

D riving
W hile
I mpaired



New Mexico 2009



New Mexico DEPARTMENT OF
TRANSPORTATION

MOBILITY FOR EVERYONE

The mission of the New Mexico Department of Transportation is to provide a seamless transportation system that safely and efficiently moves people and supports a growing economy. An essential component of the safety aspect of this mission involves combating the crime of impaired driving on our roadways. We have implemented and work to continually improve a multi-pronged approach to achieve this through support of law enforcement, legislation and public information.

New Mexico has been at the forefront nationally in its efforts to reduce DWI over the years. We were the first state to require ignition interlocks; now 14 states have followed our lead with mandatory interlocks. The New Mexico Department of Transportation has provided assistance to law enforcement agencies around the state to conduct high-visibility enforcement operations in an effort to further increase safety on our roadways. During the 100 Days and Nights of Summer campaign in 2009, law enforcement agencies made 571 arrests and issued over 28,400 citations. This was the third year for the program which has received recognition from the National Criminal Justice Association. Other NMDOT supported enforcement operations conducted in 2009 resulted in over 4,100 DWI arrests and over 88,000 traffic citations. Between 2007 and 2009, alcohol-involved crash fatalities were reduced by 14 percent.

We began the year with a Superblitz and a new public awareness campaign, 'The Storm.' We are also taking a proactive position on impaired driving by women. One of four DWI arrests and one of three alcohol-involved fatalities involve female drivers, and these figures have started to increase. We launched a 'Women Drive Drunk, Too' campaign to help address this issue and educate the public on the fact that impaired driving fatalities affect everyone.

Ignition interlocks address the DWI problem at a key point: when an impaired person attempts to drive. These devices also log a history of blood alcohol concentration results and instances of a driver being prevented from starting the vehicle. We supported legislation that went into effect July 1, 2009 mandating that a driver with an ignition interlock driver's license cannot apply for a regular license until after six months with no attempts to circumvent or tamper with the device.

In addition, as of January 2011, we streamlined the administrative revocation process by allowing law enforcement officers to submit signed affidavits instead of having to be present at hearings. This frees our officers to spend more time ensuring public safety while preserving the rights of citizens.

Our multiple, mutually-supportive strategies, including legislative and public information efforts, are backed up by law enforcement officers who issued more than 18,000 DWI citations and prosecutors who obtained more than 10,000 DWI convictions in 2009. Through these efforts, we are continuing to fulfill the NMDOT mission and make our highways safe for all those who drive in our great State.

FOR MORE INFORMATION CONTACT:

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The University of New Mexico, Division of Government Research, produces this report for the New Mexico Department of Transportation. The report provides statistical information that contributes to the impaired driving plan and the DWI initiatives conducted statewide.

On the Cover:

The front line in the fight against DWI is law enforcement officers throughout the state. Here officers administer a horizontal gaze nystagmus test which helps quickly determine if a driver is under the influence of alcohol.

Photo by Jake Schoellkopf NMDOT Photographer

DWI in New Mexico

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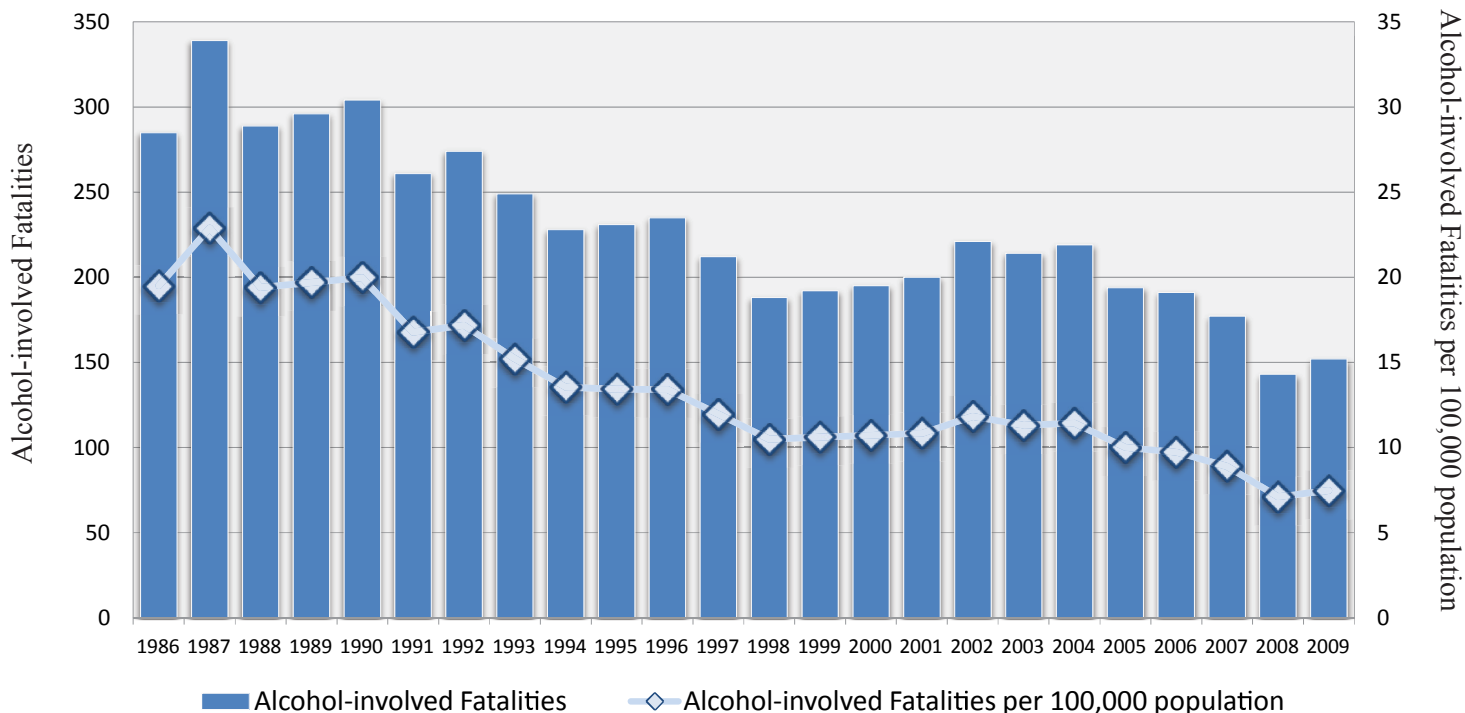
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Fatal or Injury Alcohol-involved Crashes Map	Inside Back Cover
Per Capita Costs of Crashes Map	Back Cover

The Traffic Safety Division of the New Mexico Department of Transportation (NMDOT) develops programs to address traffic issues in the state. The mission of the Division is to continuously reduce traffic-related fatalities, injuries and crashes. Program initiatives include education, enforcement, regulation, legislation, prevention, screening and treatment, and public information. The Division works in partnership with New Mexico law enforcement agencies statewide to enforce traffic safety laws.

Note: Alcohol-involved crashes in 2005 were under-reported. Also, the 1999 crash file contains 15% fewer crashes than the 1998 file. This may be due to problems in implementing the new system after the old system failed, or to under-reporting. Care should be used when interpreting differences between 1999 and other years in this report.

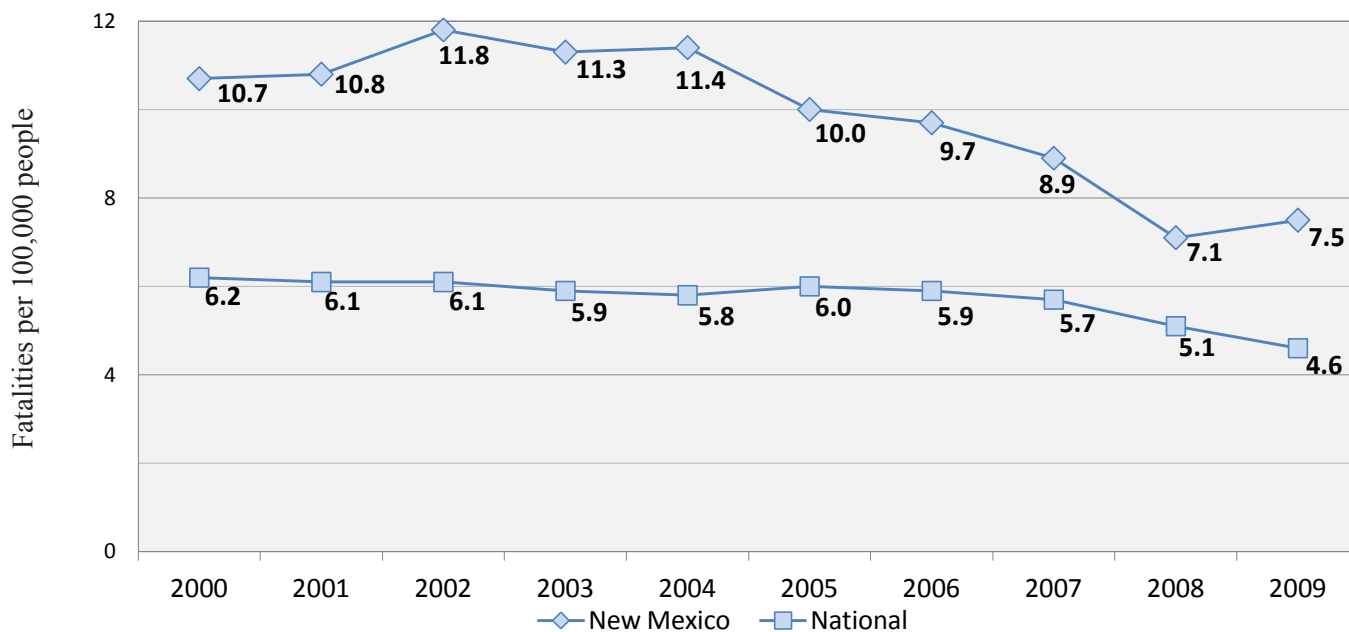
Alcohol-involved? Prior to 2007, data on crashes involving only drugs other than alcohol were included along with data on alcohol-involved crashes in this report. Beginning in 2007, data on crashes with no alcohol involvement (but involving drugs other than alcohol) are excluded from all tables and graphs except for those on page 4. Crashes in which the only alcohol involvement was on the part of a non-driver, such as a pedestrian, are also considered alcohol-involved crashes and are included in the totals for all the charts and graphs.

Alcohol-involved Fatalities and Rates, 1986 - 2009



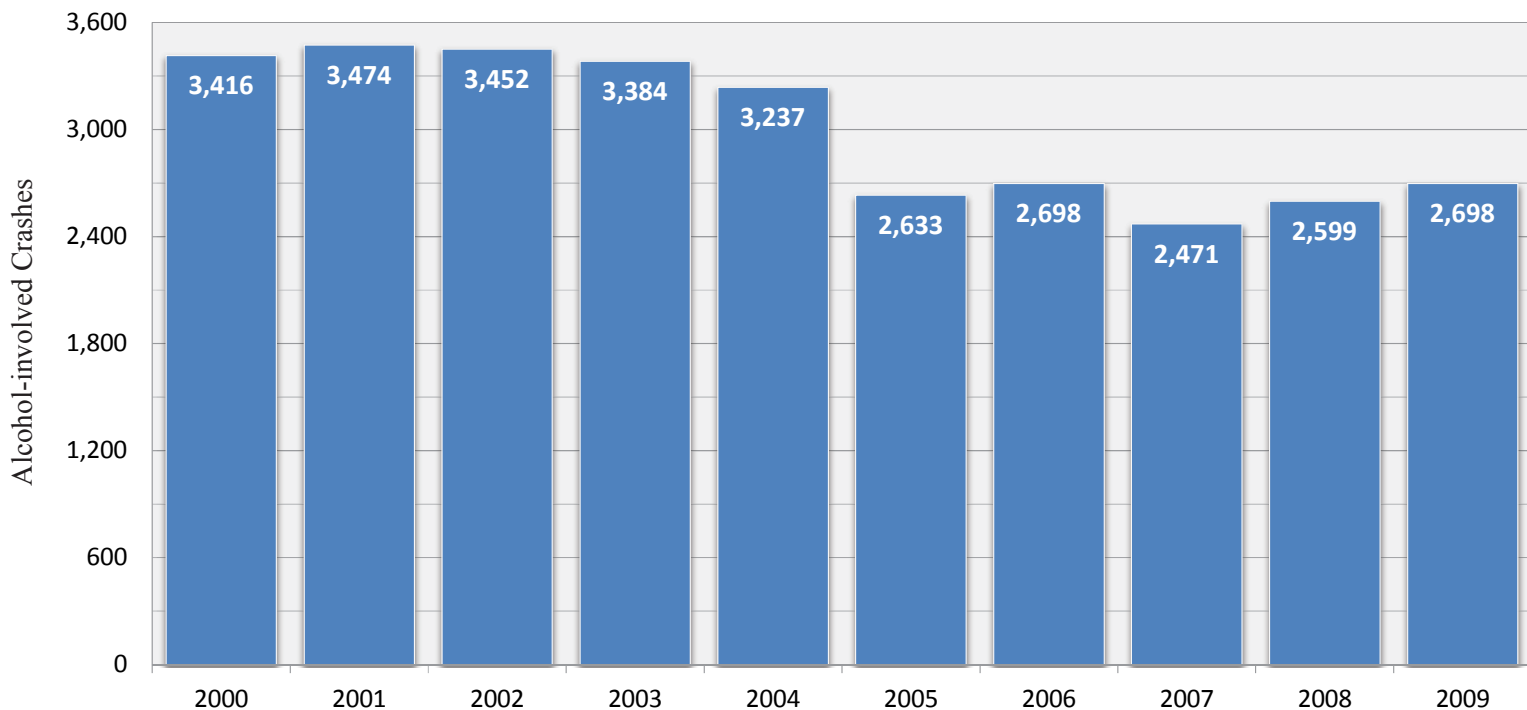
Source: Crash files, Census Bureau, UNM Bureau of Business and Economic Research (population estimates for 2001-2009)

Alcohol-involved Fatality Rates, 2000 - 2009



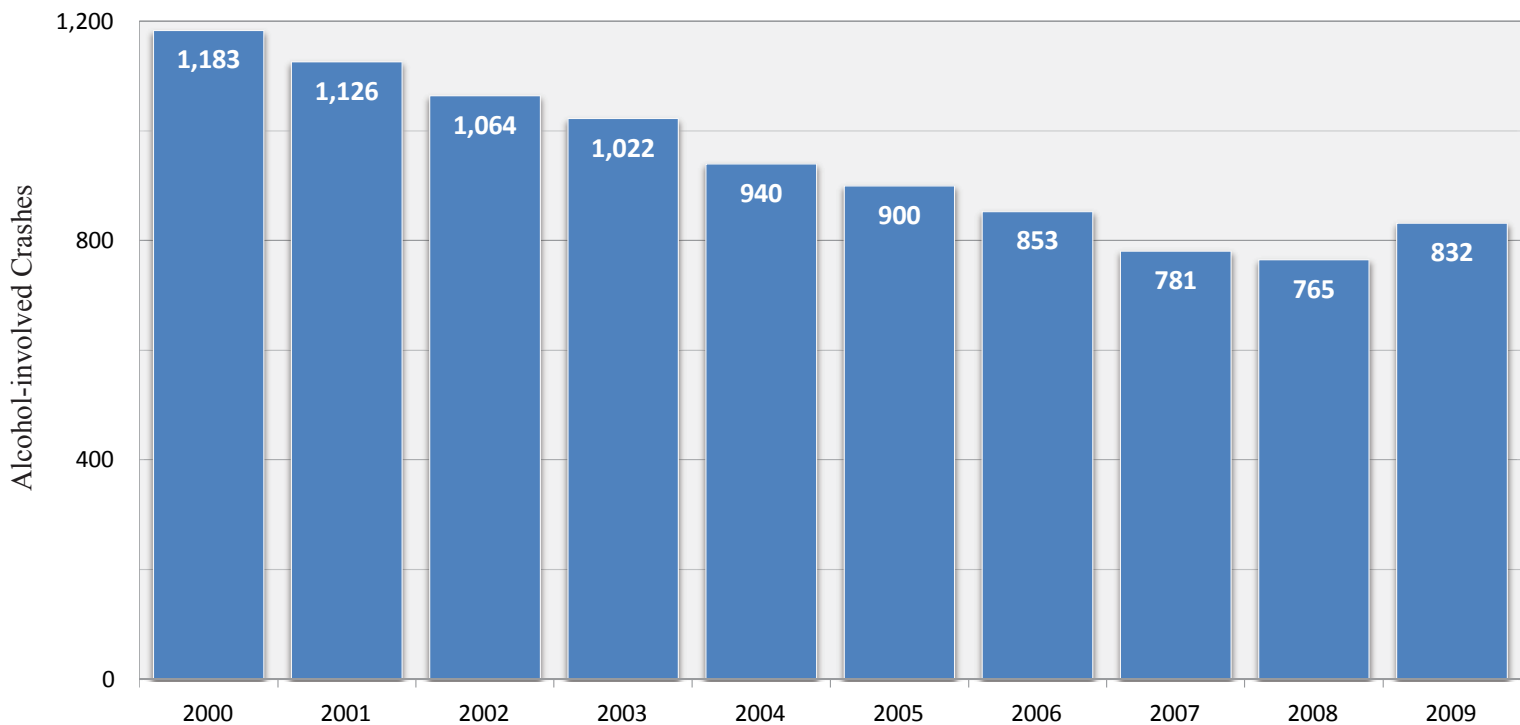
Source: Fatality Analysis Reporting System, Census Bureau and Crash files

Alcohol-involved Crashes, 2000 - 2009



Source: Crash files

Alcohol-involved Serious Injury Crashes, 2000 - 2009

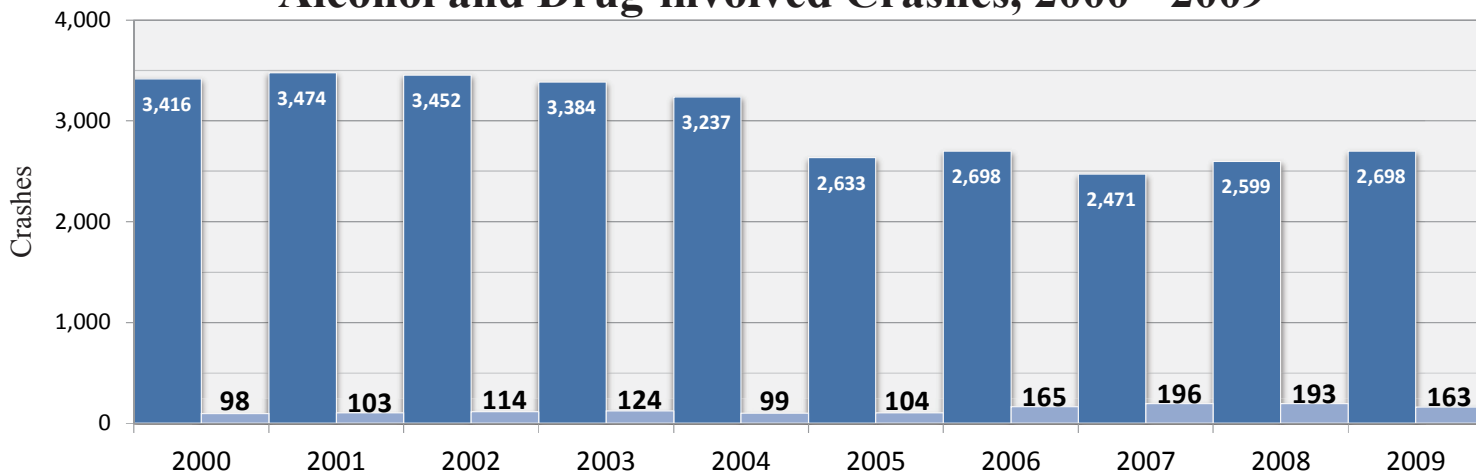


Source: Crash files

◆ These are counts of crashes which resulted in a at least one fatality, incapacitating injury, or visible injury.

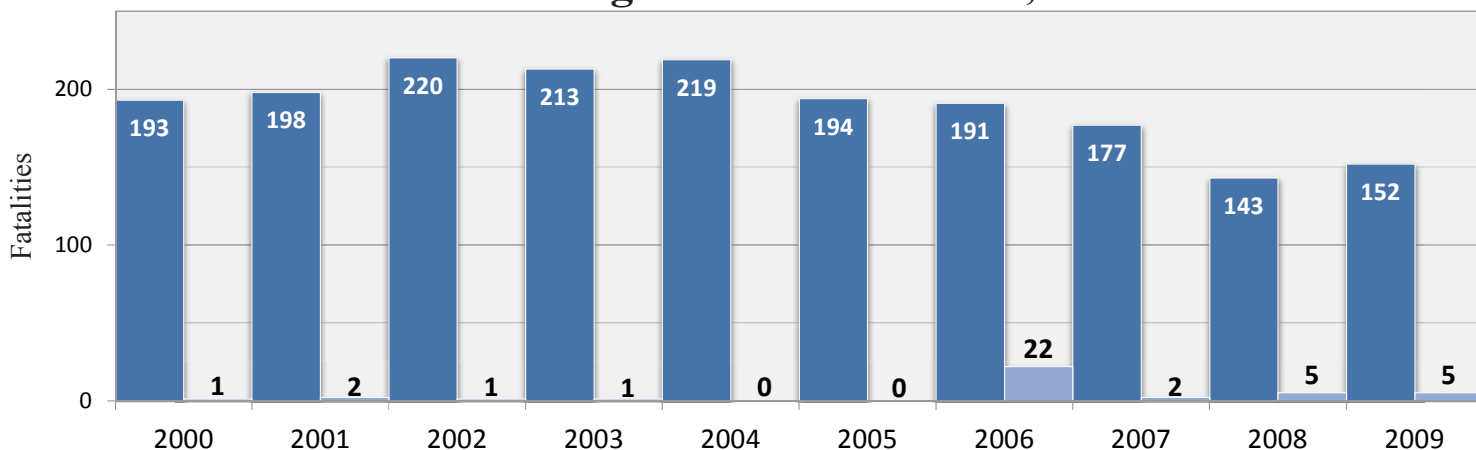
Drug involvement includes both legal and illegal drug use. Drug involvement is determined by the investigating officer at the scene of the crash. Alcohol-involved drivers might have also used drugs other than alcohol.

Alcohol and Drug-involved Crashes, 2000 - 2009



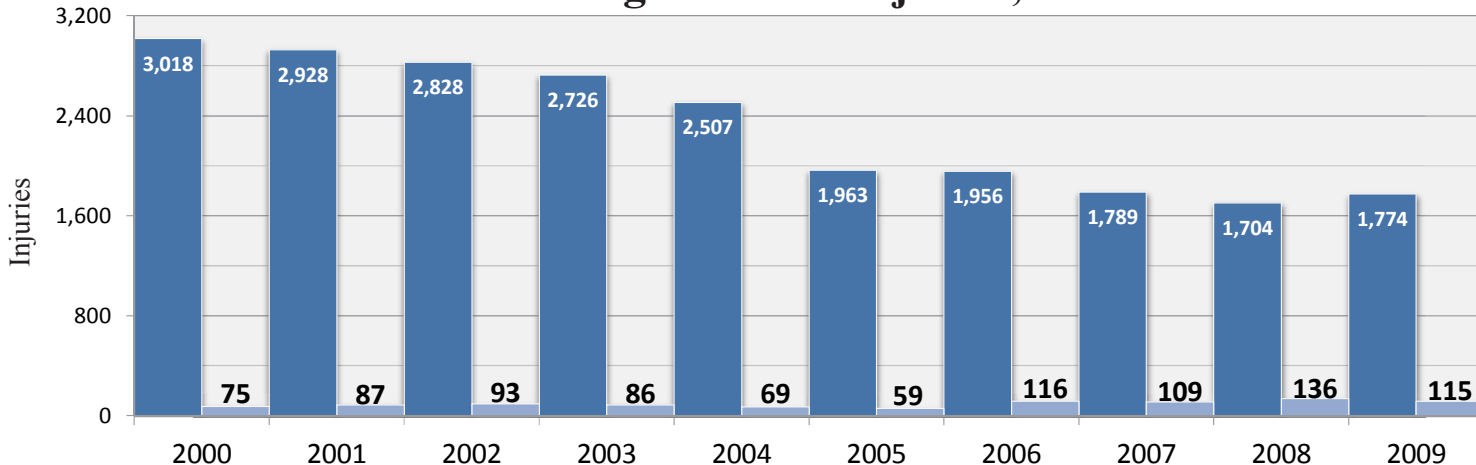
Source: Crash files

Alcohol and Drug-involved Fatalities, 2000 - 2009



Source: Crash files

Alcohol and Drug-involved Injuries, 2000 - 2009



Source: Crash files



Victims of Alcohol-involved Crashes, 2009

County	People in Crashes			Impact (in dollars) ²		2009 Population ³
	Total	Sober ¹	Under 18	Total (000)	Per capita	
Bernalillo	1,940	870	424	123,739	193	642,527
Catron	2	0	0	82	24	3,443
Chaves	147	47	29	30,171	474	63,622
Cibola	126	38	27	21,387	791	27,036
Colfax	33	9	6	521	41	12,737
Curry	103	35	23	13,208	297	44,407
De Baca	3	0	0	113	62	1,819
Doña Ana	540	195	103	76,123	369	206,419
Eddy	150	47	30	30,092	571	52,706
Grant	54	8	12	6,282	210	29,903
Guadalupe	17	3	0	324	76	4,241
Harding	2	1	0	5	7	663
Hidalgo	7	3	0	4,529	896	5,057
Lea	175	60	47	21,420	356	60,232
Lincoln	45	9	8	1,706	81	21,016
Los Alamos	21	6	5	175	10	18,074
Luna	50	17	11	14,630	541	27,044
McKinley	419	168	74	115,825	1,643	70,513
Mora	14	3	0	460	93	4,935
Otero	95	27	16	15,260	241	63,201
Quay	14	2	7	5,019	563	8,917
Rio Arriba	196	64	32	53,187	1,308	40,678
Roosevelt	52	7	19	10,348	550	18,817
Sandoval	223	78	41	47,088	374	125,988
San Juan	480	169	101	37,121	299	124,131
San Miguel	53	14	11	14,169	500	28,323
Santa Fe	449	185	99	53,840	365	147,532
Sierra	25	3	3	13,361	1,037	12,886
Socorro	48	6	8	1,494	83	18,092
Taos	120	38	19	33,677	1,069	31,507
Torrance	41	7	4	23,382	1,419	16,475
Union	9	3	2	8,903	2,332	3,817
Valencia	136	49	31	16,030	220	72,913
Total	5,789	2,171	1,192	793,669	395	2,009,671

Source: Crash files

1. Sober people are drivers, passengers and pedestrians who were involved in a crash with a driver or pedestrian who had been drinking.
2. Impact is the cost of DWI-related crashes in New Mexico based on National Safety Council estimation formulae for the Average Comprehensive Cost by Injury Severity (*Estimating the Costs of Unintentional Injuries*, NSC, 2009). These are estimates, not actual dollar amounts and are not comparable to previous years estimates. Included are direct costs such as lost wages and medical expenses, and indirect “willingness to pay” estimates of lost quality of life. The cost estimates were accessed in 2010 from: http://www.nsc.org/news_resources/injury_and_death_statistics/Pages/EstimatingtheCostsofUnintentionalInjuries.aspx
3. Population estimates are for July 2009 and are from the U.S. Census Bureau.

THE HIGH COST OF DWI IN NEW MEXICO 2009-2010

DWI Offense	Jail ¹	Fines & Fees ²	License Revocation	Other
<p>1st misdemeanor</p>	<p>Maximum: 90 days, 66-8-102E</p> <p>Aggravated DWI⁵, Mandatory: Additional 48 hours if convicted of aggravated DWI, 66-8-102D & E</p> <p>Probation Violations: 48 hours (mandatory) if offender fails to comply with any condition of probation. 66-8-102E</p>	<p>Maximum fine: \$500, 66-8-102E</p> <p>Mandatory Fees: Mandatory Crime Lab Fee: \$65, 31-12-7A Mandatory Community Fee: \$75, 31-12-7B Mandatory Corrections Fee: \$10-20, 35-6-1D(1) Mandatory Court Automation Fee: \$10, 35-6-1D(2) Mandatory Traffic Safety Fee: \$3, 35-6-1D(3) Mandatory Judicial Ed. Fee: \$3, 35-6-1D(4) Mandatory Jury/Witness Fee: \$5, 35-6-D(5) Mandatory Brain Injury Fee: \$5, 35-6-1D(6) Mandatory Court Facilities Fee: \$10-24, 35-6-1D(7)</p>	<p>Administrative Revocation³: Under 21: 1 year (.02+ BAC, 66-8-111C(2)) Age 21+: 6 months .08+ BAC OR .04+ BAC for a CDL, 66-8-111C Any Refusal: 1 year (66-8-111B) Ignition interlock license available 66-5-503⁷</p> <p>Revocation after Criminal Conviction⁶ Upon Conviction: 1 year 66-5-29A(2) and 66-5-29C(1) Ignition interlock license required, 1 year. 66-8-102N(1)⁶</p>	<p>Mandatory: Alcohol Screening, 66-8-102E & K DWI school, 66-8-102E Community service, minimum 24 hrs, 66-8-102E Ignition Interlock installed for 1 year, 66-8-102N(1)⁶</p> <p>Court discretion: Treatment, 66-8-102E & K; Probation, up to 1 year, 66-8-102E⁹</p> <p>Other Costs²: Mandatory Alcohol Screening: \$100-200 License Reinstatement Fee: \$100, 66-5-33.1A, B Interlock license Fees: \$63, 66-5-35, 66-5-44 DWI school: up to \$150 Cost of Interlock: \$960/year or more</p>
<p>2nd misdemeanor</p>	<p>Maximum: 364 days, 66-8-102F Mandatory: 96 hours, 66-8-102F1 Failure to comply: mandatory extra 7 days for failure to comply with sentence, 66-8-102F(1)</p> <p>Aggravated DWI⁵, Mandatory: Additional 96 hours jail if convicted of aggravated DWI, 66-8-102D & F(1)</p>	<p>Maximum fine: \$1,000, 66-8-102F Mandatory fine: \$500, 66-8-102F(1)</p> <p>All other fines and fees same as first offense</p>	<p>Administrative Revocation³: .02+ BAC (under 21) OR .04+ BAC (Commercial DL) OR .08+ BAC OR any refusal: All 1 year revocation 66-8-111B and 66-8-111C Ignition interlock license available 66-5-503⁷</p> <p>Revocation after Criminal Conviction⁶ 2 years, 66-5-29A(3), and 66-5-29C(2)(a) Ignition interlock license required, 2 years, 66-8-102N(2)⁶</p>	<p>Mandatory: Treatment: 66-8-102L⁸ Screening: 66-8-102K Community service, minimum 48 hrs, 66-8-102F(1) Ignition interlock installed for 2 years, 66-8-102N(2)⁶</p> <p>Court discretion: Probation, up to 5 years, 66-8-102F⁹</p> <p>All other costs same as first offense.</p> <p>Albuquerque, Dona Ana County, Las Cruces, and Torrance County: Forfeiture of vehicle in civil action</p>
<p>3rd misdemeanor</p>	<p>Maximum: 364 days, 66-8-102F Mandatory: 30 days, 66-8-102F2 Failure to comply: Mandatory 60 days for failure to comply with sentence, 66-8-102F(2)</p> <p>Aggravated DWI⁵, Mandatory: Additional 60 consecutive days if convicted of aggravated DWI, 66-8-102D & F(2)</p>	<p>Maximum fine: \$1,000, 66-8-102F Mandatory fine: \$750, 66-8-102F(2)</p> <p>All other fines and fees same as first offense</p>	<p>Administrative Revocation³: Same as second offense</p> <p>Revocation after Criminal Conviction⁶ 3 years, 66-5-29A(3) and 6-5-29C(2)(b) Ignition interlock license required, 3 years, 66-8-102N(3)⁶</p>	<p>Mandatory: Treatment: 66-8-102L⁸ Screening, 66-8-102K Ignition interlock installed for 3 years, 66-8-102N(3)⁶ Community service, minimum 96 hours, 66-8-102F(2)</p> <p>Court discretion: Probation, up to 5 years, 66-8-102F⁹</p> <p>All other costs same as first offense.</p> <p>Albuquerque, Dona Ana County, Las Cruces, Torrance County and Santa Fe (City and County): Forfeiture of vehicle in civil action</p>
<p>4th 4th degree felony</p>	<p>Maximum: 18 months, 66-8-102G Mandatory: 6 months, 66-8-102G</p>	<p>Maximum fine: \$5,000, 31-18-15E(9)</p> <p>All other fines and fees same as first offense</p>	<p>Administrative Revocation³: Same as second offense</p> <p>Revocation after Criminal Conviction⁶ The remainder of the offender's life Ignition interlock license required, 66-5-29A(3) & 66-5-29C(2)(c); may apply to district court for restoration of license after five years if not subsequently convicted of DWI. 66-5-5D, 66-8-102O</p>	<p>Mandatory: Treatment: 66-8-102M⁸ Screening, 66-8-102K Install ignition interlock for the remainder of the offender's life 66-8-102N(4)⁶; may apply to district court for restoration of license after five years if not subsequently convicted of DWI. 66-5-5D, 66-8-102O</p> <p>All other costs same as first offense.</p> <p>Albuquerque, Dona Ana County, Las Cruces, Torrance County and Santa Fe (City and County): Forfeiture of vehicle in civil action</p>

<p>5th 4th degree felony</p>	<p>Maximum: <u>2 years</u> 66-8-102H Mandatory: <u>1 year</u> 66-8-102H</p>	<p>Maximum fine: <u>\$5,000</u> 31-18-15E(9) All other fines and fees same as first offense</p>	<p>Administrative Revocation³: Same as second offense Revocation after Criminal Conviction⁵ Same as fourth offense</p>	<p>Same as fourth offense</p>
<p>6th 3rd degree felony</p>	<p>Maximum: <u>30 months</u> 66-8-102I Mandatory: <u>18 months</u> 66-8-102I</p>	<p>Maximum fine: <u>\$5,000</u> 31-18-15E(9) All other fines and fees same as first offense</p>	<p>Administrative Revocation³: Same as second offense Revocation after Criminal Conviction⁵ Same as fourth offense</p>	<p>Same as fourth offense</p>
<p>7th or subsequent 3rd degree felony</p>	<p>Maximum: <u>3 years</u> 66-8-102J Mandatory: <u>2 years</u> 66-8-102J</p>	<p>Maximum fine: <u>\$5,000</u> 31-18-15E(9) All other fines and fees same as first offense</p>	<p>Administrative Revocation³: Same as second offense Revocation after Criminal Conviction⁵ Same as fourth offense</p>	<p>Same as fourth offense</p>
<p>Driving While Revoked misdemeanor</p>	<p>Maximum: <u>364 days</u>, 66-5-39A Mandatory: <u>7 days</u>, 66-5-39A</p>	<p>Maximum fine: <u>\$1,000</u> 66-5-39A Mandatory fine: <u>\$300</u> 66-5-39A</p>	<p>Administrative Revocation³: There is no administrative license sanction for driving while revoked for DWI. Revocation after Criminal Conviction⁵ <u>1 year added to current revocation period</u>, 66-5-39C</p>	<p>Mandatory: 30 days immobilization of vehicle driven by offender, 66-5-39B Albuquerque, Dona Ana County, Las Cruces, Torrance County and Santa Fe (City and County): Forfeiture of vehicle in civil action</p>
<p>DWI Vehicular Homicide 3rd degree felony</p>	<p>Maximum: <u>6 years</u>, 31-18-15A(7)</p>	<p>Maximum fine: <u>\$ 5,000</u> 31-18-15E(6)</p>	<p>Administrative Revocation³: Up to 1 year, no limited license or interlock license permitted, 66-5-35A(5) and 66-5-503C⁷ Revocation after Criminal Conviction⁶ 1 year, no limited license or ignition interlock license permitted, 66-5-29A(4) and B.</p>	<p>Mandatory: <u>4 years extra jail time added for every prior DWI conviction within the last 10 years</u>, 66-8-101D, including tribal convictions, 66-8-101E(2)</p>

- Mandatory jail time** must be consecutively served.
- Fines and fees** do not include increased insurance costs, treatment, lost wages, towing and storage, victim impact panels and attorney fees.
- Administrative Revocation:** Licenses are administratively revoked for driving with .08 BAC or higher (21 and older), .02 BAC or higher (under 21), .04 or higher (commercial driver's licenses) and any refusal. These are violations of the Implied Consent Act, 66-8-105 through 112. Note that a violation of the Implied Consent Act is not part of the criminal sentence.
- Chemical test must be given within 3 hours of driving and must measure alcohol consumed before or while driving.** The results of a chemical test given **more than 3 hours after driving** may be introduced as evidence of the BAC in the driver's blood or breath at the time of the test (not the time of driving) and the judge or jury will determine how much weight to give the evidence. 66-10-110E.
- Aggravated DWI consists of:** (1) Refusal to take a BAC test at time of arrest for DWI; OR (2) Testing at a BAC of .16 or higher within 3 hours of driving when the BAC is from alcohol consumed before or while driving ; OR (3) Causing bodily injury to someone while driving under the influence of alcohol or other drugs, 66-8-102D. See 66-8-102T(1) for "bodily injury."
- Criminal ignition interlock** provisions: Interlock must be installed on all vehicles driven by the offender AND the offender must obtain ignition interlock license.
- An ignition interlock** license allows drivers to drive without time and place restrictions and is available to every revoked driver except those who have committed vehicular homicide or great bodily injury by vehicle while under the influence of intoxicating liquor or drugs. Reinstatement of unrestricted license: The Motor Vehicle Division will not reinstate an unrestricted driver's license after a DWI conviction or administrative revocation unless a driver has had a minimum of six months of driving with an ignition interlock license with no attempts to circumvent or tamper with the device, 66-5-33.1B(4). An interlock is defined as "a device, approved by the traffic safety bureau, that prevents the operation of a motor vehicle by an intoxicated or impaired person." 66-5-502B. Out-of-state drivers convicted elsewhere of DWI within the last 10 years who apply for a NM license are eligible **ONLY** for an interlock license, according to the same schedule as NM offenders, 66-5-5E. The penalty for driving without an interlock when it's required by license **is the same as driving while revoked for DWI**, 66-5-504, 66-5-39. The penalty for tampering or interfering or causing someone else to tamper or interfere with an ignition interlock device, when it is required under an ignition interlock license, **is the same as driving while revoked for DWI**, 66-5-503 and 504. Licenses remain revoked until offenders apply to reinstate them. For NM MVD form Affidavit for Ignition Interlock License go to <http://www.tax.state.nm.us/forms/mvd/mvd10456.pdf>
- Treatment is mandatory**, as follows, for a second or third conviction: not less than a 28-day inpatient residential or in-custody substance abuse treatment program approved by the court; not less than a 90-day outpatient treatment program approved by the court; a drug court program approved by the court; OR any other substance abuse treatment program approved by the court. For any felony DWI conviction, the Corrections Department is required to provide substance abuse counseling and treatment to the offender, while the offender is in custody and on probation or parole.
- Probation violations:** On any offense, if the offender violates probation under a suspended or deferred sentence, the judge may impose any sentence originally available and credit shall not be given for time served by the offender on probation, 66-8-102S.

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Alcohol-involved Crashes and DWI Convictions by County, 2009

County	Crashes ¹				People			Rates ²		2009 Licensed Drivers
	Alcohol Fatal	% of all Fatal	Alcohol Injury	% of all Injury	People Killed	People Injured	DWI Conv.	Severe ³ Alcohol Crashes	DWI Conv.	
Bernalillo	20	36%	325	6%	21	466	3,676	0.7	7.9	464,065
Catron	0	0%	2	33%	0	2	6	0.6	1.8	3,411
Chaves	4	31%	44	12%	6	63	322	1.1	7.4	43,614
Cibola	3	38%	26	20%	4	38	258	1.8	16.0	16,106
Colfax	0	0%	7	8%	0	10	57	0.7	5.4	10,607
Curry	2	67%	29	9%	2	48	233	1.0	7.5	30,926
De Baca	0	0%	1	7%	0	2	5	0.6	3.1	1,627
Doña Ana	13	54%	118	9%	15	174	1,062	1.0	7.8	136,973
Eddy	6	40%	30	10%	6	57	270	0.9	7.1	38,029
Grant	1	100%	17	12%	1	23	215	0.8	9.3	23,160
Guadalupe	0	0%	6	11%	0	7	43	1.9	13.8	3,125
Harding	0	0%	0	0%	0	0	4	0	6.8	591
Hidalgo	1	33%	1	3%	1	1	29	0.6	8.3	3,513
Lea	3	25%	35	10%	4	56	327	0.9	7.8	42,179
Lincoln	0	0%	13	10%	0	15	142	0.8	8.2	17,219
Los Alamos	0	0%	4	6%	0	4	45	0.3	2.8	15,919
Luna	2	29%	11	9%	3	15	148	0.7	7.8	18,910
McKinley	23	74%	64	19%	24	128	789	2.3	20.5	38,399
Mora	0	0%	3	18%	0	5	32	0.8	8.6	3,716
Otero	3	38%	21	6%	3	25	247	0.6	6.1	40,178
Quay	1	33%	5	7%	1	8	42	0.8	5.7	7,338
Rio Arriba	7	58%	39	23%	11	73	340	1.5	10.9	31,053
Roosevelt	2	50%	11	16%	2	26	104	1.0	8.2	12,609
Sandoval	9	45%	35	6%	10	50	726	0.5	7.7	93,994
San Juan	5	33%	93	12%	5	161	1,306	1.2	16.4	79,436
San Miguel	3	43%	12	12%	3	18	224	0.8	11.9	18,825
Santa Fe	7	35%	99	9%	10	142	799	0.9	7.1	113,248
Sierra	3	43%	7	10%	3	11	54	1.1	5.7	9,522
Socorro	0	0%	15	14%	0	19	139	1.2	11.3	12,255
Taos	6	75%	30	13%	7	52	177	1.4	6.9	25,507
Torrance	3	33%	14	11%	5	28	80	1.5	7.1	11,245
Union	2	67%	2	7%	2	4	14	1.2	4.4	3,202
Valencia	3	60%	24	7%	3	43	338	0.5	6.3	53,730
Other							728			
Total	132	41%	1,143	9%	152	1,774	12,981	0.9	9.1	1,424,231

Source: Crash files and Driver History file

1. The crash percentages shown are the percent of all crashes which involved alcohol. For example, 36 percent of all Bernalillo County fatal crashes involved alcohol, and resulted in 21 fatalities.
 2. Rates are per 1,000 licensed drivers.
 3. Severe crashes are those involving death or injury.
- ◆ DWI convictions are those handed down in 2009. The citations that resulted in these convictions could have been issued prior to 2009. See the note on page 18 for a complete explanation. Convictions are counted by county of driver residence, not the county in which the citation was issued. Driver residence county was determined by ZIP code. The 728 convictions received by drivers with missing, invalid, or out-of-state ZIP codes are shown as "Other" and are included in the total.
 - ◆ See map on inside back cover

Alcohol-involved Crashes and DWI Convictions by City, 2009

City	Crashes ¹				People			Rates ²		2009 Licensed Drivers
	Alcohol Fatal	% of all Fatal	Alcohol Injury	% of all Injury	People Killed	People Injured	DWI Conv.	Severe ³ Alcohol Crashes	DWI Conv.	
Alamogordo	0	0%	7	3%	0	9	168	0.3	6.2	27,245
Albuquerque	18	40%	308	6%	19	442	3,594	0.7	8.0	448,107
Artesia	0	0%	6	12%	0	6	90	0.5	7.6	11,853
Aztec	0	0%	1	4%	0	1	126	0.1	10.6	11,876
Bayard	0	0%	3	75%	0	4	26	1.7	14.8	1,757
Belen	1	100%	2	4%	1	5	114	0.2	7.3	15,687
Bernalillo	0	0%	5	5%	0	7	76	0.7	10.8	7,052
Bloomfield	0	0%	1	3%	0	1	122	0.1	11.7	10,464
Bosque Farms	0	0%	1	9%	0	1	13	0.3	3.3	3,990
Carlsbad	2	100%	15	8%	2	27	160	0.7	6.6	24,346
Clayton	1	100%	1	17%	1	1	10	0.9	4.5	2,234
Clovis	0	0%	22	9%	0	35	222	0.8	7.8	28,546
Corrales	0	0%	2	13%	0	2	25	0.2	3.1	8,002
Deming	1	33%	7	10%	1	11	142	0.5	8.2	17,385
Española	1	100%	18	9%	1	32	129	1.6	10.7	12,040
Eunice	0	0%	0	0%	0	0	15	0	7.0	2,137
Farmington	1	33%	40	10%	1	60	547	1.1	14.6	37,522
Gallup	5	83%	30	18%	5	49	286	2.3	19.0	15,090
Grants	0	0%	8	18%	0	11	96	1.1	13.8	6,976
Hobbs	2	100%	21	10%	3	33	234	0.8	8.4	27,948
Jal	0	0%	1	25%	0	3	7	0.6	4.3	1,647
Las Cruces	3	43%	73	7%	3	102	738	0.8	8.2	90,274
Las Vegas	1	100%	5	8%	1	7	161	0.5	12.8	12,586
Lordsburg	0	0%	0	0%	0	0	22	0	8.8	2,509
Los Alamos	0	0%	3	5%	0	3	45	0.2	2.8	15,919
Los Lunas	0	0%	12	8%	0	22	187	0.4	6.3	29,799
Lovington	0	0%	3	7%	0	3	67	0.3	7.3	9,205
Milan	0	0%	0	0%	0	0	25	0	13.5	1,851
Portales	0	0%	7	19%	0	10	99	0.6	8.5	11,679
Raton	0	0%	4	12%	0	5	37	0.7	6.1	6,046
Rio Rancho	3	50%	14	4%	3	21	416	0.3	6.6	62,799
Roswell	1	25%	29	10%	3	44	289	0.8	7.6	37,982
Ruidoso	0	0%	5	10%	0	6	82	0.7	10.9	7,545
Santa Fe	1	20%	49	7%	1	60	689	0.5	7.1	96,526
Silver City	0	0%	6	7%	0	9	123	0.4	8.4	14,583
Socorro	0	0%	5	12%	0	7	85	0.7	11.9	7,127
Sunland Park	0	0%	6	18%	0	9	71	0.9	10.1	7,058
Taos	2	67%	14	14%	2	22	64	1.8	7.0	9,097
T or C	0	0%	5	13%	0	9	31	1.0	6.1	5,116
Tucumcari	0	0%	2	13%	0	2	37	0.4	6.8	5,440
Tularosa	1	100%	2	13%	1	2	27	0.8	6.9	3,930

1. The crash percentages shown are the percent of all crashes which involved alcohol. For example, 20 percent of all Santa Fe fatal crashes involved alcohol, and resulted in one fatality.
 2. Rates are per 1,000 licensed drivers.
 3. Severe crashes are those resulting in death or injury.
- ◆ Only cities with estimated populations of 2,500 or more are included here.
 - ◆ DWI convictions are those handed down in 2009. The citations that resulted in these convictions could have been issued prior to 2009. See the note on page 18 for a complete explanation.

Alcohol-involved Crashes and DWI Arrests by Month, 2009

Month	Crashes		Crashes	Arrests		Arrests
	Total	Percent		Total	Percent	
January	231	8.6%		1,818	9.7%	
February	216	8.0%		1,656	8.8%	
March	238	8.8%		1,720	9.2%	
April	212	7.9%		1,574	8.4%	
May	253	9.4%		1,698	9.0%	
June	203	7.5%		1,436	7.6%	
July	212	7.9%		1,497	8.0%	
August	253	9.4%		1,709	9.1%	
September	212	7.9%		1,450	7.7%	
October	216	8.0%		1,440	7.7%	
November	237	8.8%		1,471	7.8%	
December	215	8.0%		1,313	7.0%	
Total	2,698	100.0%	100 200	18,782	100.0%	500 1,000 1,500

Source: Crash files and DWI Citation Tracking file

Alcohol-involved Crashes and DWI Arrests by Day of the Week, 2009

Day	Crashes		Crashes	Arrests		Arrests
	Total	Percent		Total	Percent	
Sunday	317	11.7%		1,522	8.1%	
Monday	260	9.6%		1,373	7.3%	
Tuesday	286	10.6%		1,801	9.6%	
Wednesday	321	11.9%		2,376	12.7%	
Thursday	357	13.2%		2,903	15.5%	
Friday	535	19.8%		4,475	23.8%	
Saturday	622	23.1%		4,332	23.1%	
Total	2,698	100.0%	300 600	19,631	100.0%	1,000 2,000 3,000 4,000

Source: Crash files and DWI Citation Tracking file

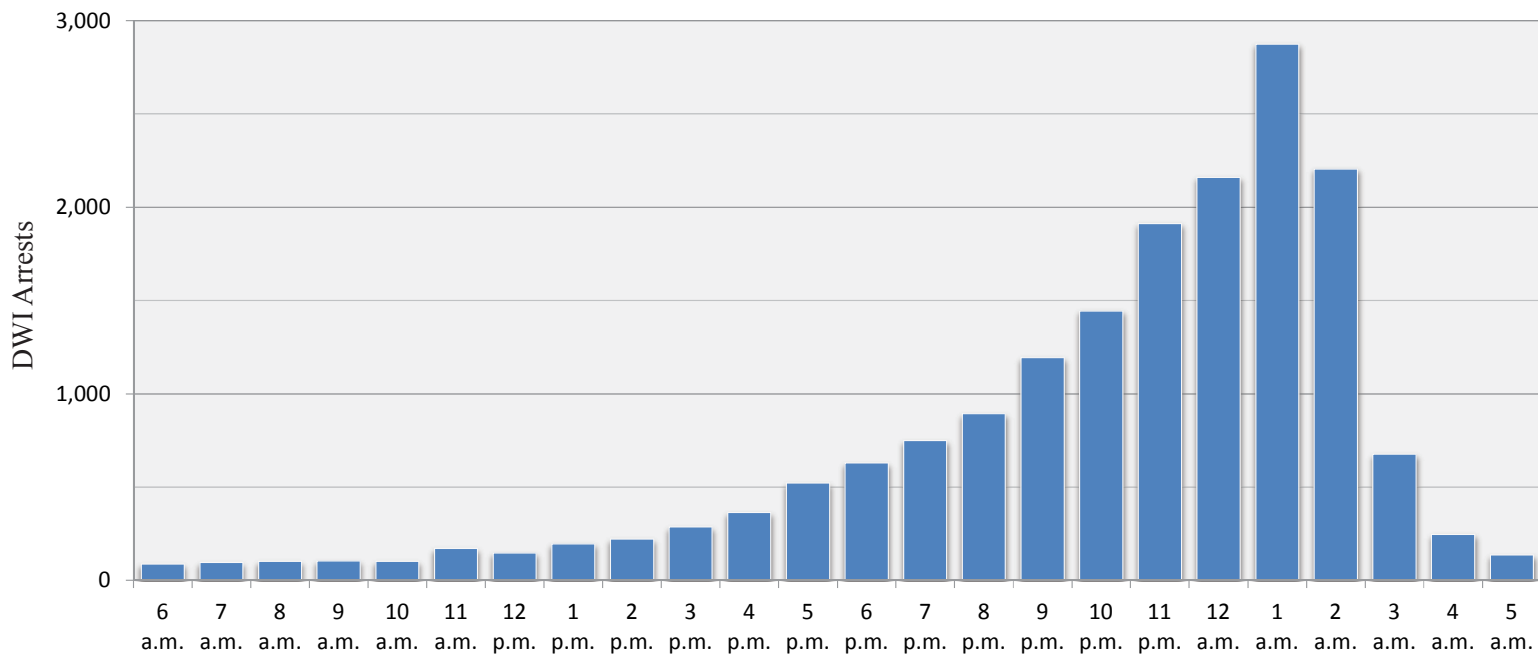
◆ For this table each day was considered to run from 6:00 a.m. to 5:59 a.m. the following morning.

Alcohol-involved Crashes and DWI Arrests by Agency, 2009

Agency	Crashes		Crashes	Arrests		Arrests
	Total	Percent		Total	Percent	
Albuquerque PD	580	21.5%		5,315	28.3%	
State Police	384	14.2%		4,026	21.4%	
County Sheriff	552	20.5%		3,633	19.3%	
Other City PDs	1,050	38.9%		5,228	27.8%	
Other	132	4.9%		580	3.1%	
Total	2,698	100.0%	400 800	18,782	100.0%	2,500 5,000

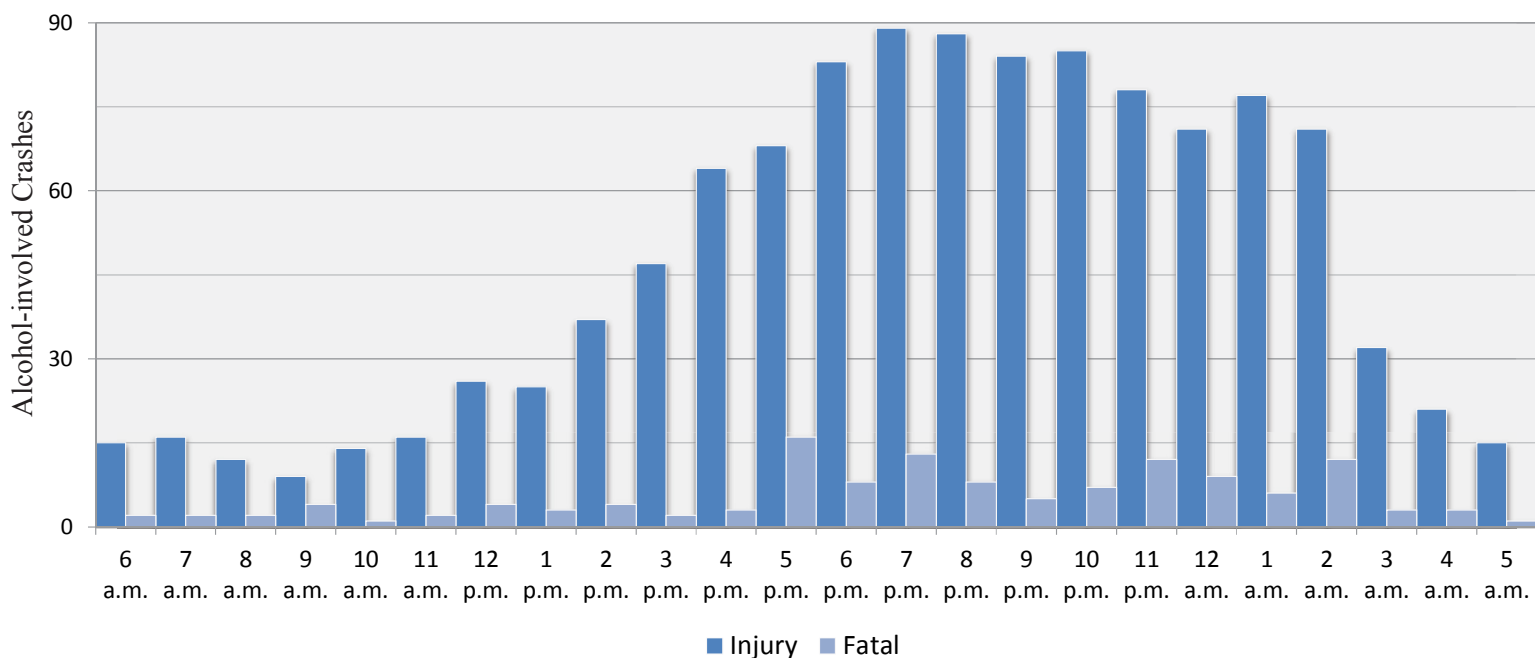
Source: Crash files and DWI Citation Tracking file

DWI Arrests by Hour of the Day, 2009



Source: DWI Citation Tracking file

Alcohol-involved Crashes by Hour and Severity, 2009



Source: Crash files

Contributing Factors in Fatal Alcohol-involved Crashes, 2009

Contributing Factor	Count	Percent	Percent of Involvements
Excessive speed	166	22.8%	
Driver inattention	147	20.2%	
Alcohol involved	144	19.8%	
Other	65	8.9%	
Other improper driving	62	8.5%	
Drove left of center	48	6.6%	
Failure to yield	35	4.8%	
Disregard traffic control	25	3.4%	
Mechanical defects	13	1.8%	
Improper turn	13	1.8%	
Improper overtaking	9	1.2%	
Follow too close	2	0.3%	
Total	729		5% 10% 15% 20%

Source: Crash files

- ◆ These are counts of all factors reported to have contributed to fatal crashes. These are *not* the same thing as fatal crash counts. A single crash often involves more than one vehicle, and each vehicle may be affected by more than one factor. The percents shown are the percents of vehicles in fatal crashes which were affected by each of the contributing factors. For these reasons the total here is higher than in other tables presenting fatal crash information, and the percentages sum to more than 100.

Alcohol-involved Crashes in New Mexico by Class, 2009

Class	Crashes				People		
	Total	% of Total	Fatal	% of Fatal	Injury	Killed	Injured
Fixed Object	935	35%	19	14%	310	22	385
Other Vehicle	925	34%	27	20%	413	34	783
Overturn	385	14%	59	45%	232	68	376
Parked Vehicle	226	8%	1	1%	58	1	78
Pedestrian	96	4%	22	17%	66	23	79
Other Non-collision	64	2%	3	2%	36	3	41
Other Object	23	1%	1	1%	4	1	4
Pedalcyclist	21	1%	0	0%	16	0	18
Animal	11	0%	0	0%	2	0	2
Vehicle on Other Road	9	0%	0	0%	4	0	5
Railroad Train	3	0%	0	0%	2	0	3
Total	2,698	100%	132	100%	1,143	152	1,774

Source: Crash files

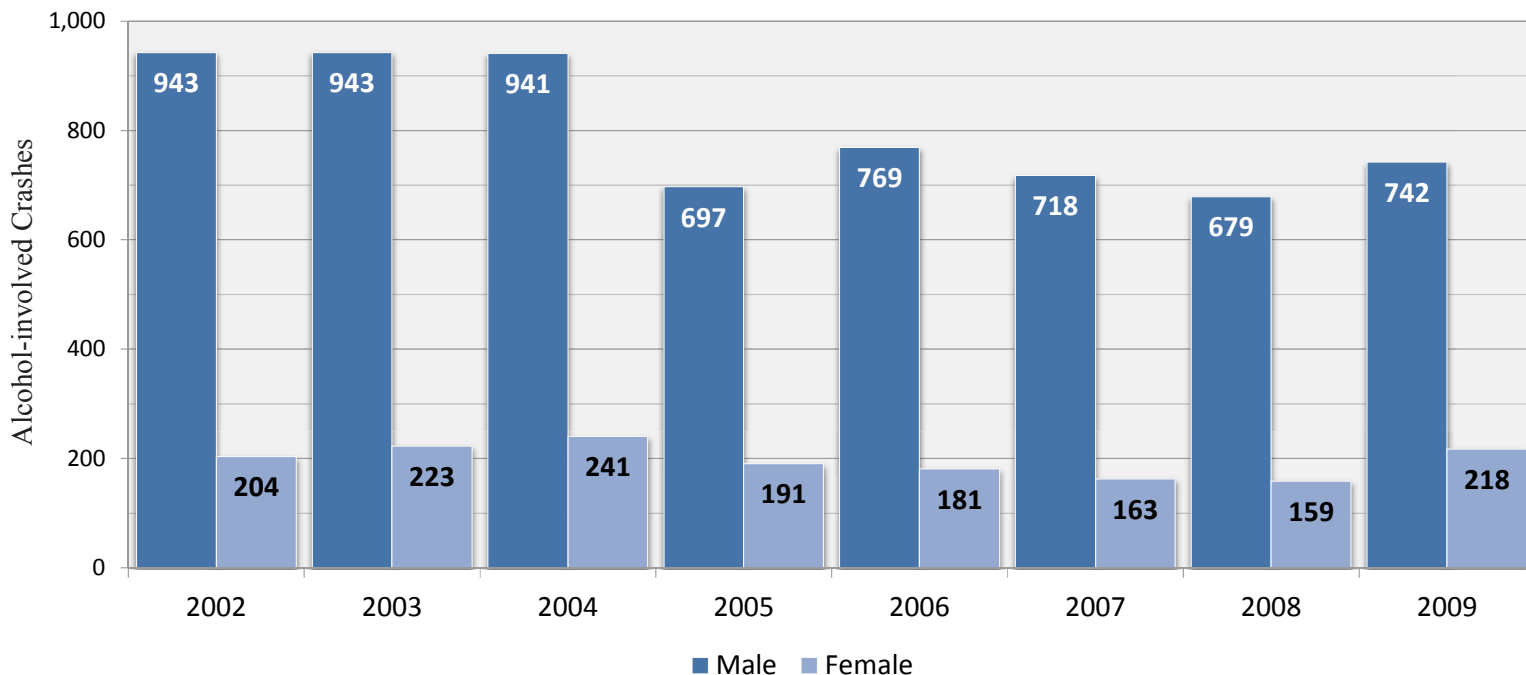
- ◆ Crash class is based on the first harmful event in the crash, such as colliding with something or overturning.

Alcohol-involved Crashes by Vehicle Type, 2009

Vehicle Type	Total	Fatal	Injury	Total
Passenger Car	1,989	61	840	
Pickup	1,060	47	450	
Van or 4WD	647	36	290	
Motorcycle	113	14	85	
Pedestrian	104	26	70	
Semi	36	7	11	
Pedalcyclist	23	1	17	
Bus	6	0	2	
Other	63	1	17	
Unknown	141	2	45	
Total	4,182	195	1,827	

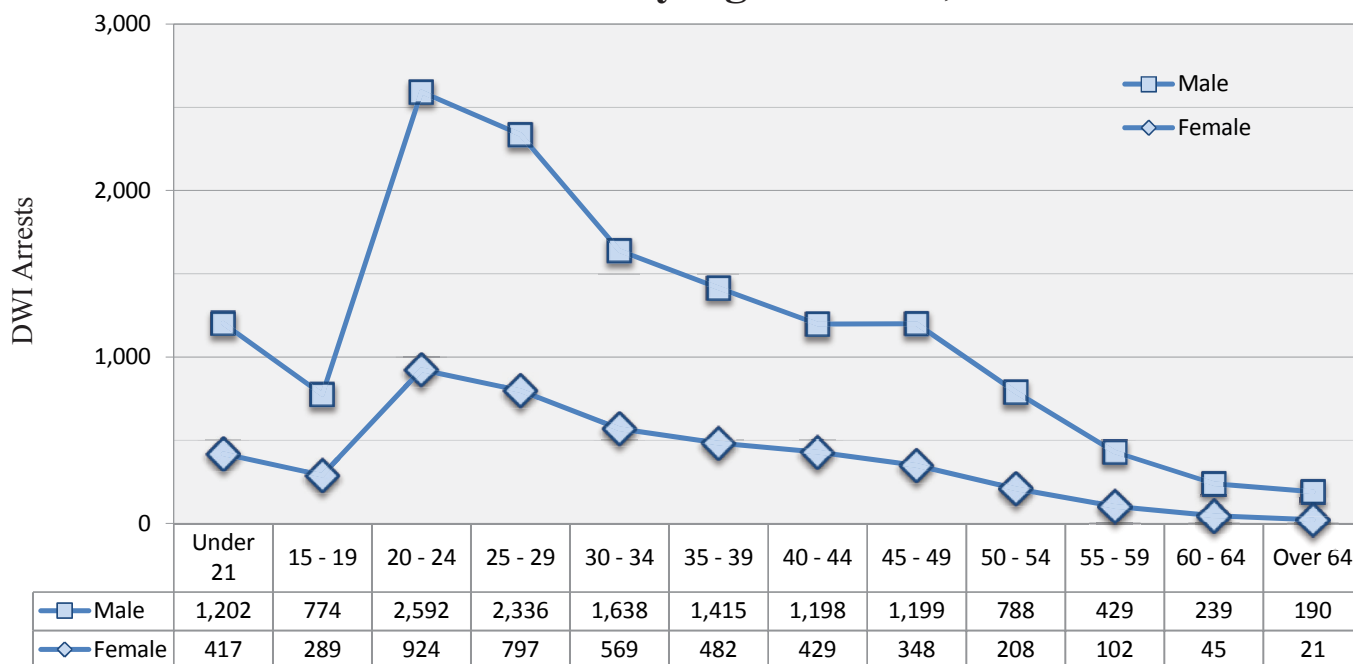
Source: Crash files

Speed-related Alcohol-involved Crashes by Sex, 2002 - 2009



Source: Crash files

DWI Arrests by Age and Sex, 2009



Source: DWI Citation Tracking file

Alcohol-involved Crashes and DWI Convictions by Driver Age and Sex, 2009

Age	Severe Crash Drivers ¹				DWI Conv.	Rates ²		Licensed Drivers
	Fatal		Injury			Severe Alcohol Crashes	DWI Conv.	
	Male	Female	Male	Female				
Under 15	0	0	0	0	1	0	26.32*	38
15-19	15	2	72	25	569	1.71	8.53	66,724
20-24	24	8	194	50	2,695	2.28	22.24	121,192
25-29	18	4	130	49	2,498	1.51	18.82	132,733
30-34	6	5	107	29	1,771	1.19	14.33	123,571
35-39	11	7	74	28	1,511	0.99	12.53	120,609
40-44	9	3	72	22	1,339	0.88	11.10	120,598
45-49	11	3	73	27	1,160	0.82	8.34	139,167
50-54	6	1	42	19	754	0.49	5.41	139,495
55-59	3	1	32	6	433	0.32	3.32	130,272
60-64	3	0	26	3	200	0.29	1.78	112,254
Over 64	2	0	17	3	139	0.10	0.64	217,578
Total	108	34	839	261	13,070	0.87	9.18	1,424,231
Under 21	19	5	104	33	955	1.79	10.62	89,905

Sources: Crash files and Driver History file

- 1. Severe crashes are those resulting in death or injury.
- 2. Rates are per 1,000 licensed drivers.

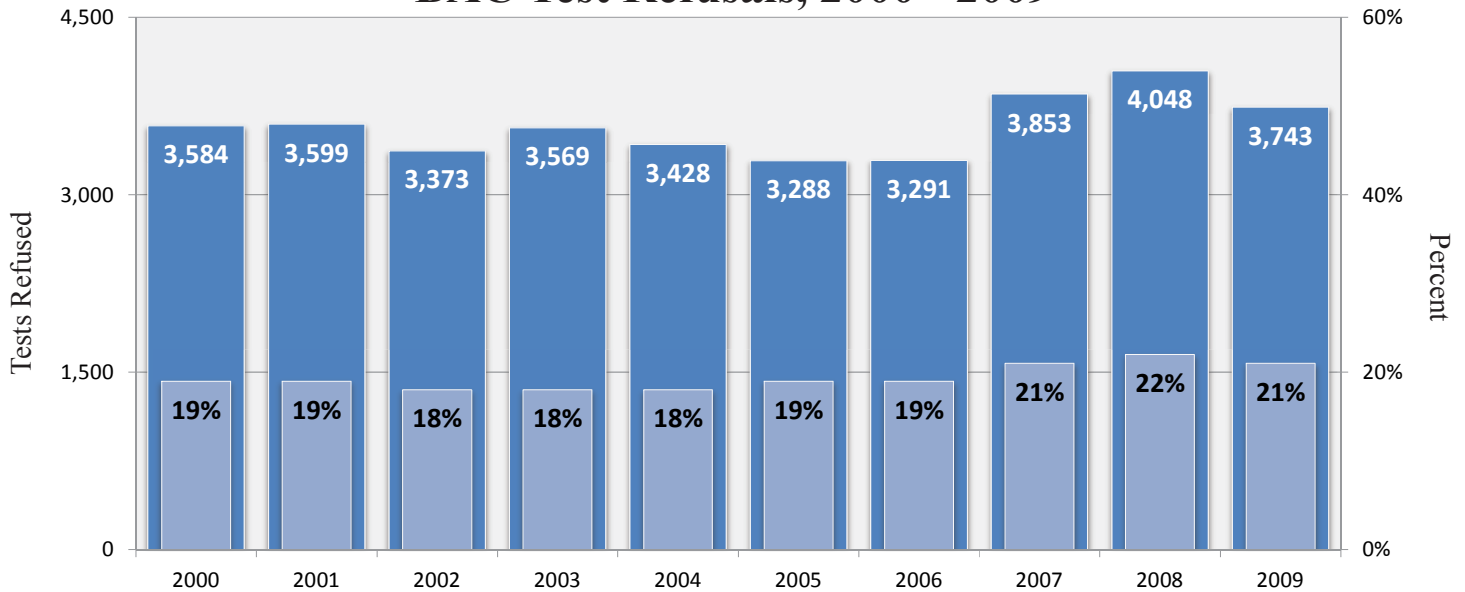
* Due to the low number of licensed drivers under 15 years old, the rates for this age group are not informative.

- ◆ These are drivers or pedestrians in crashes who reportedly had been drinking.
- ◆ People under the legal drinking age of 21 accounted for 7.3 percent of the DWI convictions in 2009.
- ◆ See explanation of conviction counts on page 18.

Offense	Administrative License Revocation ¹
Implied Consent Violation (Driving with BAC over legal limit or refusal to take the BAC test)	Age under 21 and BAC at least .02: 1 year for first offense Age 21 or older and BAC at least .08: 6 months for first offense CDL and BAC at least .04: 6 months for first offense Refusal: 1 year Any subsequent offense: 1 year Ignition interlock license available

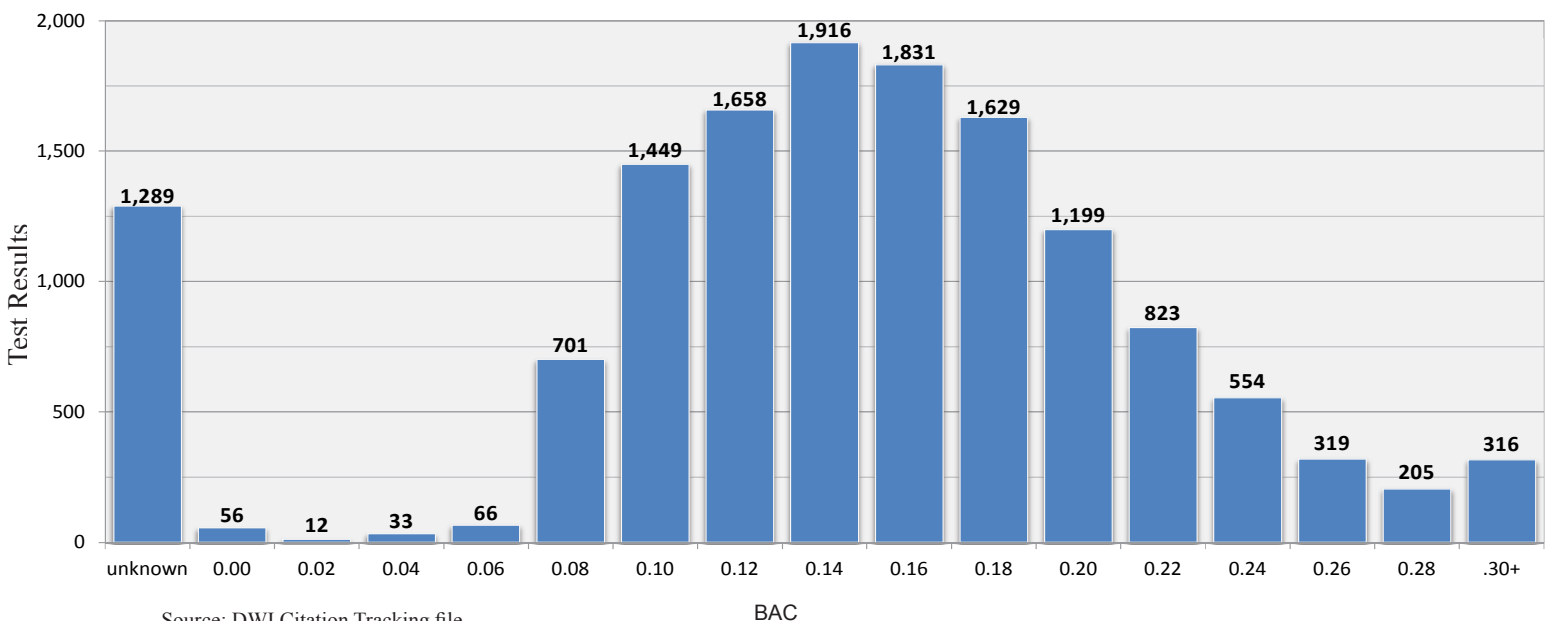
¹Note that this is **not** a criminal offense and the resulting license revocation is an administrative, not a criminal penalty. Municipalities are prohibited from establishing *per se* BAC limits different from state limits (§66-8-102.2). Licenses remain revoked until offenders reinstate them.

BAC Test Refusals, 2000 - 2009



Source: DWI Citation Tracking file ■ Number of Refusals ■ Percent of Tests Refused

BAC Test Results, 2009



Source: DWI Citation Tracking file

- ◆ The mean BAC (Blood Alcohol Concentration) result was 0.15, almost double the legal limit for drivers over 21. This average excludes tests with a result of 0.0 BAC.

RESULTS

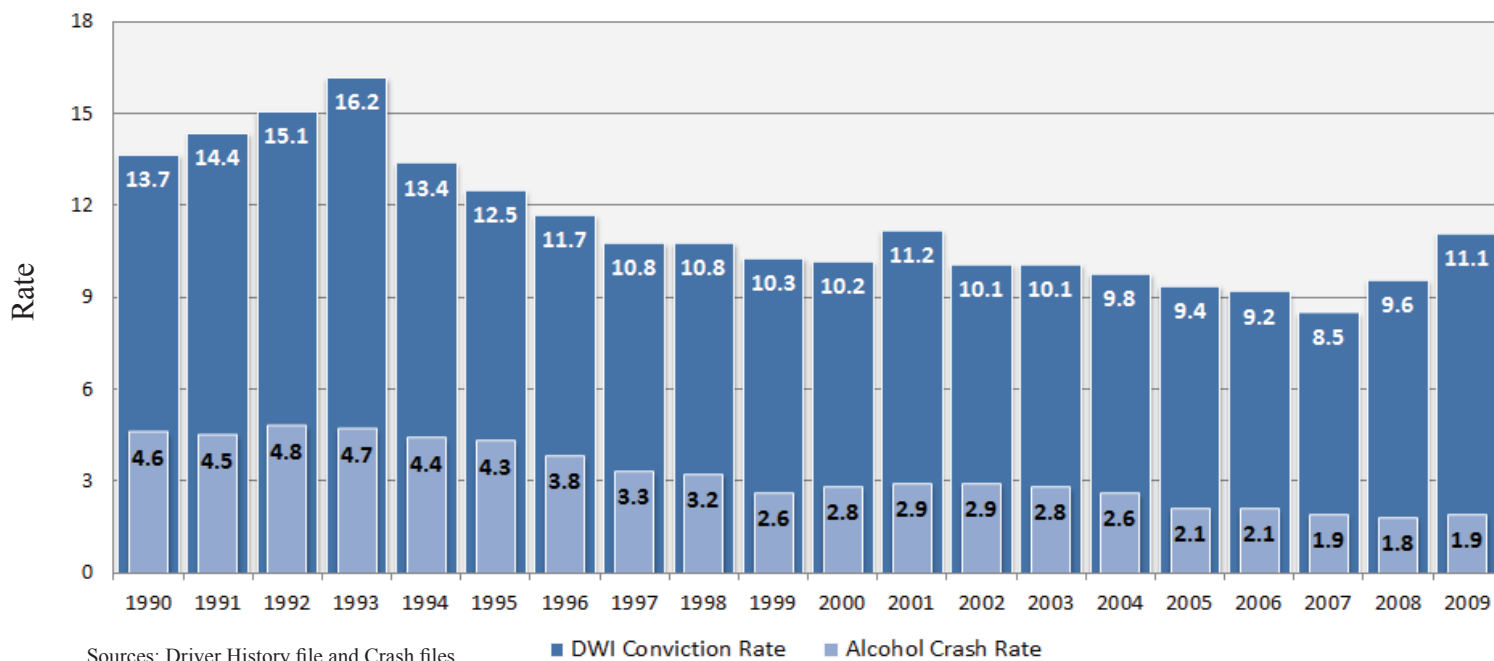
Mean Number of Days to Court Disposition by County, 2009

County	Total Arrests	Percent Crash Involved ¹	Mean BAC ²	Citations Resolved ³		Mean Days ⁴	
				DWI Conviction	Dismissal	DWI Conviction	Dismissal
Bernalillo	6,626	10	0.15	3,363	1,722	166	151
Catron	25	8	0.13	14	2	46	113
Chaves	342	23	0.17	259	26	122	127
Cibola	501	12	0.16	237	78	112	92
Colfax	69	26	0.13	47	11	95	124
Curry	437	9	0.15	276	43	139	146
De Baca	18	0	0.14	11	5	62	131
Doña Ana	1,630	16	0.15	1,087	110	119	132
Eddy	355	27	0.16	229	24	94	68
Grant	276	13	0.16	193	49	94	124
Guadalupe	90	14	0.15	66	15	114	159
Harding	4	0	0.09	2	2	157	202
Hidalgo	96	5	0.15	76	11	69	168
Lea	529	15	0.15	324	67	61	135
Lincoln	185	15	0.16	129	15	85	111
Los Alamos	53	26	0.18	36	6	111	203
Luna	215	13	0.15	140	47	79	106
McKinley	1,181	12	0.16	764	274	95	130
Mora	35	31	0.19	23	5	116	89
Otero	322	21	0.15	223	30	105	102
Quay	80	15	0.15	59	15	92	133
Rio Arriba	465	17	0.17	245	94	116	157
Roosevelt	150	15	0.15	106	15	110	176
Sandoval	612	16	0.17	362	131	136	160
San Juan	1,745	11	0.16	1,293	183	108	133
San Miguel	313	16	0.16	220	38	102	137
Santa Fe	1,217	16	0.15	591	179	132	132
Sierra	91	10	0.15	68	13	84	107
Socorro	233	11	0.16	126	48	92	125
Taos	233	21	0.17	125	52	133	149
Torrance	113	18	0.16	83	14	107	217
Union	22	13	0.19	15	3	38	39
Valencia	501	12	0.15	186	177	149	172
Total	18,764	13	0.15	10,978	3,504	127	144

Source: DWI Citation Tracking file

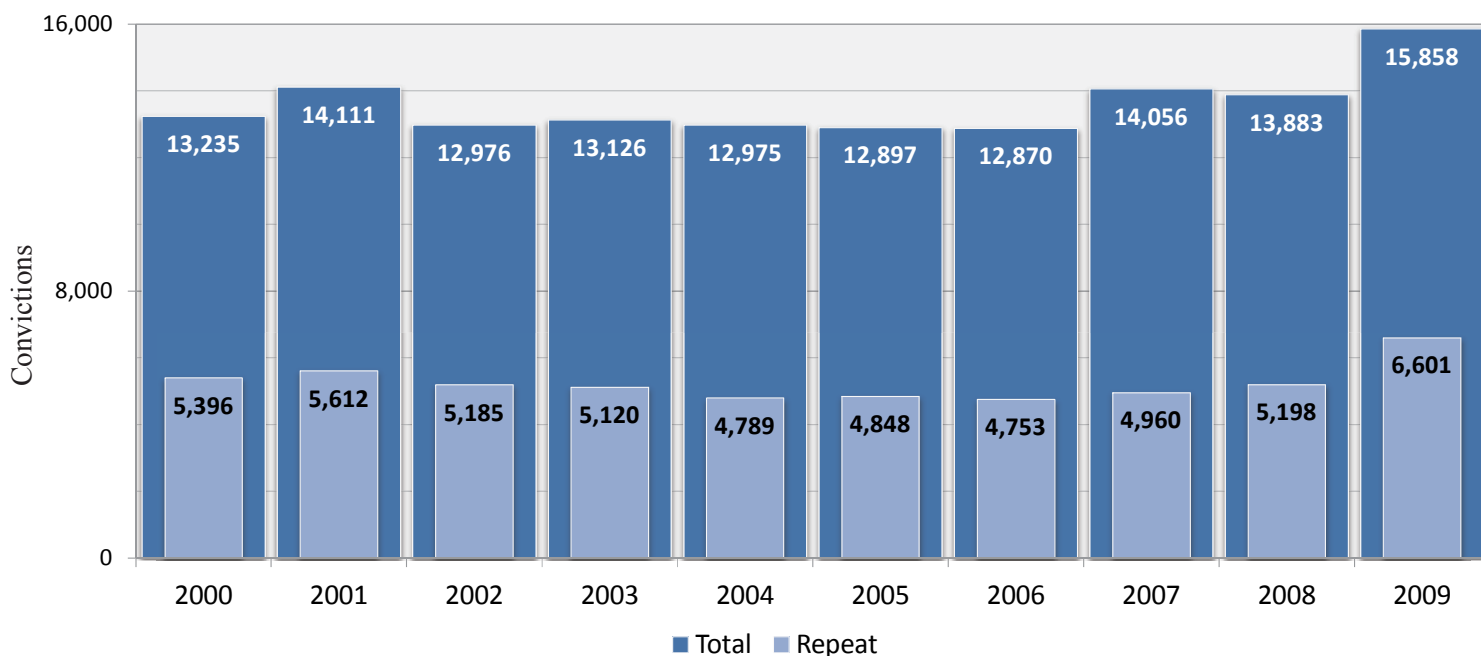
1. This is the percentage of citations that were issued after a traffic crash brought the DWI incident to police attention.
2. Only citations for which a BAC was determined are included; citations for which the offender refused to submit to a BAC test are excluded.
3. These are citations issued in 2009 for which results were available by July 2010. The conviction counts differ from those in other tables because these are based on citations issued in 2009 as opposed to convictions handed down in 2009. The resulting convictions or dismissals could have been decided in 2010.
4. These are the average number of days from the date of the citation to the date of any court disposition as of July 2010. For example, the 3,363 convictions in Bernalillo County were decided on average within 166 days after the citation.

DWI Conviction Rates and Alcohol-involved Crash Rates, 1990 - 2009



- ◆ The rates are incidents (convictions or crashes) per 1,000 licensed drivers. See page 18 for a note about convictions. The rate of alcohol-involved crashes has decreased 60 percent from 1992 to 2009.

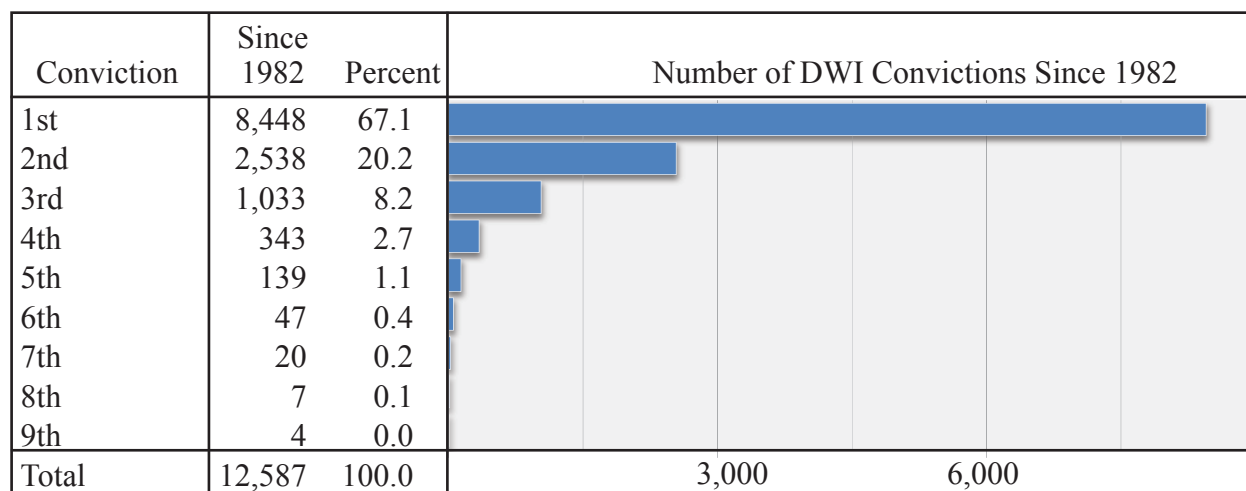
Total and Repeat DWI Convictions, 2000 - 2009



Source: Driver History file

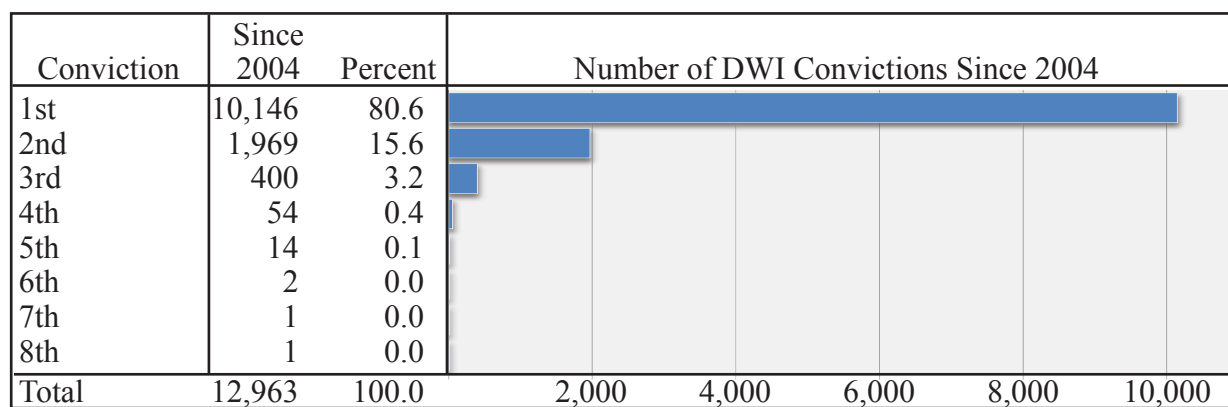
REPEAT OFFENDERS

Lifetime DWI Convictions for Drivers Convicted of DWI in 2009



Source: Driver History file

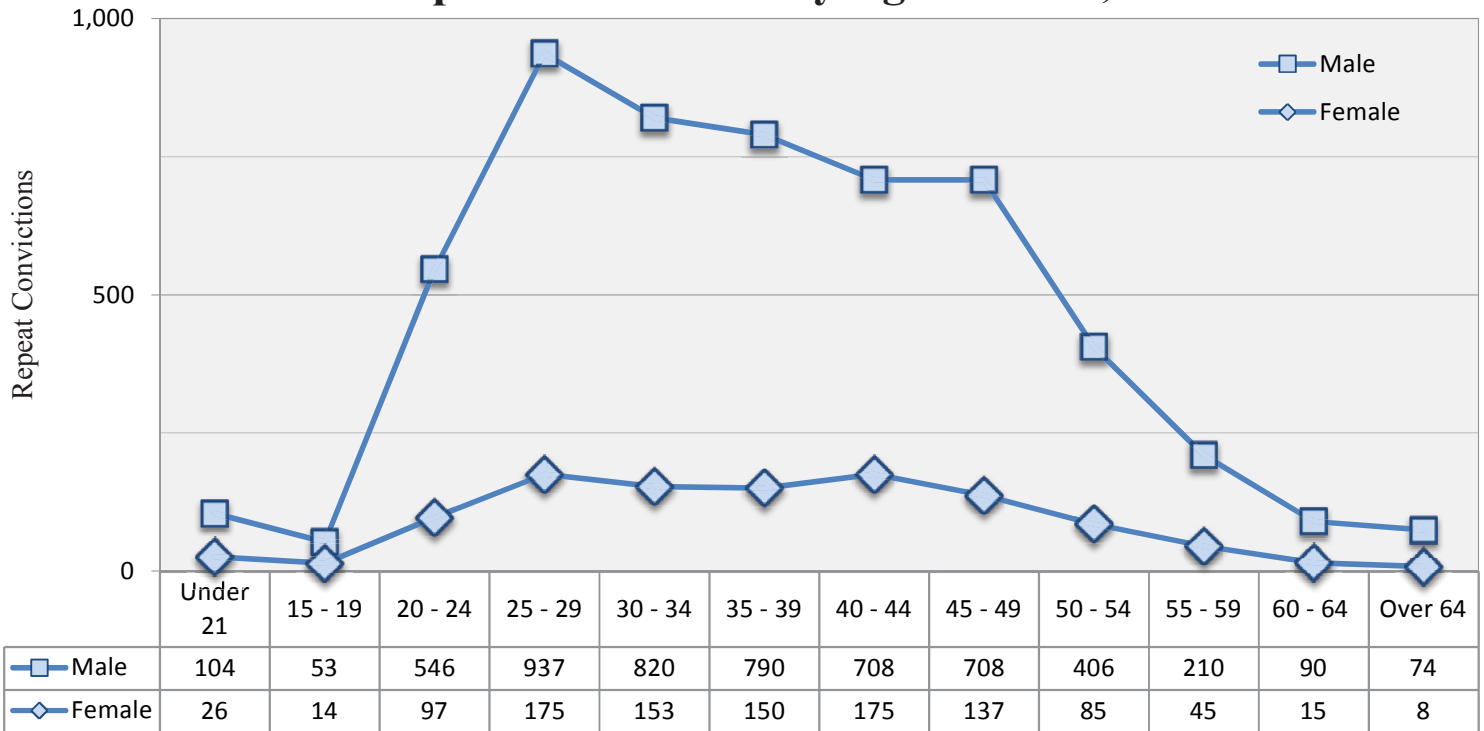
DWI Convictions Since 2004 for Drivers Convicted of DWI in 2009



Source: Driver History file

- ◆ There were 12,587 people convicted of DWI in 2009. Of those, 10,146 had not been convicted since 2004, and 8,448 had not been convicted since 1982 (1,698 had been convicted at least once between 1982 and 2004). The number of repeat convictions (6,601 see chart on page 17) is *not* equal to the total minus the number of first convictions, because some people were convicted more than once in 2009. Only their last conviction is included in the table above, while all repeat convictions are included in the chart on the next page.
- ◆ **Conviction note:** Unless otherwise noted, conviction counts in this report are based on convictions handed down in 2009, and are only comparable to counts since the 1994 edition of this report. The citations which resulted in these convictions could have been issued before 2009. Due to the sometimes lengthy period between citation and conviction (see table on page 16), counting convictions resulting from citations issued during a particular year would result in convictions after the publication of this report never being counted. By counting convictions regardless of the citation date, all convictions are included.

DWI Repeat Convictions by Age and Sex, 2009



Source: Driver History file

Repeat DWI Convictions by NMDOT District*, 2000 - 2009

Year	District 1	District 2	District 3	District 4	District 5	District 6	State
2000	622	868	1,340	290	1,502	745	5,367
2001	702	789	1,711	270	1,484	643	5,599
2002	650	656	1,549	290	1,445	571	5,179
2003	697	660	1,509	253	1,354	626	5,106
2004	671	588	1,091	291	1,356	776	4,780
2005	677	566	1,413	246	1,322	604	4,839
2006	670	500	1,436	231	1,180	648	4,737
2007	618	575	1,503	268	1,217	723	4,917
2008	697	551	1,553	206	1,218	720	4,972
2009	872	828	2,097	285	1,596	908	6,586

Source: Driver History file

* These districts are based on counties, with the following definitions:

- District 1:** Doña Ana, Grant, Hidalgo, Luna, Sierra and Socorro
- District 2:** Chaves, Curry, De Baca, Eddy, Lea, Lincoln, Otero and Roosevelt
- District 3:** Bernalillo and Valencia
- District 4:** Colfax, Guadalupe, Harding, Mora, Quay, San Miguel and Union
- District 5:** Los Alamos, Rio Arriba, San Juan, Santa Fe, Taos and Torrance
- District 6:** Catron, Cibola, McKinley and Sandoval

INDEX & SOURCES

Age	5, 14, 19	DWI crashes	
Agency	10	All	2, 8, 9, 13
Arrests	10, 11, 14, 16	Fatal or Injury	6, 7, 10, inside back cover
BAC tests	15, 16	Economic impact	5
BAC test refusal	15	Fatalities	2, 4, 8, 9, 12, 14
Citations	10, 11, 14, 16	Hour	11
Crash related	16	Laws	6, 7
City	9	Licensed drivers	8, 9, 14
Contributing factors	12	Mean BAC	15, 16
Convictions	8, 9, 14, 16, 17	Mean days	16
Repeat convictions	17, 18, 19	Month	10
County	5, 8, 16	Other drugs	2
Day	10	Penalties	6, 7
Days to disposition	16	Population	2, 5
District	19	Rates	2, 8, 9, 14, 17
Drug	4	Sex	13, 14, 19
		Sober people	5
		Under 18	5
		Under 21	6, 14, 19

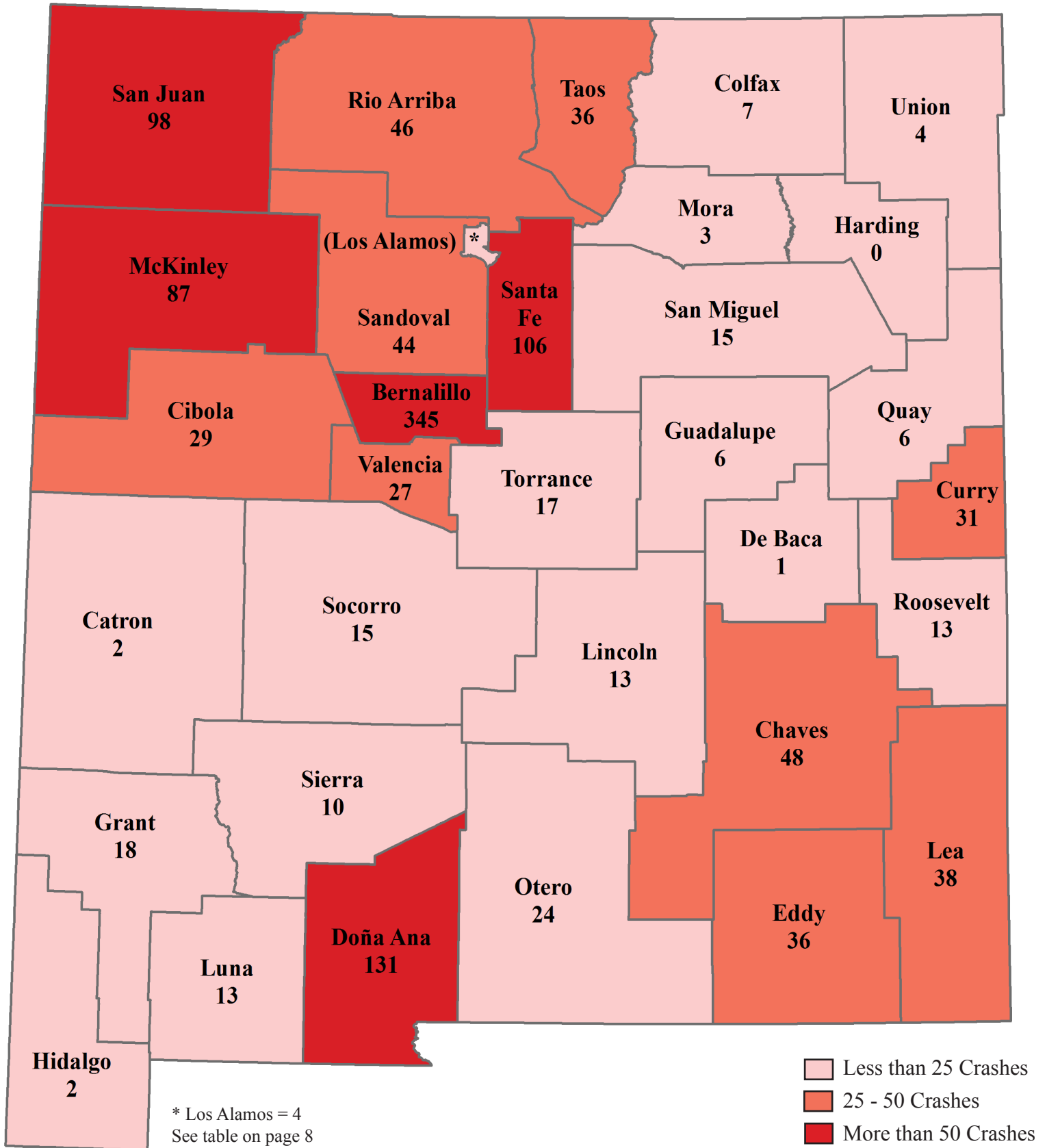
Source data are noted below each table. The data sources are:

BAC results	The Blood Alcohol Concentration (BAC) data for the chart on page 11 are from the Motor Vehicle Division's DWI Citation Tracking file (see below).
Crash files	Information from crash reports are submitted by the many law enforcement agencies in the state, compiled and processed by the NMDOT, Transportation Statistics Bureau and then reprocessed by the Division of Government Research, University of New Mexico.
Driver History file	Driver's license and conviction data maintained by the Motor Vehicle Division. Conviction data are current as of July 2010.
DWI Citation Tracking file	Data from all DWI citations submitted to, and maintained by, the Motor Vehicle Division. BAC test results in this file generally include only breath tests. Data are as of July 2010.
Fatality Analysis Reporting System	Database of all fatal crashes on public roads in the United States. This file is maintained by the National Highway Traffic Safety Administration.
Licensed drivers	Counts are as of July 2009 from the Driver History file maintained by the Motor Vehicle Division.
Population	Except where noted, estimates are from the U.S. Census Bureau.

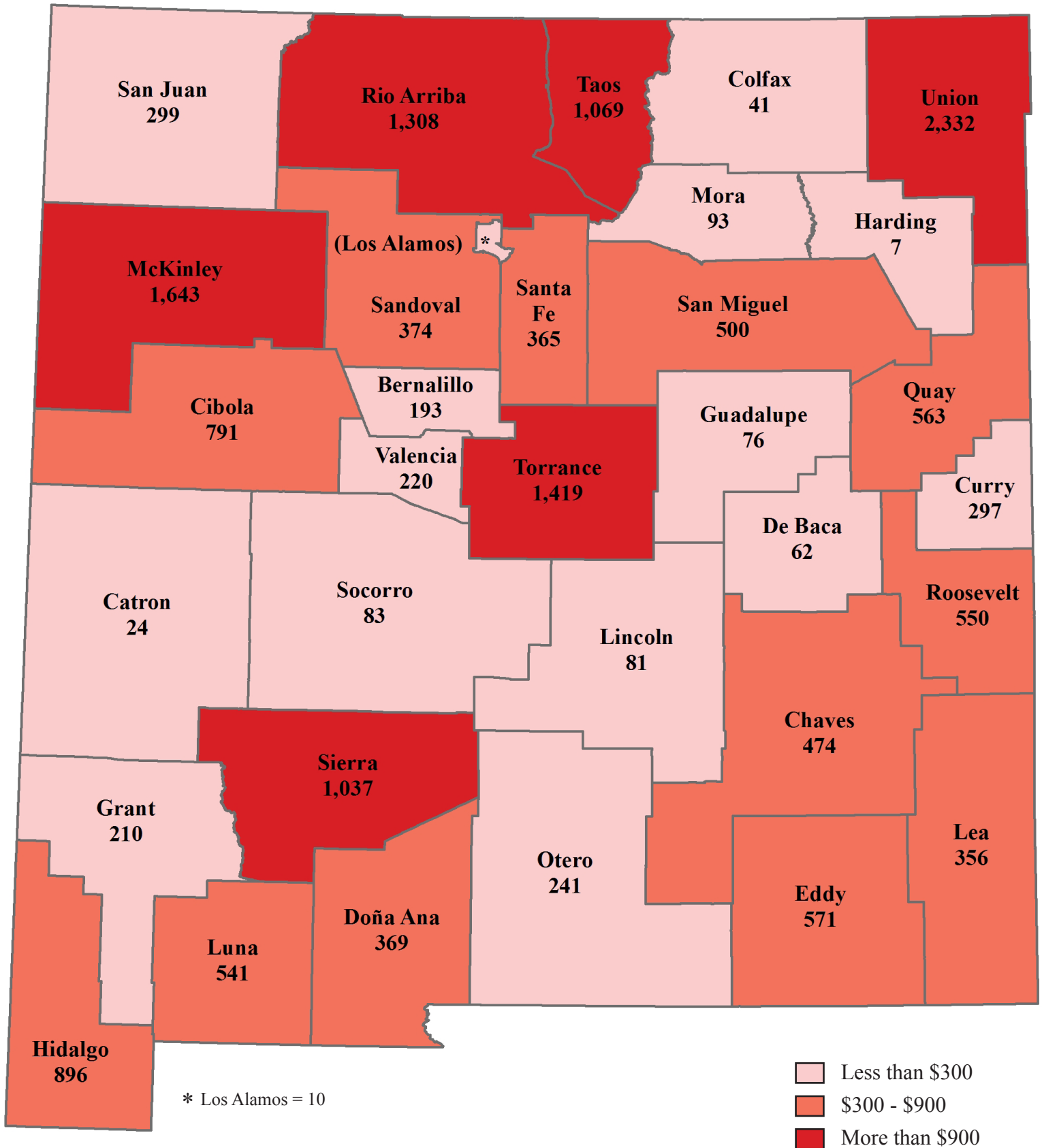
The Division of Government Research provides a wide range of data processing and analysis services. This report presents a portion of the data available concerning DWI in the state of New Mexico. These data are processed by DGR, but owned by the NM Department of Transportation or the Motor Vehicle Division of the Taxation and Revenue Department. Requests for further information should be directed to the Traffic Safety Division at the address inside the front cover.

Several people at DGR are responsible for the data and analysis included in this report. Editor of this report was Keith Smith. It was produced by assistant editor David Jacobs.

Number of Fatal or Injury Alcohol-involved Crashes, 2009



Per Capita Cost Estimates of Alcohol-involved Crashes, 2009



Population estimates are from July 2009.
 New Mexico's cost estimate is \$395 per capita.
 See Page 5 for details regarding these figures.