Inspector General Review of the National Highway Traffic Safety Administration’s Fiscal Year 2018 Drug Control Funds and Performance Summary Reporting
What We Looked At
Under the Office of National Drug Control Policy (ONDCP) Circular Accounting of Drug Control Funding and Performance Summary (Circular), when drug-related obligations total less than $50 million and a detailed accounting would be an unreasonable burden, agencies may submit alternative reports. For this reason, the National Highway Traffic Safety Administration (NHTSA) submitted alternative Drug Control Obligation Summary and the Performance Summary reports. We reviewed the reports and related management assertions to determine the reliability of those assertions in compliance with the Circular in all material respects. We conducted our review in accordance with generally accepted Government auditing standards for attestation engagements. Specifically, we reviewed selected accounting internal controls to determine whether drug control funds were properly identified in the accounting system. In addition, we reviewed NHTSA’s internal controls for performance measures to gain an understanding of how the measures were developed. We limited our review processes to inquiries and analytical procedures appropriate for an attestation review according to the Circular’s criteria.

What We Found
NHTSA’s Drug Control Obligation Summary report identified $11,013,185 in total obligations. When we traced those obligations to the Department of Transportation’s accounting system and underlying contracts, we found no exceptions. The performance target in NHTSA’s Performance Summary report for fiscal year 2018 was to complete testing of oral fluid drug screening devices by determining the sensitivity, specificity, and false positive and false negative rates for each device tested. NHTSA indicated that it met its performance target.

Based on our review, we are not aware of any material modifications that should be made to NHTSA’s fiscal year 2018 Drug Control Obligation Summary and Performance Summary reports in order for them to be in accordance with the Circular.

All OIG audit reports are available on our website at www.oig.dot.gov.
For inquiries about this report, please contact our Office of Legal, Legislative, and External Affairs at (202) 366-8751.
March 13, 2019

Director, Office of Policy, Research, and Budget
Office of National Drug Control Policy
750 17th St., N.W.
Washington, DC 20503

Dear Director:

This report presents the results of our independent review of the National Highway Traffic Safety Administration’s (NHTSA) fiscal year 2018 Drug Control Obligation Summary and Performance Summary reports to the Office of National Drug Control Policy (ONDCP). We received NHTSA’s final reports on March 1, 2019. The reports and our review are required by 21 U.S.C. § 1704(d) and ONDCP’s Circular entitled Accounting of Drug Control Funding and Performance Summary (Circular), dated May 8, 2018.

The Circular states that when drug-related obligations total less than $50 million and a detailed accounting would constitute an unreasonable burden, agencies are permitted to submit alternative reports. Because its drug-related obligations for fiscal year 2018 totaled less than $50 million, NHTSA submitted alternative reports. We reviewed NHTSA’s reports and related management assertions to determine the reliability of those assertions in compliance with the Circular in all material respects. We conducted our review in accordance with generally accepted Government auditing standards for attestation engagements. An attestation review is substantially more limited in scope than an examination, which would express an opinion on the accuracy of NHTSA’s Drug Control Obligation Summary and Performance Summary reports. Because we conducted an attestation review, we do not express such an opinion.

Drug Control Obligations Summary

We performed review procedures on NHTSA’s fiscal year 2018 Drug Control Obligation Summary (enclosure 1) according to the Circular’s criteria. We limited our work to inquiries and analytical procedures appropriate for an attestation review. Specifically, we tested selected accounting internal controls to ensure drug control funds were properly identified in the accounting system.
We reviewed $11,013,185 in obligations and traced those obligations to the Department of Transportation's accounting system and underlying contracts. We found no exceptions.

Performance Reporting Summary and Assertions

NHTSA’s performance target for fiscal year 2018 was to complete testing of oral fluid drug screening devices to determine the sensitivity, specificity, and false positive and false negative rates for each device tested. NHTSA indicated that it met its performance target.

We performed review procedures on NHTSA’s fiscal year 2018 Performance Summary report and management’s assertions (enclosure 2). We limited our review processes to inquiries and analytical procedures appropriate for an attestation review according to the Circular’s criteria. Specifically, we reviewed NHTSA’s internal controls for performance measures to gain an understanding of how the measures were developed.

Based on our review, we are not aware of any material modifications that should be made to NHTSA’s fiscal year 2018 Drug Control Obligation Summary and Performance Summary reports in order for them to be in accordance with ONDCP’s Circular.

If you have any questions about this report, please call me at (202) 366-1407, or George Banks, Program Director, at (202) 420-1116.

Sincerely,

Louis C. King
Assistant Inspector General for Financial and Information Technology Audits

Enclosures

cc: The Secretary
DOT Audit Liaison, M-1
NHTSA Audit Liaison, NFO-200
Dear Acting Director Carroll:

In accordance with the Office of National Drug Control Policy Circular: Accounting of Drug Control Funding and Performance, issued May 8, 2018, the National Highway Traffic Safety Administration's (NHTSA) Fiscal Year (FY) 2018 Drug Control Obligation Summary is enclosed. NHTSA's obligations for drug-related activities fall below the reporting threshold of $50 million; therefore, only a limited report is required to satisfy the statutory requirement.

In Fiscal Year 2018 NHTSA obligated $11,013,185.16 on drug control activities. Of that amount, $1,336,328.91 was obligated for research directed at drug impaired driving and measures to reduce it. Activities during FY 2018 included research to identify the potential of a wide range of drugs that might impair driving and updates of drugs and human performance fact sheets. An effort to compile a State of the Knowledge report on drugs and driving also began in FY2018. These reports have been issued periodically over the last 40 years. In the past, NHTSA provided national trend data on alcohol and drug use by drivers; but we are currently prohibited from continuing that data collection effort.

An additional $2,028,687.25 was obligated for program development and support activities. These included technical support to the International Association of Chiefs of Police for drug impaired driving training for law enforcement officers, support for organizing and conducting an annual training conference on impaired driving, general operating expenses support to NHTSA, and support to the Transportation Safety Institute for law enforcement training.

Continued support for the National Sobriety Testing Resource Center and the Drug Recognition Expert Data System continued during FY2018. The system is currently in transition as a new platform is developed. Funding obligations to both SVC Stars II, LLC for new system development and Syneren Technologies, Inc. for continued operation and maintenance were made during FY2018.

During FY 2018, NHTSA obligated $548,169.00 in support of drug-related emergency medical services (EMS) activities. In response to the FY2020 National Drug Control Program Agency-Specific Guidance to the Department of Transportation, NHTSA began tracking funding obligations during FY 2018 to add education guidelines on Naloxone administration for EMS...
practitioners. Specifically, a revision to the 2018 National EMS Scope of Practice Model and incorporating the revision's changes into the National EMS Education Standards. The revision added use of narcotic antagonists, i.e. Naloxone, at all levels of EMS personnel. Unit-dose, premeasured, intranasal, and autoinjector narcotic antagonists were added to the Emergency Medical Responder (EMR) and Emergency Medical Technician (EMT) levels.

Additionally, NHTSA kicked off a drug-impaired driving initiative beginning on Thursday, March 15, 2018, with a summit at the US DOT Headquarters to heighten efforts and identify enhanced measures to combat drug-impaired driving. As part of this initiative, NHTSA obligated $7,100,000.00 on a new communications and media campaign to raise awareness about the dangers of drug-impaired driving.

Finally, The Consolidated Appropriations Act, 2018 authorized additional highway safety funding to NHTSA in the amount of $5,000,000.00 to be available “for grants, pilot program activities, and other innovative solutions to reduce impaired-driving fatalities, including efforts to expand awareness and use of Drug Recognition Expert (DRE) and Advanced Roadside Impaired Driving Enforcement (ARIDE) training. Such activities shall be in collaboration with appropriate State and local governments and law enforcement organizations.” These funds are two-year funds of which $2,000,000.00 of the aforementioned $7,100,000.00 were obligated during FY 2018 to support the Communications/Media Campaign detailed in the enclosed FY 2018 Drug Impaired Driving Obligations table. The remainder of the funds will be obligated during FY 2019.

The Table of FY 2018 Drug Impaired Driving Obligations is enclosed.

NHTSA's point of contact for this report is John Marshall, Director, Office of Safety Programs. He can be reached at (202) 366-3803, if further assistance is required.

Sincerely yours,

Cynthia Parker
Chief Financial Officer
NHTSA

Enclosure
Table of NHTSA’s FY 2018 Drug Impaired Driving Obligations

**RESEARCH**

<table>
<thead>
<tr>
<th>Item</th>
<th>Procurement Title</th>
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<tr>
<td>Sub-BPAC 80161718HS.2018.2002000100.NPD0300000</td>
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<td></td>
</tr>
<tr>
<td>1</td>
<td>Research Triangle Institute National Survey of Drinking, Drug Use, and Driving Attitudes</td>
<td>$27,282.50</td>
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<tr>
<td>2</td>
<td>Acclaro Research Solutions Determine Potential of Drugs to Impair Driving</td>
<td>$498,537.00</td>
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<tr>
<td>3</td>
<td>University of Iowa Systematic Review of Baseline Driving Simulator Data</td>
<td>$217,139.88</td>
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<td>Sub-BPAC 80161818HS.2018.2002000100.NPD0300000</td>
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<tr>
<td>1</td>
<td>Research Triangle Institute National Survey of Drinking, Drug Use, and Driving Attitudes</td>
<td>$71,973.50</td>
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<tr>
<td>2</td>
<td>University of Iowa Systematic Review of Baseline Driving Simulator Data</td>
<td>$117,901.93</td>
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<tr>
<td>3</td>
<td>University of Massachusetts Toxicology Consultant Services</td>
<td>$178,722.75</td>
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<tr>
<td>4</td>
<td>Alan C. Katz – Toxcel, LLC NHTSA Drug Fact Sheets</td>
<td>$212,817.00</td>
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<td>Sub-BPAC 80161818HS.2018.2002010000.NPD0110000</td>
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<tr>
<td>1</td>
<td>University of Iowa Systematic Review of Baseline Driving Simulator Data</td>
<td>$11,954.35</td>
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*Total Highway Safety Research Obligations* = $1,336,328.91

**PROGRAM**

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<tr>
<td>1</td>
<td>Transportation Safety Institute – Support for Impaired Driving Technical Assistance Task (One-Year)</td>
<td>$48,354.36</td>
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<tr>
<td>2</td>
<td>Transportation Safety Institute – Support for Impaired Driving Technical Assistance Task (Two-Year)</td>
<td>$45,698.63</td>
</tr>
<tr>
<td></td>
<td>Organization</td>
<td>Amount</td>
</tr>
<tr>
<td>---</td>
<td>-------------------------------------</td>
<td>--------------</td>
</tr>
</tbody>
</table>
| 3 | International Association of Chiefs of Police  
Annual Drugs, Alcohol and Impaired Driving Conference | $61,526.26   |
| 4 | International Association of Chiefs of Police  
Drug Evaluation and Classification Program | $771,639.00  |
| 5 | SVD Stars II LLC*  
Drug Recognition Expert (DRE) Data System | $157,916.00  |
| 6 | SVD Stars II LLC  
Drug Recognition Expert (DRE) Data System | $725,000.00  |
| 7 | Syneren Technologies Corp  
Drug Recognition Expert (DRE) Data System | $22,398.00   |
| 8 | Syneren Technologies Corp  
Drug Recognition Expert (DRE) Data System | $113,801.00  |

**Sub-BPAC 80161819HS.2018.2002080000.NPD0220000**

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<th></th>
<th>Organization</th>
<th>Amount</th>
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| 1 | SVD Stars II LLC  
Drug Recognition Expert (DRE) Data System | $67,354.00   |

**Sub-BPAC 80161819HS.2018.5206340000.NIO0100000**

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<th>Organization</th>
<th>Amount</th>
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</table>
| 1 | SVD Stars II LLC  
Drug Recognition Expert (DRE) Data System | $15,000.00   |

**Total Highway Safety Program Obligations =**

$2,028,687.25

Note:

*The NHTSA OCIO awarded database management for the National Sobriety Testing Resource Center and the Drug Recognition Expert Data System to a new contractor, SVD Stars II LLC. During the FY, the previous contractor, Syneren, provided support for the data system during development of the new data system.

**Funds for this project were awarded in error under Sub-BPAC: 06501818VS.2018.5206340000.NIO0100000.25215.61006600. The funds were reclassified to Sub-BPAC: 80161819HS.2018.5206340000.NIO0100000.**
EMERGENCY MEDICAL SERVICES

Sub-BPAC 80161818HS.2018.2002090000.NPD0400000

1 KGB Media, LLC
Revise National EMS Education Standards

Sub-BPAC 80161819RA.2018.2002090000

1 KGB Media, LLC
Revise National EMS Education Standards

Total Highway Safety EMS Obligations = $548,169.00***

***Note: In the National Drug Control Strategy: FY2020 Budget and Performance Summary Report submitted to ONDCP, NHTSA estimated $350,000.00 for Emergency Medical Services Drug Resources by Function and Drug Resources by Decision Unit in FY 2018. This estimate was submitted before final award of the National EMS Education Standards Revision Project.

COMMUNICATIONS/MEDIA CAMPAIGN

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<th>Procurement Title</th>
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<td>Statutorily-Mandated Funding – HVE</td>
<td>$4,500,000.00****</td>
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<tr>
<td>Sub-BPAC 80161818HS.2018.5205750000.NCO0010000</td>
<td>Advertising Council Inc. Drugged Impaired Driving Social Norming Campaign</td>
<td>$600,000.00</td>
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<tr>
<td>Sub-BPAC 06501819ID.2018.5205750000.NCO0010000</td>
<td>Advertising Council Inc. Drugged Impaired Driving Social Norming Campaign</td>
<td>$900,000.00</td>
</tr>
<tr>
<td></td>
<td>Tombras Group National and Regional Media and Communications Support Services – Drug-Impaired Driving</td>
<td>$1,100,000.00</td>
</tr>
</tbody>
</table>
Total Highway Safety Media Obligations = $7,100,000.00

****Note: Of the $21,900,000.00 obligated for the Statutorily-Mandated Funding – HVE, $4,500,000.00 was obligated for drug-impaired driving messages. The remainder was used for other behavioral highway safety communications and media messaging.
James W. Carroll Jr.
Acting Director
Office of National Drug Control Policy
Executive Office of the President
750 17th Street NW,
Washington, DC 20503

February 28, 2019

Dear Acting Director Carroll:

In accordance with the Office of National Drug Control Policy Circular: Accounting of Drug Control Funding and Performance, issued May 8, 2018, the National Highway Traffic Safety Administration's Fiscal Year 2018 Drug Control Performance Summary Report is enclosed. NHTSA's obligations for drug-related activities fall below the reporting threshold of $50 million; therefore, only a limited report is required to satisfy the statutory requirement.

NHTSA has established a series of performance measures based on critical milestones in the development of improved methods to measure the drug-impaired-driving problem, understand the role of drug use in crash causation, and assist law enforcement in detecting drug-impaired drivers.

Since 2005, NHTSA has been supporting efforts to increase the accuracy of oral fluid drug screening devices. This is essential in developing meaningful measures of drug-impaired driving. In 2018, NHTSA completed a study of oral fluid drug screening devices to determine their accuracy and reliability.

ASSERTIONS

1. **Performance reporting system is appropriate and applied:** In FY 2018, NHTSA completed a study of laboratory testing of oral fluid drug screening devices to determine accuracy and reliability by determining the sensitivity, specificity, false positive and false negative rates for each device tested.

   Typically, on drugged driving stops and arrests, law enforcement officers must take offenders to a police station or some other facility to collect a blood sample for toxicological testing. The blood samples are then sent to laboratories for testing, after which it can be many weeks or even months before the toxicological results are provided to law enforcement officers and prosecutors. On-site oral fluid drug screeners can provide an indication of recent drug use within a few minutes of administering the screener test. While these drug screeners are not of evidentiary quality, they do provide important information for the officer at the time and location of a traffic stop on how to proceed with the case, including whether they should arrest the driver for drugged driving and, if arrested, what type of drugs to test for in the subsequent confirmatory blood testing.

   NHTSA has engaged efforts to support the use of oral fluid drug testing to expedite and more efficiently identify drugs used in the arrest and prosecution of drug-impaired drivers. Increasing information on the extent of drug use by those arrested for impaired driving is critical to establishing a valid and reliable measure of the drug-impaired-driving problem.
2. **Explanations for not meeting performance targets are reasonable:** Target met.

3. **Methodology to establish performance targets is reasonable and applied:** NHTSA selected five oral fluid drug screening devices for evaluation that are currently available for use by law enforcement. The devices were selected based upon them having an appropriate test for several drug categories including, at a minimum, cannabinoids, opiates, cocaine/metabolite, methamphetamine/amphetamine, and in some cases, methadone or benzodiazepines. Each device was evaluated using oral fluid samples with a variety of drug concentration levels. Devices were first tested to determine their performance relative to the manufacturers claimed cut-off concentrations. The devices were then tested for cross-reactivity of drug metabolites and other therapeutic or abused drugs. Next, the devices were tested to determine if other common substances, such as coffee, soda, juice, oral care products or tobacco, caused interference with drug detection. Finally, the devices were tested to determine the impact of temperature, humidity and shelf life on the devices’ ability to identify the presence of specific drugs. In each phase of testing, devices were evaluated for individual drug classes and combinations of drug classes.

4. **Adequate performance measures exist for all significant drug control activities:** The measures used to describe the agency’s drug-impaired driving program performance adequately reflect key steps toward the completion of necessary studies and program activities to increase the agency’s understanding of the drug-impaired-driving problem. These performance measures provide a meaningful assessment of progress toward the development of reliable and accurate assessments of the drug-impaired driving problem in the United States, and efforts to enforce laws that prohibit impaired driving on America’s roads.

NHTSA’s point of contact for this report is John Marshall, Director, Office of Safety Programs. He can be reached at 202-366-3803, if further assistance is required.

Sincerely yours,

Jon Krohmer
Acting Associate Administrator for
Research and Program Development

Enclosure
National Highway Traffic Safety Administration
Drug-Impaired Driving Program
Performance Summary Report
Fiscal Year 2018

(1) Performance Measures Overview

The FY 2010 National Drug Control Strategy called for efforts to Collect Further Data on Drugged Driving and for increased Training to Law Enforcement on Identifying Drugged Drivers.

NHTSA contributes to the National Drug Control Strategy by reducing the prevalence of drug-impaired drivers on the Nation’s roadways. However, given the current state of knowledge, meaningful measures of the drug-impaired-driving problem are not available. To chart progress toward valid measurement of this problem, NHTSA has established a series of performance measures based on critical milestones in the development of improved methods to assist law enforcement in detecting drug-impaired drivers, and in developing valid and reliable measures of the drug-impaired driving problem. The specific performance measures are shown below:

Recent Performance Measures

The performance measure for FY 2016 completed a study jointly conducted by NHTSA and the State of Washington to determine the effects of legalization of recreational marijuana on traffic safety. The number of THC-positive drivers on the roads in Washington was assessed to gauge whether, and to what extent, legalization increases the number of THC-positive drivers on the road. The first measurement was taken before retail sales were permitted, followed by a second measurement 6 months after retail sales went into effect. The final measurement occurred 1 year after retail sales went into effect.

The FY 2017 performance measure assessed NHTSA’s progress in increasing the standardization of toxicology testing in post-mortem and DUlID cases. The study provides detailed information on the participating laboratories standard practices and procedures, including information on the volume of cases handled in the past year, the types of drugs tested for, the thresholds of detection for individual drugs, and the number and types of drugs found in impaired-driving cases. The study provides information to all toxicology laboratories on consistent procedures for drug testing in post-mortem and DUlID cases. The study supports NHTSA’s efforts to achieve greater standardization through voluntary compliance with recommendations for toxicology testing.

Current and Future Performance Measures

The FY 2018 performance measure completed testing of five oral fluid drug screening devices designed for law enforcement use at the roadside or at a booking facility. Normally, an officer would have to obtain a search warrant for blood sample collection and testing. At many laboratories, drug test results are not available for months. Oral fluid drug screening devices, if found to be accurate and reliable, are likely to increase law enforcement's willingness to bring impaired-driving charges against drivers impaired by drugs.

The FY 2019 performance measure is to increase training of law enforcement officers in detecting drug-impaired drivers. NHTSA, in cooperation with the International Association of Chiefs of Police,
administers the Drug Evaluation and Classification Program (DECP) that includes a rigorous training program to train law enforcement officers as Drug Recognition Experts (DREs). DREs use a standardized 12-step process to identify the category of drug used by a suspected impaired driver. Blood toxicology is used to verify the drug that may have been used.

The FY 2020 National Drug Control Program Agency-Specific Guidance to the Department of Transportation included guidance to “identify in its budget submission any resources that contribute to our joint nationwide effort to reverse the Nation’s opioid epidemic and reduce the incidence of overdose death.” Although the FY 2020 performance measure seeks to increase the number of States using the NEMSIS Version 3 data system, NHTSA began a project in FY 2018 to revise the National EMS Scope of Practice Model by adding the use of narcotic antagonists, i.e. Naloxone at all levels of EMS personnel. Unit-dose, premeasured, intranasal, and autoinjector narcotic antagonists were added to the Emergency Medical Responder (EMR) and Emergency Medical Technician (EMT) levels.

(2) Prior Year Performance Targets and Result

NHTSA has met its performance targets each year since 2008. The table below shows actual performance for the past targets since 2016, along with current and future performance targets:

(3) Current and Future Years Performance Targets

<table>
<thead>
<tr>
<th>FY</th>
<th>Selected Measures of Performance</th>
<th>Drug-Impaired-Driving Program</th>
<th>Actual FY Performance</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>Determine the effects of legalization of recreational use of marijuana on traffic safety</td>
<td>Complete a study of the number of THC-positive drivers on the road in the State of Washington before and after legalization of recreational use of marijuana</td>
<td>Study completed and released in July 2016. For the report, visit <a href="http://www.nhtsa.gov/staticfiles/nti/pdf/812299-WashingtonStatedrugstudy.pdf">www.nhtsa.gov/staticfiles/nti/pdf/812299-WashingtonStatedrugstudy.pdf</a></td>
</tr>
<tr>
<td>2017</td>
<td>Work toward greater uniformity in toxicological testing in post-mortem and DUID cases</td>
<td>Document current toxicology laboratory practices for DUID and post-mortem analysis</td>
<td>Study completed. The report contains information on current practices and makes recommendations for minimum standards for toxicology testing.</td>
</tr>
<tr>
<td>2018</td>
<td>Laboratory testing of oral fluid drug screening devices to determine accuracy and reliability</td>
<td>Complete testing to determine sensitivity, specificity, false positive and false negative rates for each device tested</td>
<td>Data Collection completed. The draft contractor report is attached. It is not for public dissemination.</td>
</tr>
</tbody>
</table>
(4) Quality of Performance Data

This most recent effort to evaluate the accuracy and reliability of oral fluid drug screening devices was carried out, under contract, by forensic toxicologists that are leaders in their field. An appropriate scope of testing and cutoff concentrations was based on two important previous studies using oral fluid drug screening devices: the Roadside Testing Assessment (ROSIITA) and the Driving Under the Influence of Drugs, Alcohol and Medicines (DRUID) project. The ROSITA and DRUID studies were the first large scale evaluations of using oral fluid screening devices in the field and recommended performance criteria for oral fluid drug screening devices designed for use in the field (point-of-contact testing). It is expected that further progress in the development of accurate on-site oral fluid drug screening devices will result from this latest effort.

The performance measures used by NHTSA provide a meaningful assessment of progress toward the development of reliable and accurate measures of the drug-impaired-driving problem in the United States.

(5) Additional FY 2018 Performance Information

During FY 2018 NHTSA initiated a drug-impaired driving initiative beginning on Thursday, March 15, 2018 with a summit at the US DOT Headquarters that brought together key stakeholders, including safety partners, data and policy experts, law enforcement and criminal justice professionals, toxicologists and drug recognition experts to start a national dialogue on how to combat drug-impaired driving. This initiative has continued with a series of meetings across the Nation to develop “Ideas to Impact” the drug-impaired driving problem and includes the establishment of two expert panels – State Criminal Justice Systems and Toxicology and Data Collection – to inform the Call to Action initiative. The initiative has also developed new safety campaign messaging, If You Feel Different, You Drive Different. The campaign builds on national efforts to combat drunk driving and the emerging trend of drug-impaired driving with the message If You Feel Different, You Drive Different. Drive High, Get a DUI.
Our Mission

OIG conducts audits and investigations on behalf of the American public to improve the performance and integrity of DOT’s programs to ensure a safe, efficient, and effective national transportation system.