

# ITSMR Research Note

## KEY FINDINGS

### DRIVERS TICKETED FOR DRUG-IMPAIRED DRIVING

- The number of drivers ticketed for drug-impaired driving declined by 2% between 2015 and 2019, while the number of drivers ticketed for alcohol-impaired driving decreased 8%.
- 29% of the drivers ticketed for drug-impaired driving in 2019 were women, up slightly from 28% in 2015. Similarly, the proportion of female drivers ticketed for alcohol-impaired driving also increased slightly between 2015 and 2019 (26% vs. 27%).
- The largest proportions of drivers ticketed for drug-impaired driving or alcohol-impaired driving each year 2015-2019 were in the 21-29 year age group (32% and 30%, respectively, in 2019).
- 19% of the drug-impaired drivers were also ticketed for alcohol-impaired driving; 16% were also ticketed for speeding compared to 22% of the alcohol-impaired drivers ticketed.

### DRUG-IMPAIRED DRIVING ARRESTS

- 32% of the drug-impaired driving arrests in 2019 occurred on weekends, compared to 51% of the alcohol-impaired driving arrests.
- Drug-impaired driving arrests were more likely to occur during the day than alcohol-impaired driving arrests (33% vs. 12% from 9am-6pm), while alcohol-impaired driving arrests were more likely to occur at night (73% vs. 46% from 9pm-6am).

### CONCLUSIONS

- Enhanced enforcement strategies that address the differences in driving patterns (time of day and day of week) between drivers ticketed for drug-impaired and alcohol-impaired driving should be considered.
- The finding that the number of drivers ticketed for drug-impaired driving is decreasing while the involvement of women in these arrests is on a slow upward trend should provide useful information to the GTSC and the Advisory Council on Impaired Driving in developing effective enforcement and public awareness strategies to address the problem of drug-impaired driving among motorists in New York State.

## Drivers Ticketed for Drug-Impaired Driving on New York Roadways: 2019 Status Report

### INTRODUCTION

A 2017 study conducted by the Institute for Traffic Safety Management and Research (ITSMR) found that the number of drivers ticketed for drug-impaired driving increased by 8% between 2011 and 2015. Tickets issued for 1192.4 (DWAI drugs) violations increased 8% and tickets for 1192.4a (DWAI Drugs & Alcohol) increased 11% over the five years.

These findings, combined with an awareness that the use of both prescription drugs and illegal drugs continues to grow, remain a concern of the NYS Governor's Traffic Safety Committee (GTSC) and the state's Advisory Council on Impaired Driving. To address this concern, the GTSC provided funding for ITSMR to update its 2017 study to determine whether the upward trends in drivers ticketed and tickets issued for drugged driving on New York roadways are continuing. This research note presents information about drivers ticketed and tickets issued for drug-impaired driving from 2015 to 2019, as well as the differences and/or similarities with drivers ticketed for alcohol-impaired driving offenses, organized as follows:

- Drivers Ticketed and Tickets Issued
- Drug-Impaired Driving Arrests
  - Enforcement Agency
  - Day of Week
  - Time of Day
- Drivers Ticketed for Drug-Impaired Driving
  - Driver Gender
  - Driver Age
  - Tickets Issued for Other VTL Violations

This study defines a drug-impaired driving arrest as one in which the driver was charged with a violation of the VTL Section 1192.4 (DWAI Drugs) or 1192.4a (DWAI Drugs & Alcohol). An alcohol-impaired driving arrest is defined as one in which the driver was charged with a violation of VTL Section 1192.1 (DWAI), 1192.2 (Per Se) or 1192.3 (DWI).

The data source for the study is the NYS Department of Motor Vehicles' Traffic Safety Law Enforcement and Disposition (TSLED) system. TSLED captures data on tickets issued in all areas of the state except for New York City. Most of the data are available through ITSMR's online Traffic Safety Statistical Repository (TSSR).

## DRIVERS TICKETED AND TICKETS ISSUED

As shown in Table 1, the number of drivers ticketed for drug-impaired driving increased from 2015 to 2016, followed by a steady decline through 2019. Overall, between 2015 and 2019, the number of drivers ticketed for drug-impaired driving decreased by 2% and the number of tickets issued for drug-impaired driving remained flat. Tickets issued for 1192.4 (DWAI Drugs) offenses increased 1% and tickets issued for 1192.4a (DWAI Drugs & Alcohol) decreased 3% over the five years. These trends changed the pattern seen during the previous five-year period, 2011-2015, when the number of drivers ticketed increased by 8% and the number of tickets issued increased by 9%.

The number of drivers ticketed for alcohol-impaired driving offenses has been on a downward trend for many years, decreasing 8% between 2015 and 2019 (32,502 vs. 30,003) following a decrease of 17% between 2011 and 2015. The number of tickets issued for alcohol-impaired driving offenses dropped from 57,950 in 2015 to 52,308 in 2019, representing a decrease of 10%, compared to a decrease of 16% between 2011 and 2015. As further indicated in Table 1, the number of tickets issued for VTL 1192.2, 2aa or 2ab (Per Se and Aggravated DWI) between 2015 and 2019 dropped 10%, compared to a 9% decline in tickets issued for 1192.3 (DWI) and a 13% decline for 1192.1 (Driving While Ability Impaired).

	2015	2016	2017	2018	2019	Change 2015-2019
<b>Drug-Impaired Driving</b>						
<b>Drivers Ticketed</b>	4,282	4,573	4,504	4,242	4,206	-1.8%
<b>Tickets Issued</b>	4,569	4,855	4,812	4,568	4,584	0.3%
1192.4	3,781	4,092	3,999	3,834	3,816	0.9%
1192.4a	788	763	813	734	768	-2.5%
<b>Alcohol-Impaired Driving</b>						
<b>Drivers Ticketed</b>	32,502	32,580	32,031	30,678	30,003	-7.7%
<b>Tickets Issued</b>	57,950	58,192	56,732	54,316	52,308	-9.7%
1192.1	1,216	1,182	1,157	1,070	1,053	-13.4%
1192.2, 2aa, 2ab	25,649	25,795	25,082	24,100	22,970	-10.4%
1192.3	31,085	31,215	30,493	29,146	28,285	-9.0%

## DRUG-IMPAIRED DRIVING ARRESTS

Analyses were conducted to examine various characteristics associated with drug-impaired driving arrests, including the issuing enforcement agency, day

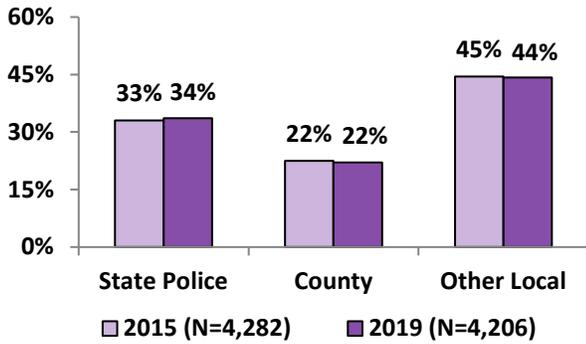
of week and time of day. Additional analyses were conducted to examine differences between drug-impaired and alcohol-impaired driving arrests.

### Enforcement Agency

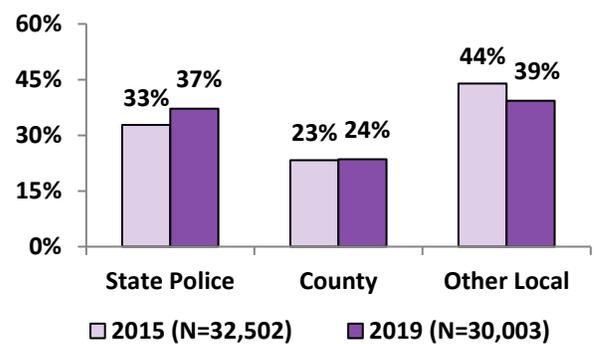
Proportions of drug-impaired and alcohol-impaired drivers arrested by enforcement agency are shown in Figures 1A and 1B. In 2019, the distribution of arrests by enforcement agency was similar for both drug-impaired drivers and alcohol-impaired drivers. Local police agencies, excluding the NYPD, arrested the largest proportion of drivers (44% and 39%, respectively), followed by the State Police (34% and 37%). Although a comparison of the 2015 and 2019

data on drivers arrested for drug-impaired driving shows very few differences by enforcement agency, there were some differences among drivers arrested for alcohol-impaired driving. As shown in Figure 1B, the proportion of drivers arrested for alcohol-impaired driving by the State Police increased between 2015 and 2019 (33% vs. 37%), while the proportion arrested by local agencies dropped from 44% to 39%.

**FIGURE 1A**  
**Drug-Impaired Drivers Ticketed by Enforcement Agency**



**FIGURE 1B**  
**Alcohol-Impaired Drivers Ticketed by Enforcement Agency**

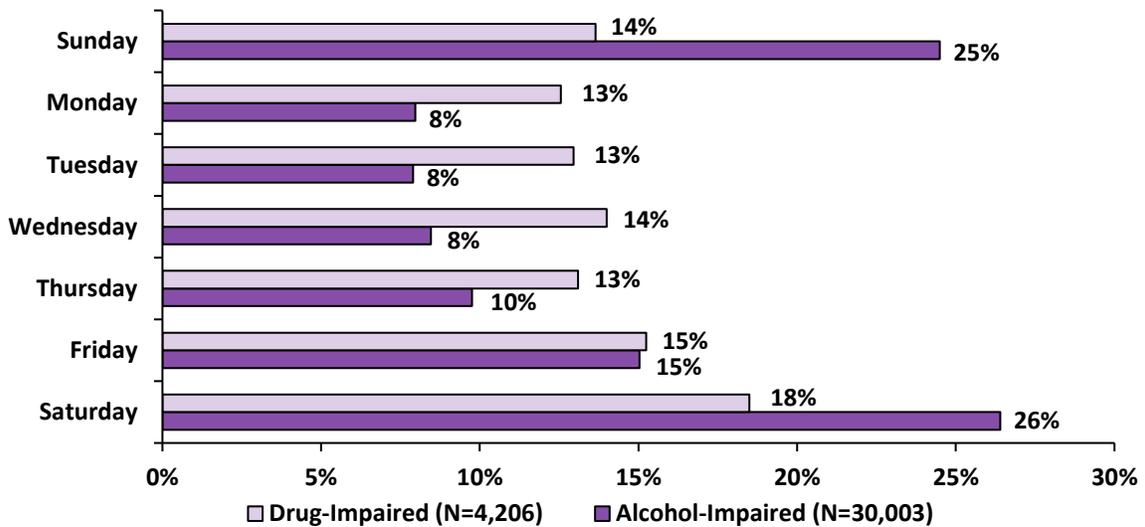


**Day of Week**

Because the analyses of the 2015-2019 data by day of week showed only small variations from year to year, only the data for 2019 are presented below. As shown in Figure 2, while drug-impaired driving arrests were most likely to occur on Friday (15%) and Saturday (18%), they were evenly distributed over the other days (13%-

14%). The pattern of alcohol-impaired driving offenses is very different, with alcohol-impaired arrests being much more likely than drug-impaired arrests to occur on weekends (51% vs. 32%) and much less likely to occur on weekdays (49% vs. 68%).

**FIGURE 2**  
**Drivers Ticketed by Day of Week**  
**Drug-Impaired vs. Alcohol-Impaired: 2019**

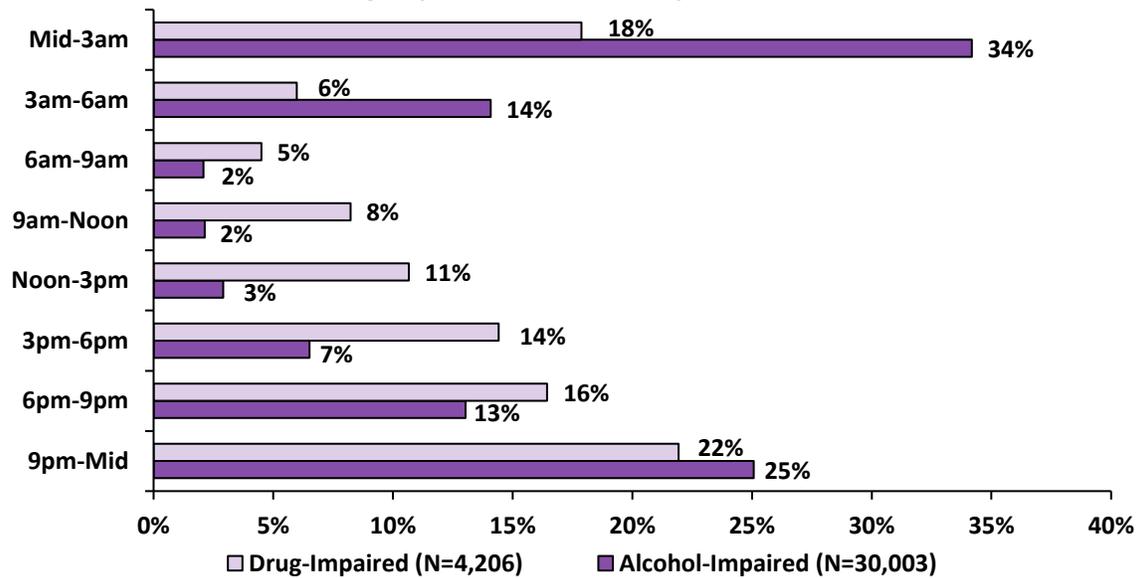


**Time of Day**

Similar to the analyses by day of week, little variation occurred by time of day so only the data for 2019 are shown (Figure 3). The arrests for drug-impaired driving by time of day also followed a different pattern than arrests for alcohol-impaired driving. Fewer than half (46%) of the drug-impaired driving arrests occurred at

night (9pm-6am) compared to 73% of the alcohol-impaired arrests, while one third (33%) of the drug-impaired driving arrests occurred during the day (9am-6pm) compared to just 12% of the alcohol-impaired driving arrests.

**FIGURE 3**  
**Drivers Ticketed by Time of Day**  
**Drug-Impaired vs. Alcohol-Impaired: 2019**



## DRIVERS TICKETED FOR DRUG-IMPAIRED DRIVING

To determine the characteristics of drivers ticketed for drug-impaired driving, analyses were conducted to examine the gender and age of the drug-impaired driver, and to look at other types of tickets issued during

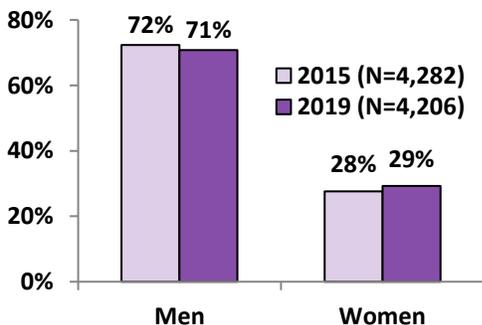
the same arrest event. In addition, comparisons were made between drivers ticketed for drug violations and those ticketed for alcohol violations.

### Driver Gender

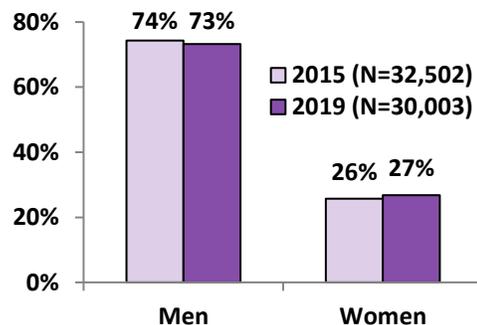
Analyses of the annual 2015-2019 data by gender show that the proportion of drivers arrested for drug-impaired driving who were women is increasing slowly. As shown in Figure 4A, that percentage grew from 28% in 2015 to 29% in 2019. This continues the upward trend since 2011, where women made up 24% of the drivers arrested on drug charges.

Similarly, the proportion of drivers arrested for alcohol-impaired driving who were women has continued to increase gradually. That proportion was 26% in 2015 and 27% in 2019 (Figure 4B); in 2011, female drivers accounted for one quarter (25%) of the drivers arrested.

**FIGURE 4A**  
**Drivers Ticketed for Drug-Impaired Driving by Gender**



**FIGURE 4B**  
**Drivers Ticketed for Alcohol-Impaired Driving by Gender**

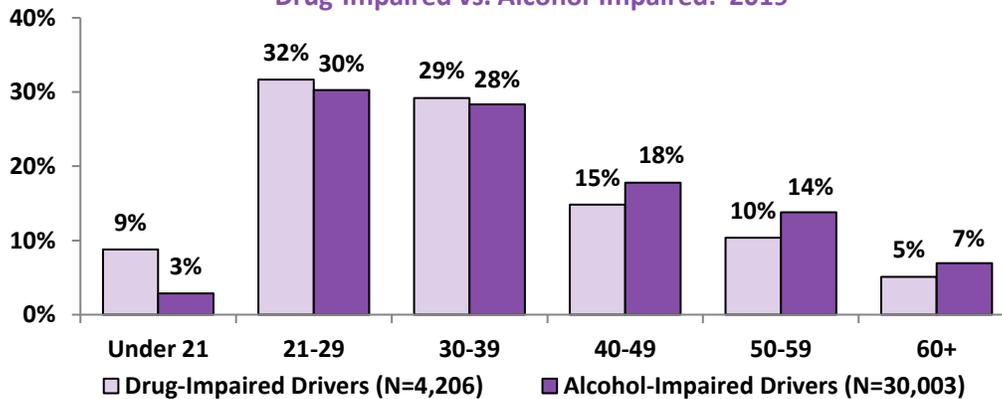


## Driver Age

Because the 2015-2019 data by driver age showed only small variations from year to year, only the data for 2019 are presented below. The largest proportions of drivers ticketed for drug-impaired and alcohol-impaired driving each year were in the 21-29 age group. Figure 5 shows that in 2019, 32% and 33% of the drivers ticketed for drug-impaired and alcohol-impaired driving,

respectively, were ages 21-29. The next largest proportions of drivers ticketed each year were in the 30-39 age group (29% and 28%, respectively). As might be expected due to the state's impaired driving laws, drivers ticketed for alcohol-impaired driving were far less likely than drivers ticketed for drug-impaired driving to be under age 21 (3% vs. 9%).

**FIGURE 5**  
Drivers Ticketed for Impaired Driving by Age  
Drug-Impaired vs. Alcohol-Impaired: 2019



## Tickets Issued for Other VTL Violations

Analyses were also conducted to examine the extent to which drivers ticketed for drug-impaired driving were also ticketed for other VTL violations during the same traffic stop and to identify differences between the other violations associated with drug-impaired and alcohol-impaired drivers ticketed. The results of these analyses are summarized in Table 2.

As shown, of the drug-impaired drivers ticketed, 19% were also ticketed for an alcohol-impaired driving offense and 16% were ticketed for a speeding violation. In comparison, 3% of the drivers ticketed for alcohol-impaired driving were also ticketed for drug-impaired driving and 22% were ticketed for a speeding violation.

TABLE 2 Tickets Issued for Other Select VTL Violations: 2019		
VTL Violation	Drug-Impaired Drivers (N=4,206)	Alcohol-Impaired Drivers (N=30,003)
Speeding	15.5%	22.3%
Alcohol (1192.1-.3)	18.5%	N/A
Drugs (1192.4 & 4a)	N/A	2.6%
Seat Belts	4.0%	2.3%
Cell Phones	0.9%	0.7%

## SUMMARY AND CONCLUSIONS

A 2017 study conducted by ITSMR found that the number of drivers ticketed for drug-impaired driving increased by 8% between 2011 and 2015. Based on their awareness that the use of both prescription and illegal drugs continues to grow, the GTSC provided funding for ITSMR to update its earlier study to

determine whether the upward trend in drivers ticketed for drugged driving on New York roadways is continuing. The study also examined the demographic characteristics of those drivers, as well as the similarities and/or differences with drivers ticketed for alcohol-impaired driving offenses.

The overall findings of this study indicate that arrests for drug-impaired driving have declined slightly, dropping 2% between 2015 and 2019, while arrests for alcohol-

impaired driving were on a general downward trend, decreasing 8% between 2015 and 2019 (Table 3).

TABLE 3 Drivers Ticketed & Tickets Issued for Impaired Driving Change between 2015 and 2019		
	Drug-Impaired Drivers	Alcohol-Impaired Drivers
Drivers Arrested	- 1.8%	- 7.7%
Tickets Issued	+ 0.3%	- 9.7%

Specific key findings of the study include:

- 32% of the drug-impaired driving arrests in 2019 occurred on weekends, compared to 51% of the alcohol-impaired driving arrests.
- 33% of the drug-impaired driving arrests occurred during the day (9am-6pm) and 46% occurred at night (9pm-6am); in contrast, 12% of the alcohol-impaired driving arrests occurred during the day and 73% occurred at night.
- 29% of the drivers arrested for drug-impaired driving in 2019 were women, up from 28% in 2015 and 24% in 2011, while the proportion of drivers arrested for alcohol-impaired driving who were women increased more gradually (25% to 26% between 2011 and 2015 and 26% to 27% between 2015 and 2019).
- The largest proportions of drivers ticketed for drug-impaired or alcohol-impaired driving in 2019 were ages 21-29 (32% and 30%, respectively).

- 19% of the drug-impaired drivers were also ticketed for alcohol-impaired driving; 16% were also ticketed for speeding compared to 22% of the alcohol-impaired drivers ticketed.

The findings that the number of drivers ticketed for drug-impaired driving has declined somewhat since 2015 while the number of drivers ticketed for alcohol-impaired driving has been on a steady decline are significant for the future focus of efforts by the GTSC and the Advisory Council on Impaired Driving to reduce impaired driving. The differences between drug-impaired and alcohol-impaired drivers highlighted in this report, including the increasing involvement of women in drug-impaired arrests, should provide useful information for developing effective enforcement and public awareness strategies to address the problem of drug-impaired driving among motorists in New York State.

For further information regarding this *Research Note*, please contact:

Institute for Traffic Safety Management and Research  
80 Wolf Road, Suite 607  
Albany, NY 12205-2608  
518-453-0291 [info@itsmr.org](mailto:info@itsmr.org)  
[www.itsmr.org](http://www.itsmr.org)