



**STATE OF WASHINGTON**

**WASHINGTON TRAFFIC SAFETY COMMISSION**

*621 8<sup>th</sup> Avenue SE, Suite 409, PO Box 40944, Olympia, Washington 98504-0944, (360) 753-6197*

DOH Contract #: N17827 WSP Contract # C100059FED

# **MEMORANDUM OF UNDERSTANDING**

for the

## **WASHINGTON IMPAIRED DRIVING ADVISORY COUNCIL (WIDAC)**

**THIS MEMORANDUM OF UNDERSTANDING (MOU)**, which shall be effective upon execution by signature of all parties, is entered into among the following agencies, collectively referred to as the parties:

- Washington Traffic Safety Commission (WTSC) pursuant to the authority of chapter 43.59 RCW;
- Washington State Patrol (WSP) pursuant to the authority of chapter 43.43 RCW;
- Washington Association of Sheriffs and Police Chiefs (WASPC) pursuant to the authority of chapter 36.28A RCW;
- Criminal Justice Training Commission (CJTC) pursuant to the authority of chapter 43.101 RCW
- Washington State Department of Social and Health Services (DSHS) Division of Alcohol and Substance Abuse (DASA) pursuant to the authority of chapter 43.20A; and
- Washington State Department of Health (DOH) pursuant to the authority of chapter 43.70 RCW.
- Washington Association of Prosecuting Attorneys (WAPA).

**WHEREAS** the purpose of the Washington Traffic Safety Commission is to find solutions to the problems that have been created as a result of the tremendous increase of motor vehicles on our highways and the attendant traffic collision death and injury tolls; to plan and supervise programs for the prevention of collisions on streets and highways including but not limited to educational campaigns designed to reduce traffic crashes in cooperation with all official and unofficial organizations interested in traffic safety; to coordinate the activities at the state and local level in the development of statewide and local traffic safety programs; to promote a uniform enforcement of traffic safety laws and establish standards for investigation and reporting of traffic collisions;

**WHEREAS** Washington State Strategic Highway Safety Plan: Target Zero seeks to eliminate all traffic death and disabling injuries by 2030 and reducing the incidence of impaired driving is recognized by the Target Zero plan as a top priority;

**WHEREAS** the parties each share a stake in the detection, arrest, adjudication, probation, and treatment of impaired drivers and in undertaking initiatives to reduce in the incidence of impaired driving;

**WHEREAS** the parties seek to make improvements statewide in programs and initiatives that seek to reduce the incidence of impaired driving; and

**WHEREAS** in support of such purposes the parties named above have established the Washington Impaired Driving Advisory Council;

**NOW, THEREFORE**, in furtherance of the foregoing and mutual public benefit derived there from, it is agreed as follows:

## **Section 1—Purpose and Overview**

### **I. Mission**

The Washington Impaired Driving Advisory Council (WIDAC) serves as an advisory body to the Washington Traffic Safety Commissioners. The Council seeks to enhance traffic safety through coordinating planning, training, programs and research designed to reduce the incidence of impaired driving in accordance with the State Strategic Highway Safety Plan: Target Zero.

### **II. Goals**

The parties agree to cooperate in good faith to achieve the following goals:

- To provide an ongoing statewide forum for the reduction of impaired driving fatal and disabling injury collisions and to support the coordination of multi-agency initiatives and programs.
- To provide strategic guidance on operational functions related to prevention, detection and adjudication of impaired driving.
- To coordinate the setting of priorities for addressing strategies to reduce the incidence of impaired driving.
- To improve public awareness and education related to impaired driving issues.
- To develop proposals for the reduction of impaired driving.
- To advocate for strategies designed to reduce the incidence of impaired driving.
- To implement proposals related to impaired driving issues.

## **Section 2—Operational Authority**

The Washington Impaired Driving Advisory Council operates under the authority of the Washington Traffic Safety Commissioners.

## **Section 3 – Organizational Structure**

### **I. Council**

The Washington Impaired Driving Advisory Council provides policy oversight and program direction on strategies and projects to reduce the incidence of impaired driving. The Council works to ensure strategic and program alignment with individual agency priorities, standards, and practices and reports these findings to the Washington Traffic Safety Commissioners.

### **II. Council Advisors**

In addition to the representatives from the Parties, additional advisors may be appointed from organizations such as the Traffic Safety Task Force Coordinators, Mothers Against Drunk Driving, the National Highway Traffic Safety Administration and/or representatives from alcohol/drug treatment providers, prosecutors associations, defense bar associations, adult probation and parole, tribes, higher education and/or others as the Council deems appropriate.

### **III. Council Staff**

The Washington Traffic Safety Commission shall provide the necessary support to assist and coordinate the Washington Impaired Driving Advisory Council in fulfilling the mission and goals of the Council. This support shall include the impaired driving program manager to serve as coordinator for managing the Federal impaired driving funds and to serve as liaison for impaired driving activities in Washington. Other council staff may include members of the Washington State Patrol, Impaired Driving Section with statewide impaired driving coordination duties, such as the Drug Recognition Expert Coordinator, and others as needed.

## **Section 4—Duties and Responsibilities**

### **I. Council**

The duties and responsibilities of the Council may include the following:

- To provide policy oversight and program direction for statewide activities to reduce the incidence of impaired driving.
- To provide a policy level stakeholder forum for review and discussion of proposed improvements to programs, training, and projects and to assess and provide comment on system wide impacts and improvements.
- To review and make recommendations on strategic, project or legislative recommendations provided to the Council.
- To promote communication and coordination of impaired driving programs and projects among and within participating agencies.
- To make recommendations to Washington Traffic Safety Commissioners on issues, policies, and programs requiring their approval.

## **II. Council Advisors**

The duties and responsibilities of the Council Advisors may include the following:

- To confer with the Council and provide perspective from their respective backgrounds to advise the Council when considering policy oversight and program direction.
- As possible, to review and take action on strategic, project or legislative recommendations provided to the group.
- To promote communication and coordination of impaired driving programs and projects among their constituents and members.

## **III. Council Staff**

The duties and responsibilities of the Council Staff may include the following:

- To provide the necessary support to assist and coordinate the Washington Impaired Driving Advisory Council.
- To serve as coordinator for managing the Federal impaired driving funds and to serve as liaison for impaired driving activities in Washington.
- To coordinate statewide impaired driving programs.

## **Section 5—Membership**

### **I. Members**

The Council members shall include the following:

- Washington Traffic Safety Commission, Director
- Washington State Patrol: District Commander
- Washington State Patrol: State Toxicologist
- Washington State Patrol: Impaired Driving Section Commander
- Washington Association of Sheriffs and Police Chiefs: Traffic Safety Committee, Sheriff Chair
- Washington Association of Sheriffs and Police Chiefs: Traffic Safety Committee, Police Chief Chair
- Criminal Justice Training Commission: Regional Training Manager
- DSHS, Division of Alcohol and Substance Abuse (DASA): Planning and Policy Specialist
- Washington State Department of Health: Injury Prevention Specialist
- Washington Association of Prosecuting Attorneys: Executive Secretary

The Council Advisors may include:

- A representative from Department of Transportation
- A representative from Liquor Control Board
- A representative from Traffic Safety Task Force Coordinators
- A representative from Mothers Against Drunk Driving
- A representative from the National Highway Traffic Safety Administration (NHTSA)
- A representative from the Washington State Misdemeanant Corrections Association (MCA)
- A representative from Northwest Association of Tribal Enforcement Officers (NAETO)

- A representative from the Association of Alcoholism and Addiction Programs of Washington State (AAP)
- A representative from adult parole
- A representative from defense bar associations
- A representative from a automobile insurance company
- Representatives from others organizations as the Council deems necessary.

## **II. Terms of Appointment**

Appointed members for the Council shall serve at the pleasure of their respective organizations. Council Advisors shall serve as invited by the Council.

## **III. Resignation**

An appointed Council members and advisors may resign at any time by delivering written notice to the Chairperson, or by giving oral notice of resignation at any meeting. Upon resigning, the member shall recommend a replacement to fill the resulting vacancy.

## **IV. Vacancies**

The Chairperson shall bring a vacancy to the attention of the agency or organization whose appointed member has vacated his or her position. A replacement shall be named at the discretion of such appointing agency or organization within six weeks of the vacancy announcement.

## **V. Replacement of Appointed Members**

Any appointed member of the Council who misses three consecutive meetings will have such absences called to the Member's attention by the Chairperson. The Chairperson may advise the appropriate agency of continuing absenteeism and request that the appropriate agency replace the appointed member.

## **VI. Stakeholders**

The Council may appoint stakeholder representatives to the council as advisors.

## **Section 6—Chairperson**

### **I. Chairperson**

The Director of the Washington Traffic Safety Commission shall act as the permanent Chairperson of the Council. In the case of the Chairperson's absence, the Chairperson may designate in advance of a meeting an Acting Chair to preside at the meeting. If the Chairperson is absent from a meeting without designating an Acting Chair, the members may delegate the powers of Chair to any member in attendance. In the case of a vacancy of the Chairperson, the Deputy Director of the Washington Traffic Safety Commission shall be the acting chair until the vacancy is filled.

## **Section 7 – Meetings**

### **I. Regular Meetings**

Regular meetings of the Council shall be held at least semi-annually at a time and place designated by the Chairperson.

### **II. Special Meetings**

Special meetings of the Council shall be held at the call of the chairperson or upon the request of any voting member.

#### **IV. Quorum**

A quorum for the transaction of business shall constitute 50 percent of voting members. The members present at a Council meeting at which a quorum is not present may proceed only with informational and procedural portions of the meeting.

#### **V. Voting**

Only the Chairperson and appointed members have a vote. Advisory members do not have a vote. The action of the majority of the members present at a meeting at which there is a quorum shall be the act of the Council.

#### **VI. Attendance by Communications Equipment**

Meeting attendance may be by means of conference telephone call or any other method that allows all persons participating to speak and to hear all participants. Participation by such means shall constitute presence in person at a meeting.

#### **VII. Meeting Notices**

Advanced notice of all regular and special meetings shall be provided by mail, fax, or e-mail and shall provide at least two weeks advanced notice to members.

#### **VIII. Meeting Minutes**

Minutes shall be made and shall be distributed to members promptly for their review and approval at the following meeting.

#### **IX. Expenses**

The WTSC will provide funding for members' and advisors' travel expenses through eligible federal highway safety grants when necessary in order for such member or advisor to participate in meetings. WTSC will provide funding to cover any meeting costs, if necessary.

### **Section 8—Subcommittees**

#### **I. Ad Hoc or Standing Subcommittees**

The Council may establish such ad hoc or standing committees as deemed appropriate and may designate such committee's chairperson and membership.

#### **II. Subcommittee Authority**

The Council may delegate project planning, coordination, and implementation authority to ad hoc or standing subcommittee, as deemed appropriate.

#### **III. Procedures**

Ad hoc or standing subcommittees shall follow procedures as outlined in this charter.

### **Section 9—Amendments**

#### **I. By Council**

The Council shall have the power to make, alter, and amend this MOU by majority vote which shall not be effective unless in writing and signed by all parties to this MOU.


#### **II. By Undersigned Parties**

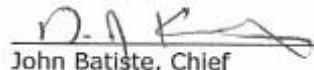
The undersigned Parties shall have power to make, alter, amend and repeal this MOU upon written agreement, signed by all the parties to this MOU.

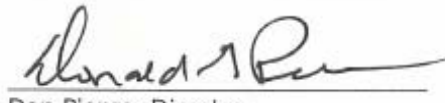
**Section 10—Good Faith**

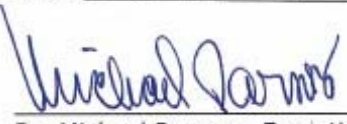
The parties agree to conduct all activities and perform all obligations in good faith and to work cooperatively with one another to accomplish the mission of enhancing traffic safety through coordinating planning, training, programs and research designed to reduce the incidence of impaired driving.


SIGNED AND ACCEPTED:

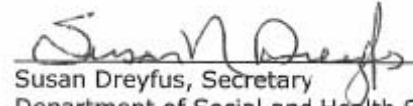
  
\_\_\_\_\_  
Lowell Porter, Director  
Washington Traffic Safety Commission  
Date: 6-22-09.

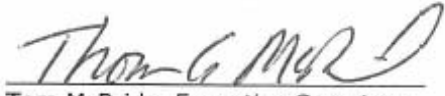
  
\_\_\_\_\_  
John Batište, Chief  
Washington State Patrol  
Date: 6-24-09

  
\_\_\_\_\_  
Don Pierce, Director  
Washington Association of Sheriffs  
and Police Chiefs  
Date: 6/23/09

  
\_\_\_\_\_  
Dr. Michael Parsons, Executive Director  
Criminal Justice Training Commission  
Date: 6/23/09

  
\_\_\_\_\_  
Mary Selecky, Secretary  
Department of Health  
Date: 7/22/09

  
\_\_\_\_\_  
Susan Dreyfus, Secretary  
Department of Social and Health Services  
Date: 7/15/09

  
\_\_\_\_\_  
Tom McBride, Executive Secretary  
Washington Association of Prosecuting Attorneys  
Date: June 25, 2009