there is no significant difference in the proportion of convictions between first-time and repeat offenders in fatal crash cases.

### Relative Risk with 95% Wald Confidence Limits

Crash Severity	Relative Risk	Confidence Interval
Non-Severe DUI Crashes	0.73	(0.72, 0.76)
Serious Injury DUI Crashes	0.61	(0.55, 0.67)
Fatal DUI Crashes	0.6	(0.32, 1.08)

The confidence interval for fatal crashes contains 1, indicating no significant difference in the risk of conviction between first-time and repeat offenders. However, the confidence intervals for non-severe and serious injury crashes do not contain 1, suggesting that the risk of conviction differs between the two groups for these crash severities.

### Breslow-Day Test for Homogeneity of Odds Ratios

chi-square	6.3528
df	2
p-value	0.0417

This also suggests that the odds ratios are different among the crash severities and offender status.

### Cochran-Mantel-Haenszel Statistics (Based on Table Scores)

Statistic	Alternative Hypothesis	df	Value	P-Value
1	nonzero correlation	1	450.98	<.0001
2	row mean scores differ	1	450.98	<.0001
3	general association	1	450.98	<.0001

These statistics also suggest a correlation between the proportion of drivers convicted and crash severity levels, with differing conviction rates between first-time and repeat offenders across various severity levels.

## A2. Convictions Among Repeat Offenders and First-Time Offenders Involved in DUI-Crashes by Time of Occurrence

This table compares conviction rates among repeat offenders and first-time offenders by the timing of those convictions.

- Repeat offenders as a driver with at least one DUI conviction before the DUI crash (2017-2021), at least one DUI conviction after the DUI crash (2017-2023), or at least two DUI crashes between 2017 and 2021 (that may or may not have resulted in a DUI conviction). First-time offenders do not have any pre- or post-crash DUI convictions on their driving record between 2017 and 2023.
- Pre- and post-crash convictions may or may not have resulted in a crash. Drivers can also receive more than one conviction type for a single incident.
- Conviction types and values highlighted in pink are visually displayed in Figure 3 of the issue brief.

Conviction Types		Repeat Offenders in DUI Crashes (n=5,646)						1 <sup>st</sup> -Time Offenders in DUI Crashes (n=38,748)						All Drivers in DUI Crashes (n=44,394)	
		Pre-Crash (3,723 out of 5,646)		At DUI Crash (3,926 out of 5,646)		Post-Crash (3,549 out of 5,646)		Pre-Crash (6,480 out of 38,748)		At DUI Crash (20,821 out of 38,748)		Post-Crash (5,268 out of 38,748)		Count	Percent
		Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	Percent		
Severe Injury by Vehicle	Vehicular homicide	**	<1%	9	<1%	11	<1%	**	0.03%	110	<1%	7	<1%	136	<1%
	Serious injury by vehicle	--	--	**	<1%	5	<1%	**	0.02%	78	<1%	5	<1%	90	<1%
Alcohol-Related	DUI child endangerment	27	0.73%	29	<1%	46	1%			199	0.96%			285	<1%
	DUI	2,933	79%	2,998	76%	3,044	86%			14,063	68%			19,430	44%
	Possession of an open alcohol container	383	<b>10%</b>	264	<b>7%</b>	376	11%	351	<b>5%</b>	904	<b>4%</b>	307	6%	2,370	5%
Risky Driving-Related	Reckless driving	481	<b>13%</b>	871	<b>22%</b>	415	12%	789	<b>12%</b>	5,264	<b>25%</b>	727	14%	7,817	18%
	Speeding / Aggressive Driving	959	26%	35	1%	680	19%	4,613	71%	187	0.90%	3,512	67%	8,957	20%
Other Traffic-Related	Failure to maintain lane	957	<b>26%</b>	1,296	<b>33%</b>	957	27%	1,282	<b>20%</b>	5,460	<b>26%</b>	1,143	22%	9,773	22%
	Hit and run	234	<b>6%</b>	543	<b>14%</b>	258	7%	260	<b>4%</b>	2,036	<b>10%</b>	262	5%	3,269	7%
	Other*	131	4%	138	4%	95	3%	236	4%	492	2%	117	2%	1,130	3%

### A3. Proportions of Most Serious Conviction Outcome by Most Serious Citation Issued to Surviving Drivers at DUI-Related Crashes

- Convictions are among the surviving drivers of DUI-related crashes with crash citations.
- Most serious convictions and citations are based on the hierarchical order established in the methodology. A “lesser charge” means that the resulting conviction is less serious than the citation issued at the DUI-related crash.
- (\*) While DUI violations may not always be identified on the original crash report, they can be recorded on supplemental crash reports, which may later result in a DUI conviction.

Most Serious Conviction Outcome	Most Serious Citation Issued to Drivers at DUI-Related Crashes					
	Vehicular Homicide	Serious Injury by Vehicle	DUI Child Endangerment	DUI	Hit And Run*	Reckless Driving*
Vehicular Homicide	<b>36.6%</b>	0.9%	--	--	0.2%*	--
Serious Injury by Vehicle	--	<b>14.0%</b>	--	0.1%	--	--
DUI Child Endangerment	--	2.8%	<b>28.1%</b>	0.5%	--	--
<b>DUI</b>	<b>5.0%</b>	<b>22.3%</b>	<b>34.2%</b>	<b>53.6%</b>	<b>19.2%*</b>	<b>10.1%*</b>
Hit And Run*	--	0.5%	--	0.7%	<b>33.2%</b>	6.6%*
Reckless Driving	0.5%	0.9%	6.5%	16.7%	6.8%	<b>34.5%</b>
No Conviction	57.9%	58.6%	31.2%	28.4%	40.6%	48.8%
<b>Grand Total</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>

## Appendix B: Legal Considerations

### B1. GA Code § 40-6-391 (2023) Highlights relevant to this study:

- (a) A person shall not drive or be in actual physical control of any moving vehicle while:
  - (1) Under the influence of alcohol to the extent that it is less safe for the person to drive;
  - (2) Under the influence of any drug to the extent that it is less safe for the person to drive;
  - (3) Under the intentional influence of any glue, aerosol, or other toxic vapor to the extent that it is less safe for the person to drive;
  - (4) Under the combined influence of any two or more of the substances specified in paragraphs (1) through (3) of this subsection to the extent that it is less safe for the person to drive;
  - (5) The person's alcohol concentration is 0.08 grams or more at any time within three hours after such driving or being in actual physical control from alcohol consumed before such driving or being in actual physical control ended; or
  - (6) Subject to the provisions of subsection (b) of this Code section, there is any amount of marijuana or a controlled substance, as defined in Code Section 16-13-21, present in the person's blood or urine, or both, including the metabolites and derivatives of each or both without regard to whether or not any alcohol is present in the person's breath or blood.
  
- (i) A person shall not drive or be in actual physical control of any moving commercial motor vehicle while there is 0.04 percent or more by weight of alcohol in such person's blood, breath, or urine. Every person convicted of violating this subsection shall be guilty of a misdemeanor and, in addition to any disqualification resulting under Article 7 of Chapter 5 of this title, the "Uniform Commercial Driver's License Act," shall be fined as provided in subsection (c) of this Code section.
  
- (k)
  - (1) A person under the age of 21 shall not drive or be in actual physical control of any moving vehicle while the person's alcohol concentration is 0.02 grams or more at any time within three hours after such driving or being in physical control from alcohol consumed before such driving or being in actual physical control ended.



## B2. Case law relevant to this study:

*Ammons v. State, 315 Ga. 149 (2022).*

They determined that the Georgia Constitution's privileges and immunities clause does not bar the admission of evidence that the driver refused to consent to a blood test. Ammons also states that a driver's refusal to perform field sobriety evaluations may not be admitted in a criminal trial. While Ammons did not exclude a blood test refusal, Georgia case law, in general, is currently uncertain as to whether this evidence will continue to be admitted.

*Anderson v. State, 226 Ga. 35 at 36-37 (1970)*

"Obviously, a driver who is less safe is less efficient. He is less skillful, less competent, less able, less qualified, less proficient, and less efficient. Each of the words would convey the same message to the jury. The driver must be so affected by the intoxicant that it adversely affected his operation of the motor vehicle."

Georgia's state constitutional provisions bar the use of a suspect's refusal to submit to a breath or urine test in a criminal trial.

- *Elliott v. State, 305 Ga. 179 (2019)*
- *Awad v. State, 313 Ga. 99 (2022)*

While blood test refusals are still nominally permissible (See O.C.G.A. 40-6-392), there is great concern about whether they will ultimately be held unconstitutional, as the issue is still pending a definitive Supreme Court review.

- *State v. Randall, 315 Ga. 198 (2022)*
- *State v. Randall II, 318 Ga. 79 (2024)*

### **B3. GA Code § 40-5-58 Highlights relevant to this study:**

Habitual Violator contributors are convictions and/or *nolo contendere* pleas arising from a single incident or separate incidents to any three of the following violations within a 5-year period, as measured from date of arrest to date of arrest for which convictions were obtained, will cause the violator to be declared a Habitual Violator in accordance with O.C.G.A. § 40-5-58:

- Homicide by Vehicle (1st Degree) as defined by O.C.G.A. § 40-6-393 (a) or (b)
- Homicide by Vehicle (2nd Degree) as defined by O.C.G.A. § 40-6-393 (c)
- Any felony in the commission of which a motor vehicle is used
- Hit & Run – leaving the scene of an accident as defined by O.C.G.A. § 40-6-270
- Racing on highways or streets as defined by O.C.G.A. § 40-6-186
- Using a motor vehicle in fleeing or attempting to elude an officer as defined by O.C.G.A. § 40-6-395
- Unlawful or fraudulent use of or application for a license or ID card as defined by O.C.G.A. § 40-5-120, O.C.G.A. § 40-6-125 (HV contributor only for offenses occurring prior to July 1, 2015)
- Operating a motor vehicle with a revoked, canceled, or suspended registration as defined by O.C.G.A. § 40-6-15
- Any felony forgery conviction if related to an identification document (§ 40-5-54) (HV contributor only for offenses occurring prior to July 1, 2015)
- Driving under the influence and child endangerment while DUI as defined by O.C.G.A. § 40-6-391; § 40-6-391 (l)
- Feticide by vehicle (1st Degree) as defined by O.C.G.A. § 40-6-393.1 (a) (1)
- Serious Injury by vehicle as defined by O.C.G.A. § 40-6-394

## Data Definitions and Considerations:

A traffic crash is defined as an incident that involved one or more motor vehicles where at least one vehicle was in transport, and the crash originated on a public traffic way, such as a road or highway. Crashes that occurred on private property, including parking lots and driveways, are excluded. Fatal crashes are defined as crashes involving a motor vehicle traveling on a traffic way customarily open to the public and resulting in the death of a motorist or a non-motorist within 30 days of the crash.

DOT-523 Crash Report Manual Version 3.0 was revised January 2018 with a more detailed definition for serious injury that was aligned with the MMUCC guidelines. Serious injuries are those suspected serious injuries reported by law enforcement and used when any injury, other than fatal injury, prevents the injured person from walking, driving, or normally continuing the activities the person was capable of before the injury occurred. A suspected serious injury may result in one or more of the following: • Severe laceration resulting in exposure of underlying tissues/muscle/organs or resulting in significant loss of blood • Broken or distorted extremity (arm or leg) • Crush injuries • Suspected skull, chest or abdominal injury other than bruises or minor lacerations • Significant burns (second and third-degree burns over ten percent or more of the body) • Unconsciousness when taken from the crash scene • Paralysis.

For fatal crashes only, Blood Alcohol Concentration (BAC) values are imputed to address missing blood alcohol test results in FARS data system. A multiple imputation methodology is employed to generate specific values of BAC for persons involved in fatal crashes. "No alcohol" refers to a blood alcohol concentration (BAC) of .00 grams per deciliter (g/dL). For motorists and non-motorists involved in a motor vehicle traffic crash that may or may not result in a fatal injury, many drivers confirmed or suspected of alcohol impairment will not have a BAC value reported in the police crash report. Drivers suspected of alcohol may have an alcohol test administered; however, the results or findings were not validated or included in the final police crash report.

Suspected and confirmed alcohol impairment and/or drug use is determined by the driver condition reported on the police crash reports. If the driver condition is unknown, and the police reported that an alcohol or drug test was administered with a positive or unknown result, then the driver is considered to be 'suspected' of alcohol impairment and/or drug use.

Rural counties have a population of less than 50,000 according to the United States decennial census of 2010 or any future such census (O.C.G.A. Section 31-6-2). This is different than roadway classifications, where urban road systems can be located in urban clusters (or metropolitan areas) of at least 2,500 persons within the rural counties.

## Additional Information:

See the 2022 Risky Driving Georgia Traffic Safety Facts for more information on alcohol-related traffic crashes, serious injuries, and fatalities.

*The suggested APA format citation for this document is:*

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