



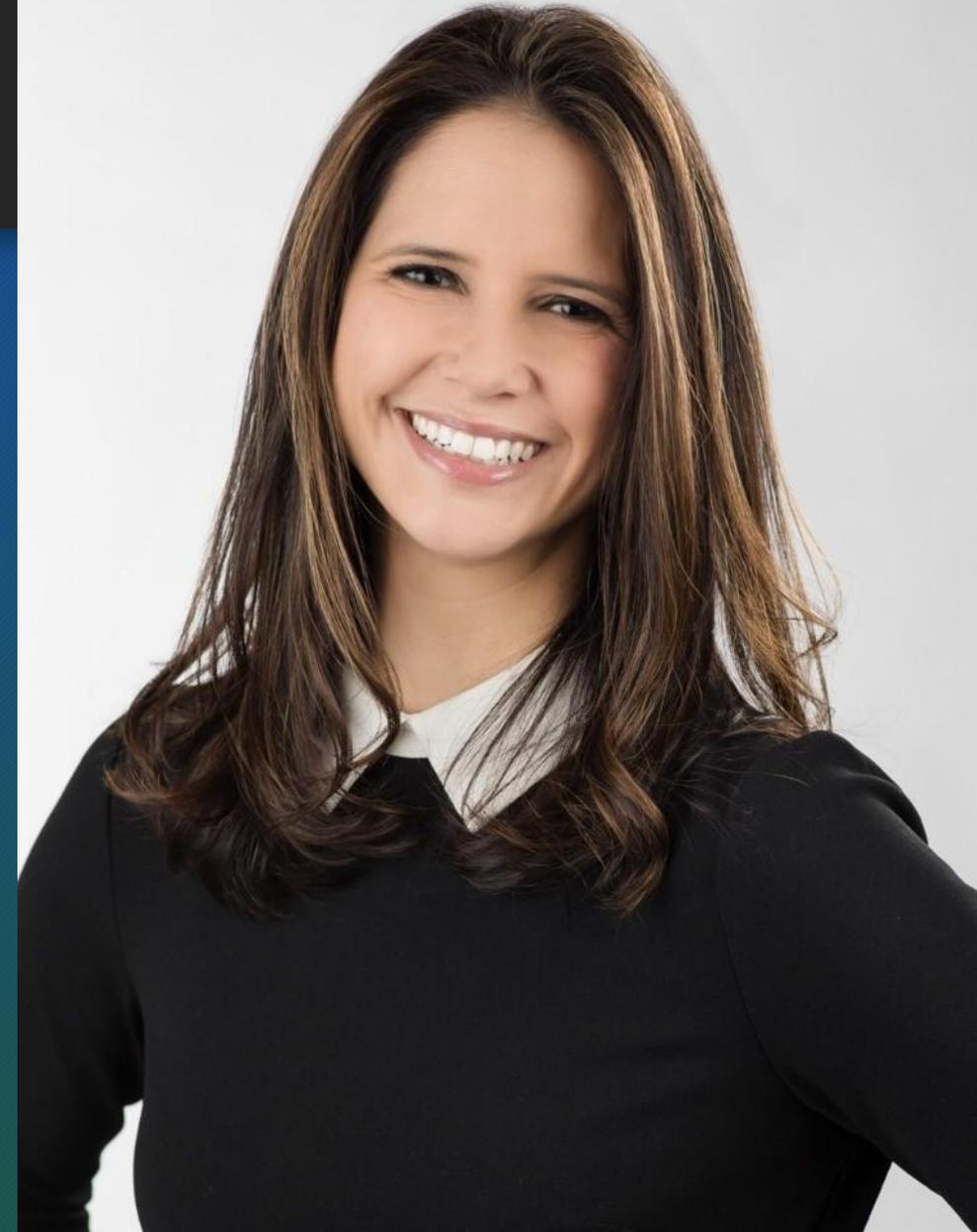
**Kentucky's CDL Advisory Committee:
Creating an Action Plan for More Effective
CDL Enforcement**

Tom Lockridge & Aaron Ann Cole

First Things First: Introductions

Aaron Ann Cole - Kentucky State Police - TSRP

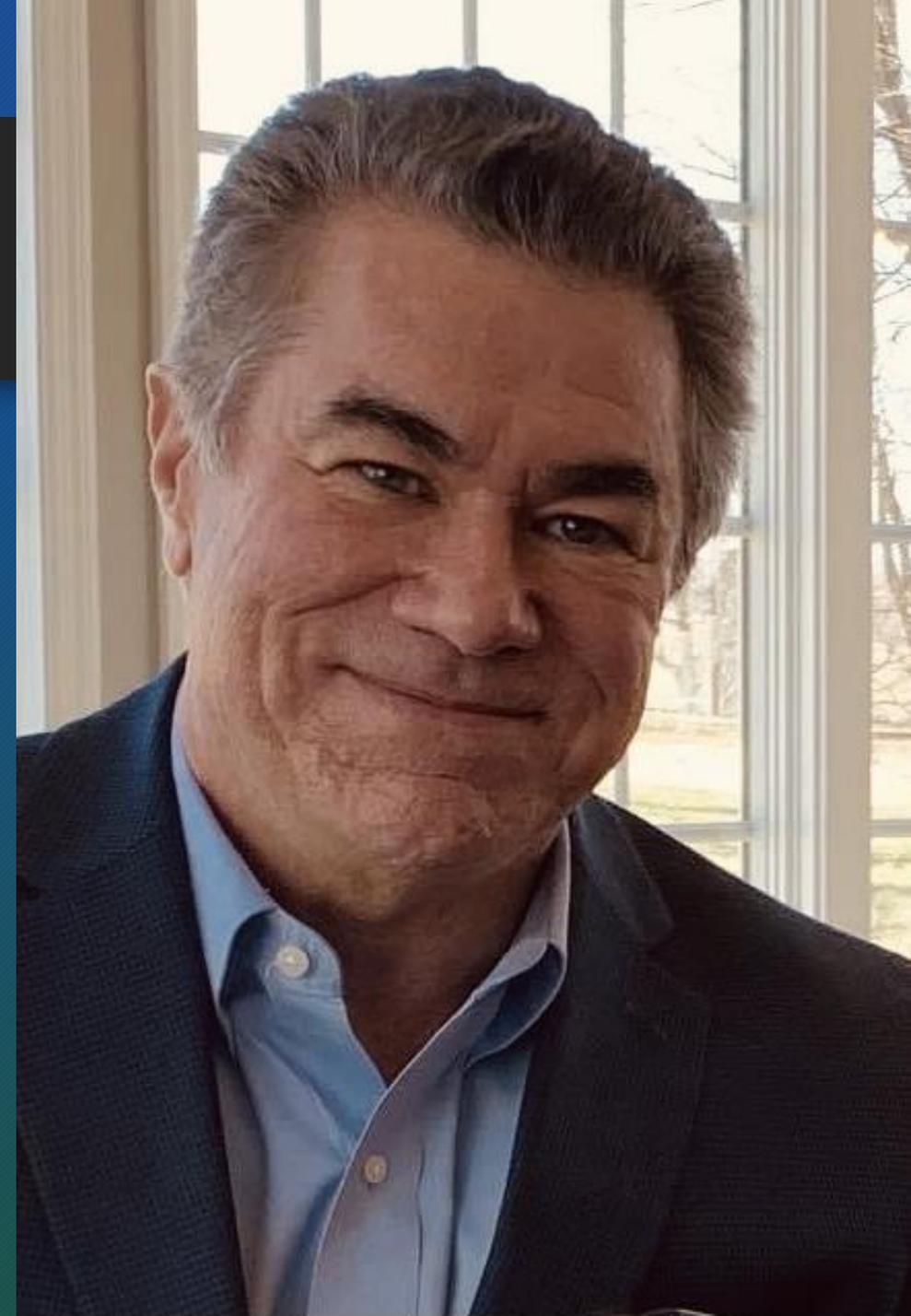
- Attended the University of Michigan in Ann Arbor, and then moved to Chicago to attend Loyola University Chicago School of Law.
- Began working as a criminal prosecutor at the Cook County State's Attorney's Office. After prosecuting countless cases ranging from DUIs to murders, Aaron Ann moved home to Kentucky in 2012.
- After returning to Kentucky, Aaron Ann joined the Special Prosecutions Unit at the Attorney General's Office.
- She became an Assistant Commonwealth Attorney serving in the Special Victim's Unit with the Fayette County Commonwealth Attorney's Office.
- After, she joined the Kentucky State Police (KSP) as an Attorney in the Office of Legal Services to teach at the Academy and advocate for KSP.
- In August 2019, Aaron Ann was appointed as a law enforcement-focused Traffic Safety Resource Prosecutor (TSRP) based at KSP. She serves as a member of the Ky Impaired Driving Task Force and the CDL Advisory Committee.



First Things First: Introductions

- **Tom Lockridge - Unified Prosecutorial System TSRP**

- Tom served as the Commonwealth Attorney for the 13th Judicial Circuit in Kentucky from 1990 until he retired in August 2016. Prior to that he served 3.5 years as Assistant Commonwealth's Attorney.
- He served as President of the Commonwealth's Attorneys Association in 1997-1998 and received the Carroll M. Redford Award as "Outstanding Kentucky Prosecutor" in 1995. The Kentucky Attorney General honored Tom as the "Outstanding Commonwealth's Attorney" in 1997 and in 1996 he was named "Outstanding Young Lawyer" by the Kentucky Bar Association.
- He has served as a member of the Prosecutors Advisory Council and as Chair of the Kentucky Multidisciplinary Commission on Child Sexual Abuse from 2002 to 2009.
- In January 2018, Tom was appointed to serve as TSRP. Tom acts as Co-Chair of the Kentucky Impaired Driving Task Force and is a member of the Kentucky CDL Advisory Committee.



Case Study #1

Kentucky Driver Crashes in Chattanooga TN

Origin of Investigation

- Fatal Crash
- June 25, 2015, approximately 7:10 p.m.
- Chattanooga, TN on I-75 North Bound
- 6 Killed
- 18 Injured

Background

Driver:

- KY Class A CDL
- Extensive crash history
- Past positive CS tests
- Making his first run for the Company

Case Study #1

- Driver was hired on 06/16/2015
- First trip for carrier began 06/22/2015
- Left London, KY at 1225 (GPS)
- Arrived Glasgow, KY at 1547 (GPS)
 - Vehicle breaks down in Glasgow and is stationary for approx 12 hours.
- 6/23/2015 at 0443 leaves Glasgow, KY
- 6/23/2015 at 0657 arrives in London, KY

Case Study #1

- 6/23/15 at 1500 leaves London, KY
Near continuous vehicle movement until:
- 6/24/15 at 0927 stopped in Lady Lake, FL (4 hrs.)
Involved in crash in Florida & cited for Reckless Driving
- 6/24/15 at 1336 leaves Lady Lake, FL
- 6/24/15 at 1649 arrives Haines City, FL
12.5 hour break in Haines City, FL

Case Study #1

- 06/25/2015 at 0515 leaves Haines City, FL
 - Small stops, mostly driving and/or on-duty time
- 06/25/2015 at 1910 crash occurs in Chattanooga, TN according to THP. That is five minutes before he would have hit the 14-hour limit. Log reconstruction showed that he was very close to going over his 11-hour limit at the time of the crash also.



Driver cited day before fatal I-75 wreck





Case Study # 2

Bell Co. Fatal

Case Study #2

- Crash occurred March 24, 2016
- Crash involved CMV & 2 passenger vehicles
- Multiple injuries & 2 fatalities
- Driver left scene of accident

Case Study #2

- On March 24, 2016, CMV Driver driving on KY 119 in Bell Co. crossed centerline and sideswiped a Ford Ranger. Ford ranger then overturned, and all occupants received serious injuries.
- The CMV continued in the opposite lane and struck a Nissan Maxima killing both occupants of the Nissan.
- DRIVER LEFT THE SCENE OF CRASH. He was later located at the hospital and subsequently charged. Post crash drug/alcohol test showed he had controlled substances in his system; **Methadone, Hydrocodone, & Suboxone.**

Case Study #3 - Franklin Co.

- I-64 WB @ 51 MM near Cardwell Lane overpass
- CMV vs. Pickup (PK) & Passenger Car (PC)
- Good Visibility
- **Driver Error**

Case Study #3 - Franklin Co.

- A brown 1989 Ford F-150 failed and was rendered immobile in an undesirable location on I-64 West atop a concrete overpass bridge with no shoulders.
- When the vehicle began to stall, the driver moved as far to the right edge of the roadway as possible on the bridge, next to the concrete wall, occupying a portion of the right lane.
- The driver exited the vehicle and stood in the vicinity of the driver's door. He had two medium sized tan dogs with him in the truck.

Case Study #3 - Franklin Co.

- The driver of a 2017 Acura RDX came up behind the stalled F-150 and stopped a safe distance behind it occupying the center of the right lane.
- The Acura was stopped in this location at least 5 seconds prior to impact.
- Moments prior to being impacted by Unit One, she turned the steering wheel to the left and accelerated rapidly but was unable to get away from the quickly approaching semi in the right lane behind her.

Case Study #3 - Franklin Co. Kentucky

- Unit One, (CMV) a dark brown 2019 Kenworth semi-tractor with a 2018 trailer, traveled in the right lane with his cruise control set for 26 seconds prior to the collision.
- He traveled between 70 and 73 mph during this time. This stretch of I-64 West is flat and straight with clear visibility. His cruise control remained engaged until impact. There was no braking input prior to impact.
- He traveled over a half mile during this time with clear visibility of the travel lanes all while failing to observe the conditions of the roadway ahead.
- Driver of the CMV made no effort to avoid a collision with the 2 stopped vehicles, thus causing the death of both individuals operating the other vehicles.





FAST

TARPSTOP 877.999

TOM 8867
TRAILER

Reitnauer
READING, PA

Hand-drawn white chalk markings on the asphalt, including a circle and several arrows pointing towards a small orange marker.







Research Report RSF-56

April 2020

Commercial Driver's License Prosecution, Adjudication, and Data Transmission

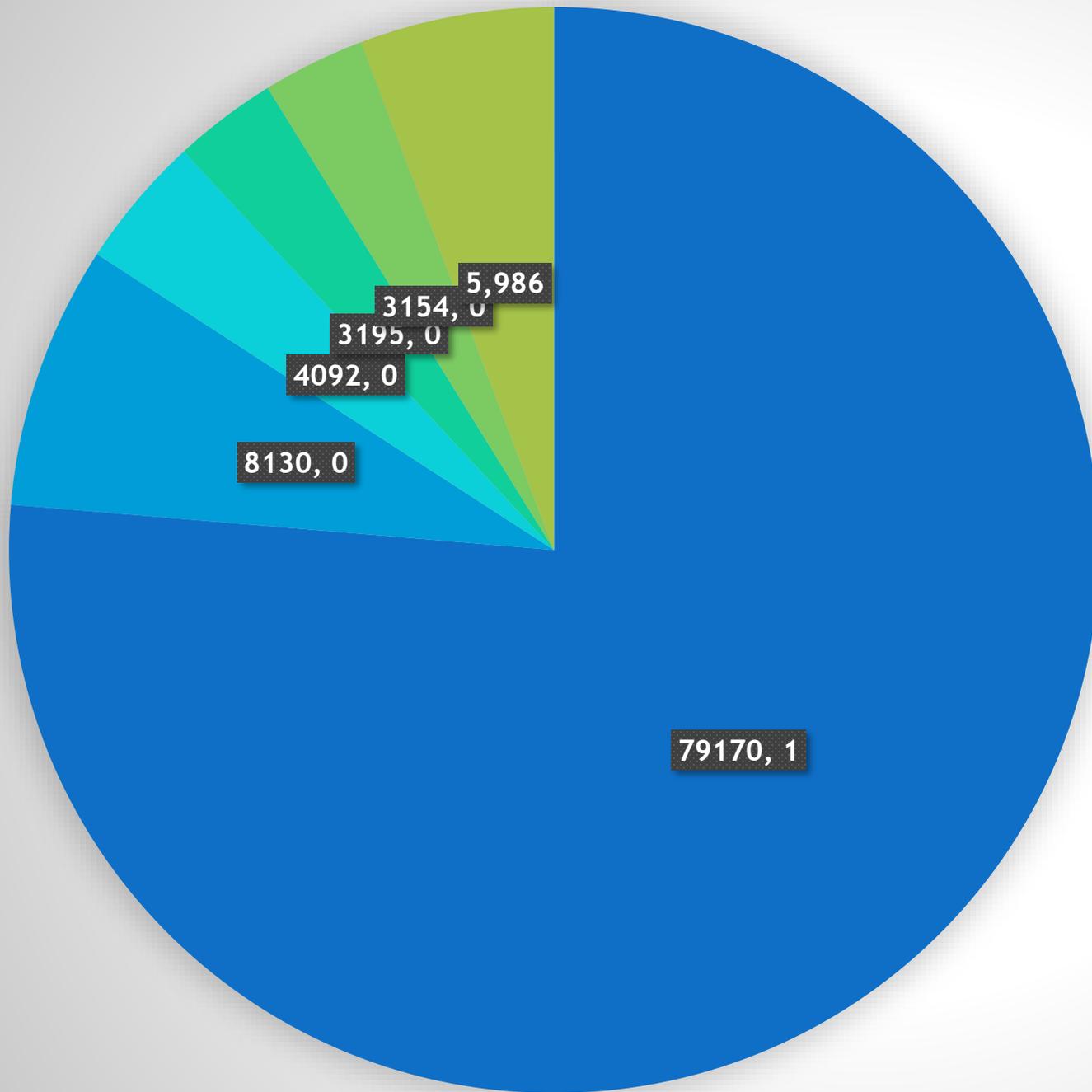
- Jeeyen Koo, M.S. Research Associate
- Andrew Martin, Ph.D. Research Scientist
- Brian Howell, P.E. Research Engineer
- Jennifer Walton, P.E. Program Manager

• Kentucky Transportation Center
College of Engineering
University of Kentucky
Lexington, Kentucky

In Cooperation With:

The Kentucky Transportation Cabinet
Commonwealth of Kentucky

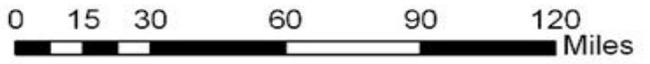
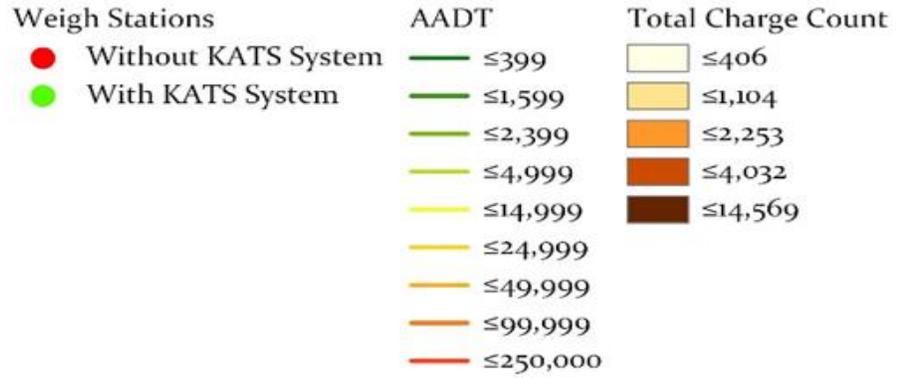
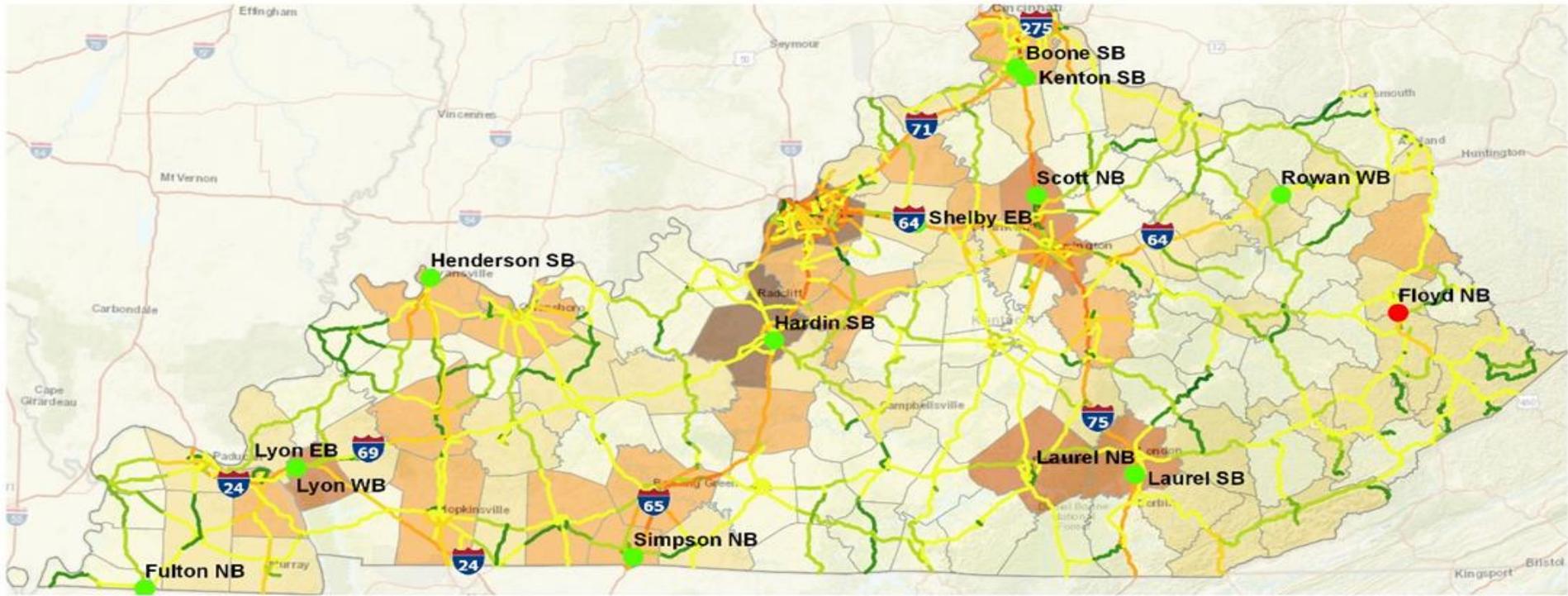
Category	2002	2003	2004	2005	2006	2007	2008	2009
Speeding	2,371	2,152	3,357	4,922	6,313	11,881	10,100	8,929
Failure to obey	249	229	225	254	343	561	820	770
Miscellaneous maneuvers	639	211	17	24	36	87	111	196
Passing	4	5	8	13	36	123	244	214
Reckless, careless, negligent driving	23	27	40	83	175	273	274	297
Others	190	169	233	274	356	756	655	495
Total	3,476	2,793	3,880	5,570	7,259	13,681	12,204	10,901
	2010	2011	2012	2013	2014	2015	2016	Total
Speeding	7,028	5,876	5,618	3,948	2,984	2,297	1,394	79,170
Failure to obey	697	641	1151	700	566	478	446	8,130
Miscellaneous maneuvers	499	468	437	425	407	244	291	4,092
Passing	203	132	153	344	376	620	720	3,195
Reckless, careless, negligent driving	335	347	319	274	264	260	163	3,154
Others	354	387	488	588	261	462	318	5,986
Total	9,116	7,851	8,166	6,279	4,858	4,361	3,332	103,727



- Speeding
- Failure to obey
- Miscellaneous maneuvers
- Passing
- Reckless, careless, negligent driving
- Others

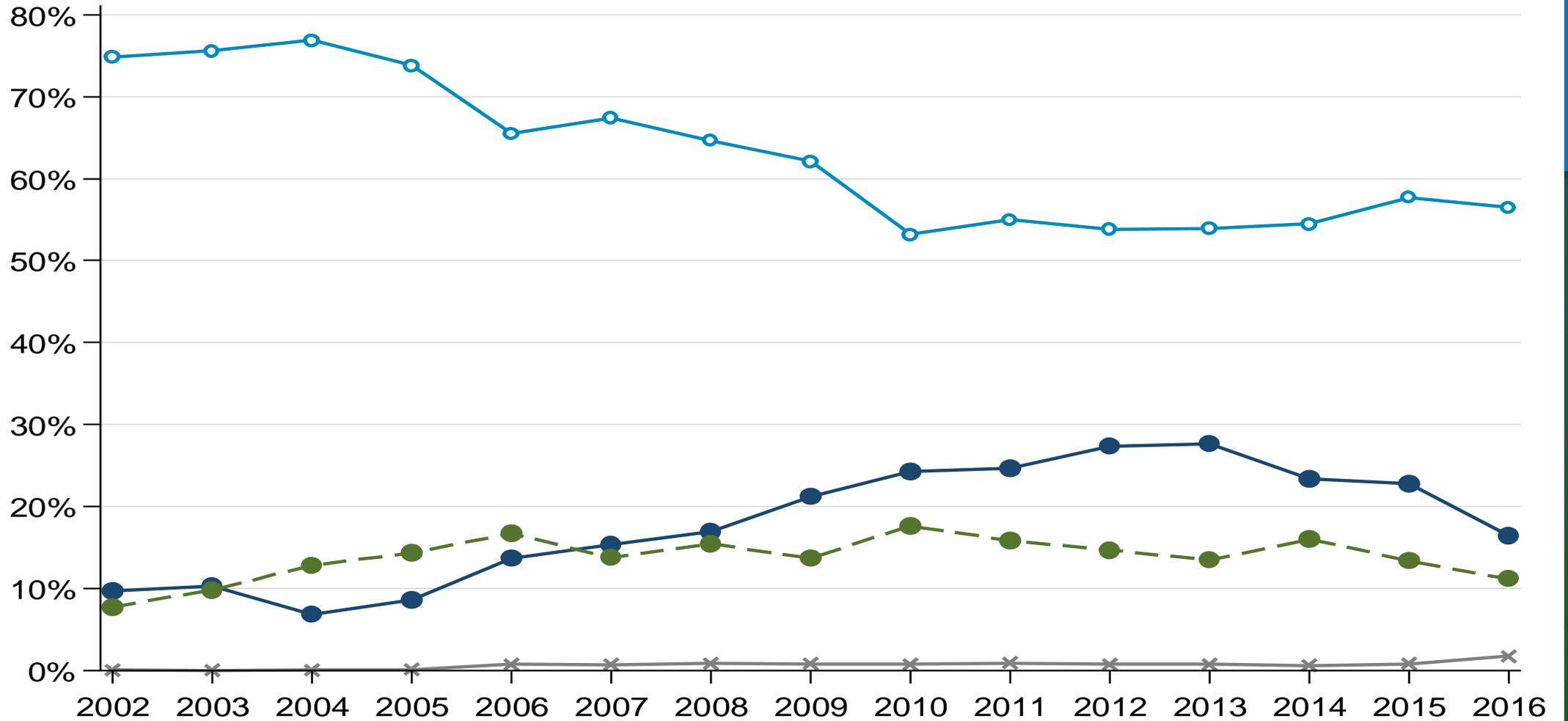
Category	2002	2003	2004	2005	2006	2007	2008	2009
Speeding	2,371	2,152	3,357	4,922	6,313	11,881	10,100	8,929
Failure to obey	249	229	225	254	343	561	820	770
Miscellaneous maneuvers	639	211	17	24	36	87	111	196
Passing	4	5	8	13	36	123	244	214
Reckless, careless, negligent driving	23	27	40	83	175	273	274	297
Others	190	169	233	274	356	756	655	495
Total	3,476	2,793	3,880	5,570	7,259	13,681	12,204	10,901
	2010	2011	2012	2013	2014	2015	2016	Total
Speeding	7,028	5,876	5,618	3,948	2,984	2,297	1,394	79,170
Failure to obey	697	641	1151	700	566	478	446	8,130
Miscellaneous maneuvers	499	468	437	425	407	244	291	4,092
Passing	203	132	153	344	376	620	720	3,195
Reckless, careless, negligent driving	335	347	319	274	264	260	163	3,154
Others	354	387	488	588	261	462	318	5,986
Total	9,116	7,851	8,166	6,279	4,858	4,361	3,332	103,727

Offense Totals for Commercial Vehicle Violations by County (2002-2016)

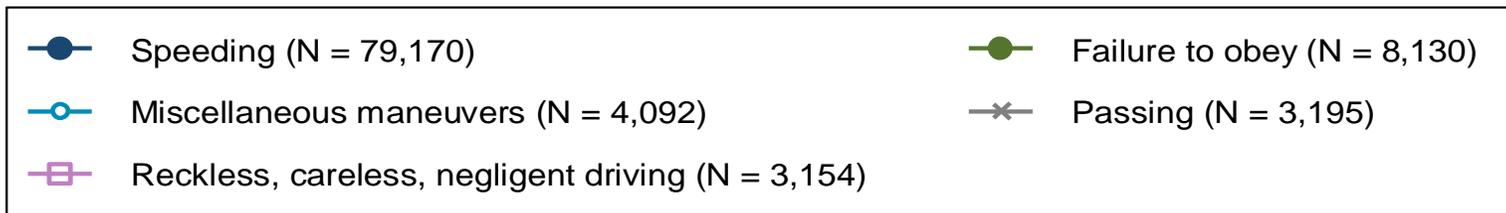
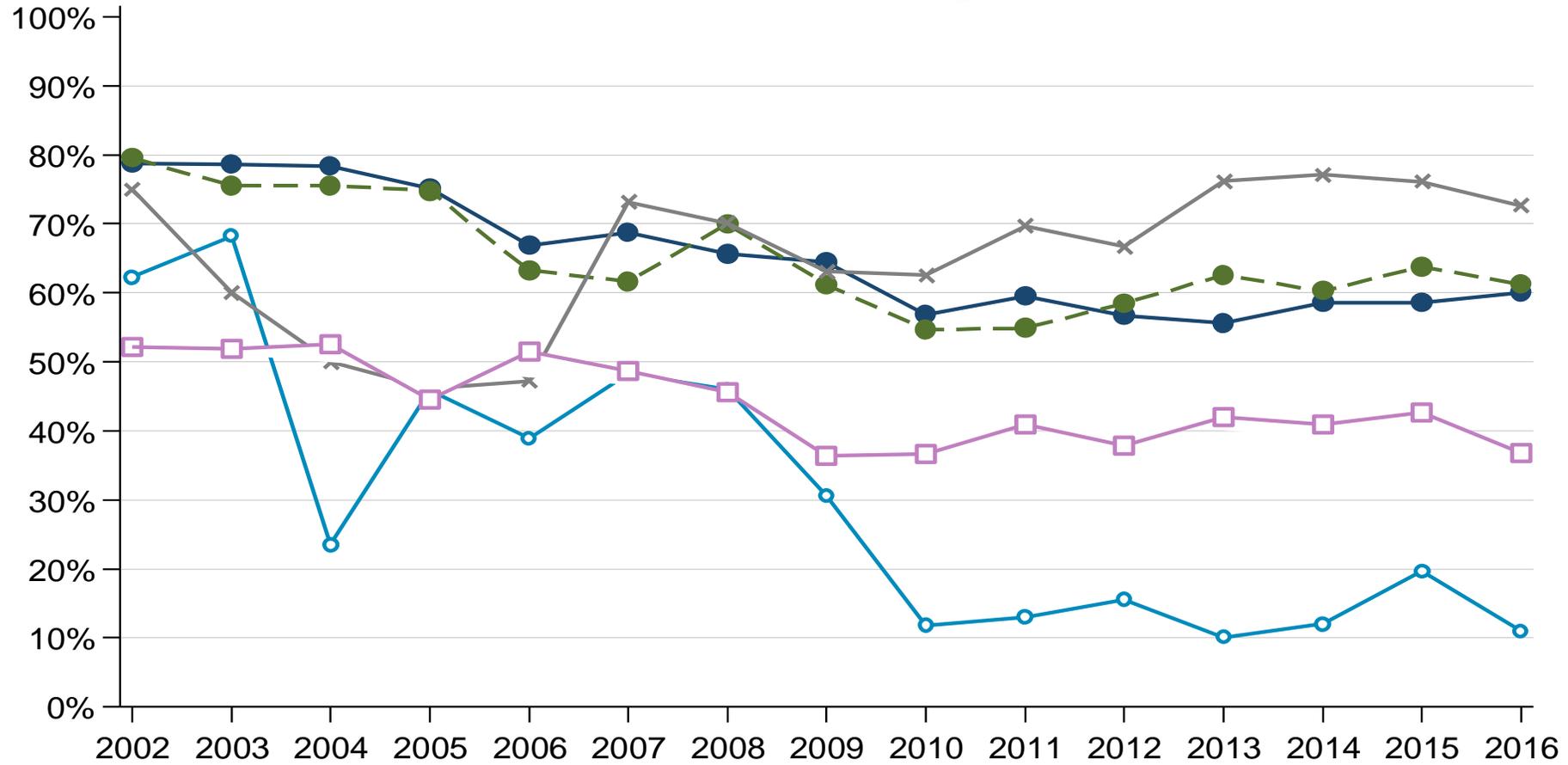


Conviction/Dismissal/Amend Rates (2002-2016)

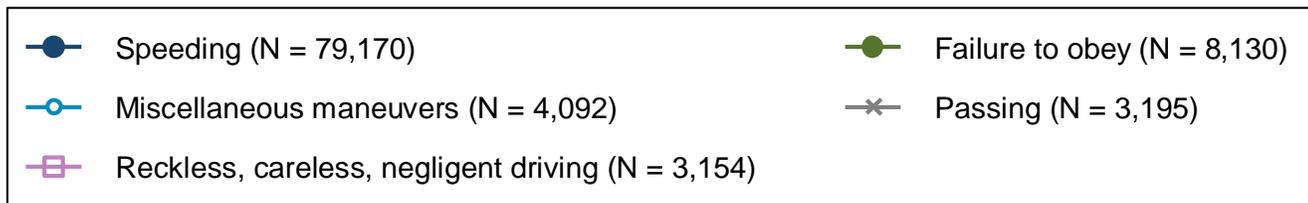
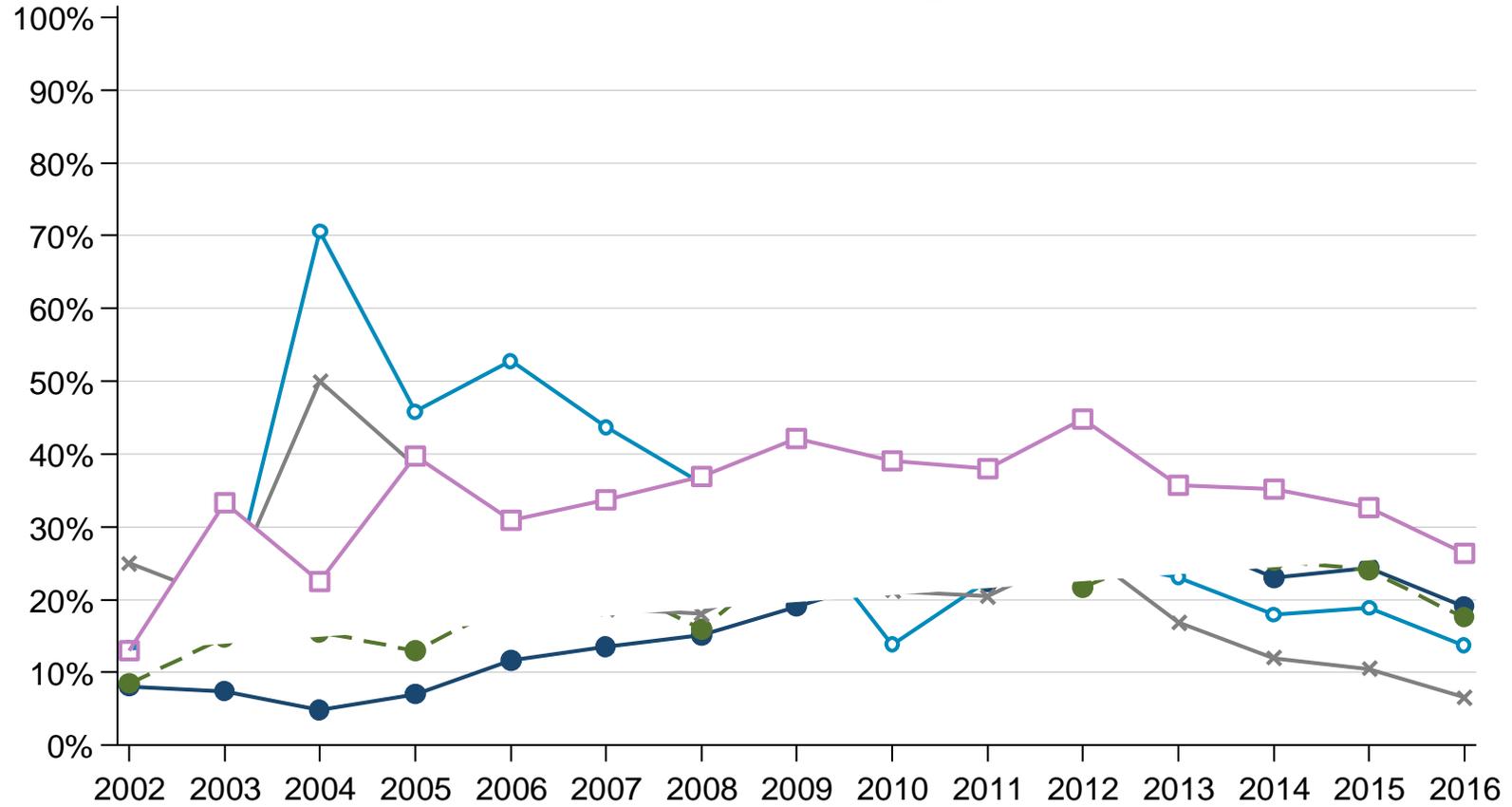
Rate



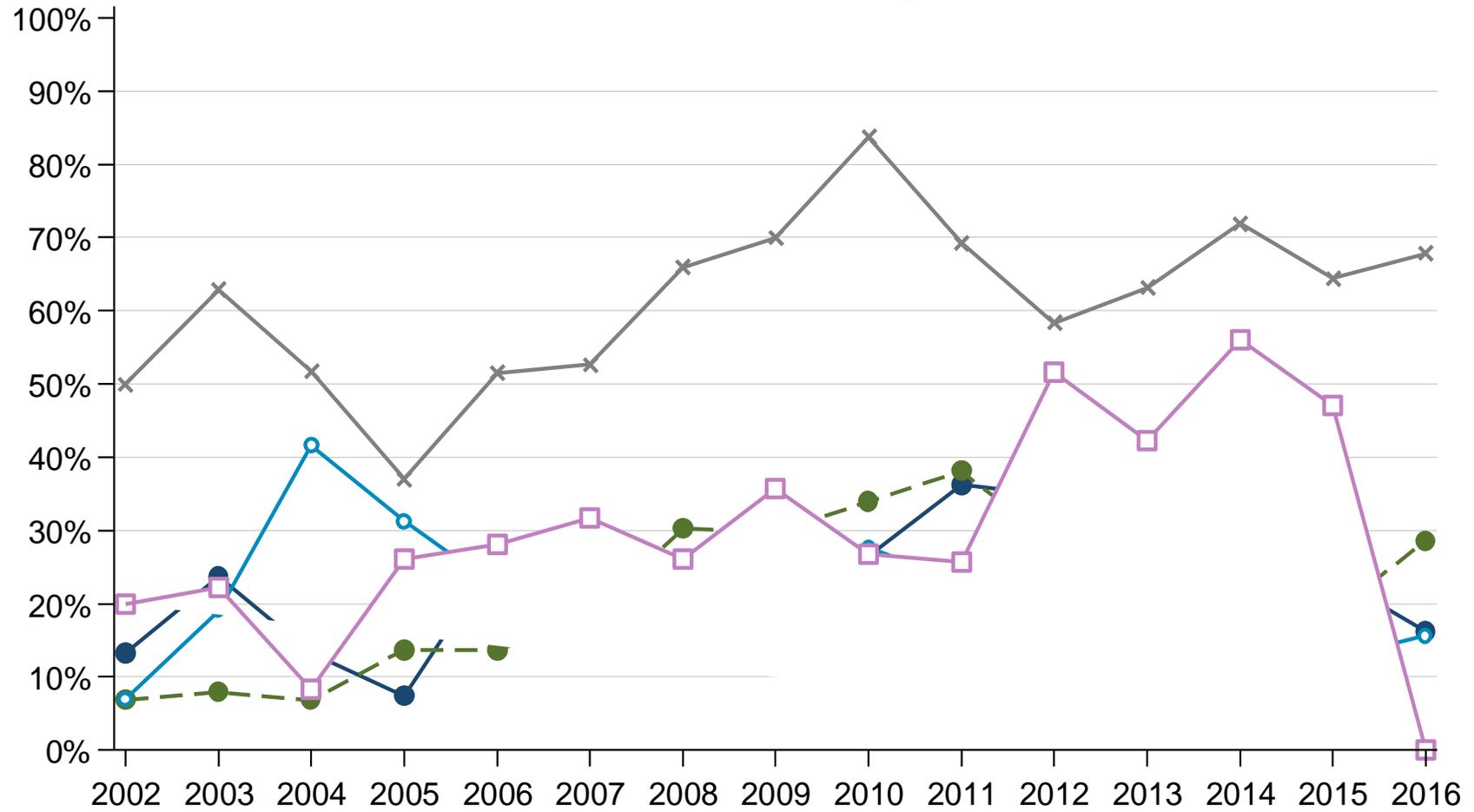
Convicted Charges



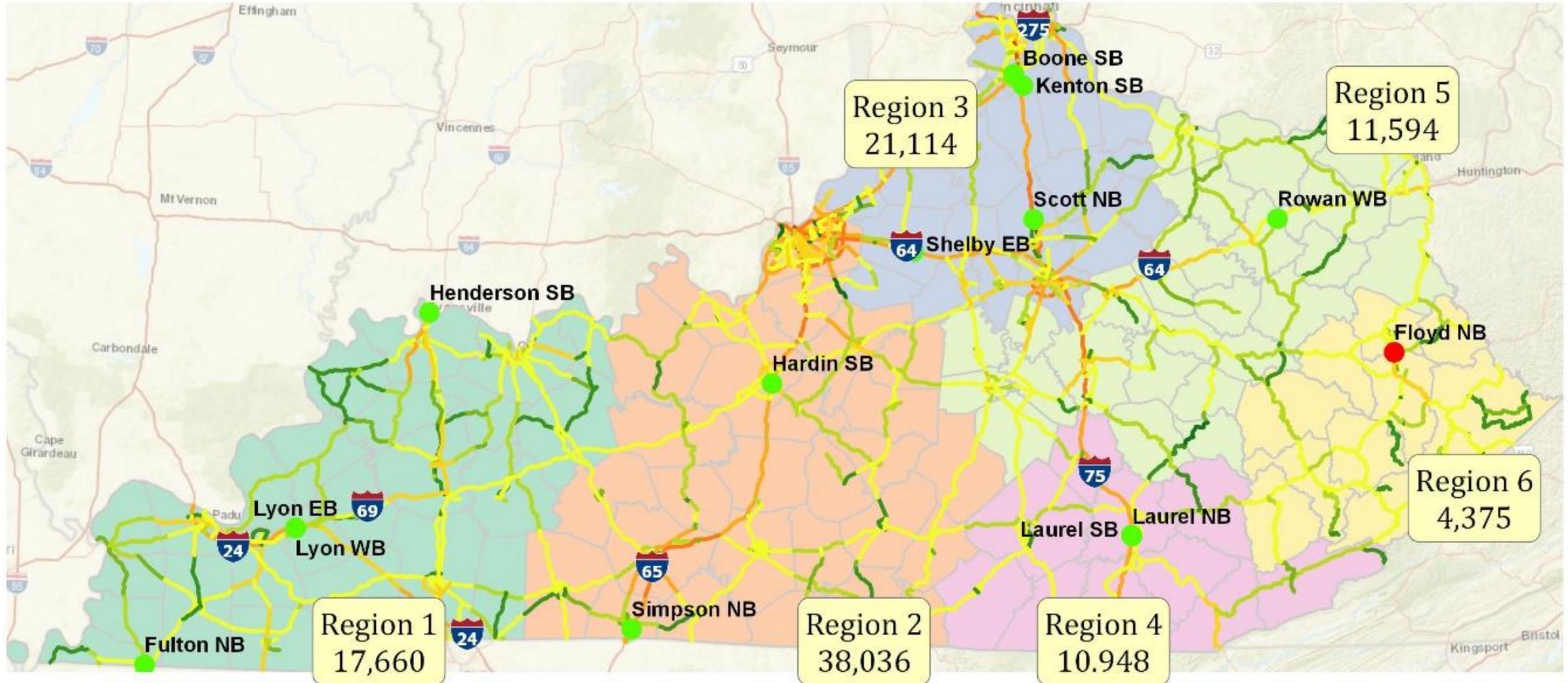
Dismissed Charges



Dismissed Charges



Offense Totals for Commercial Vehicle Violations by KSP Region (2002-2016)



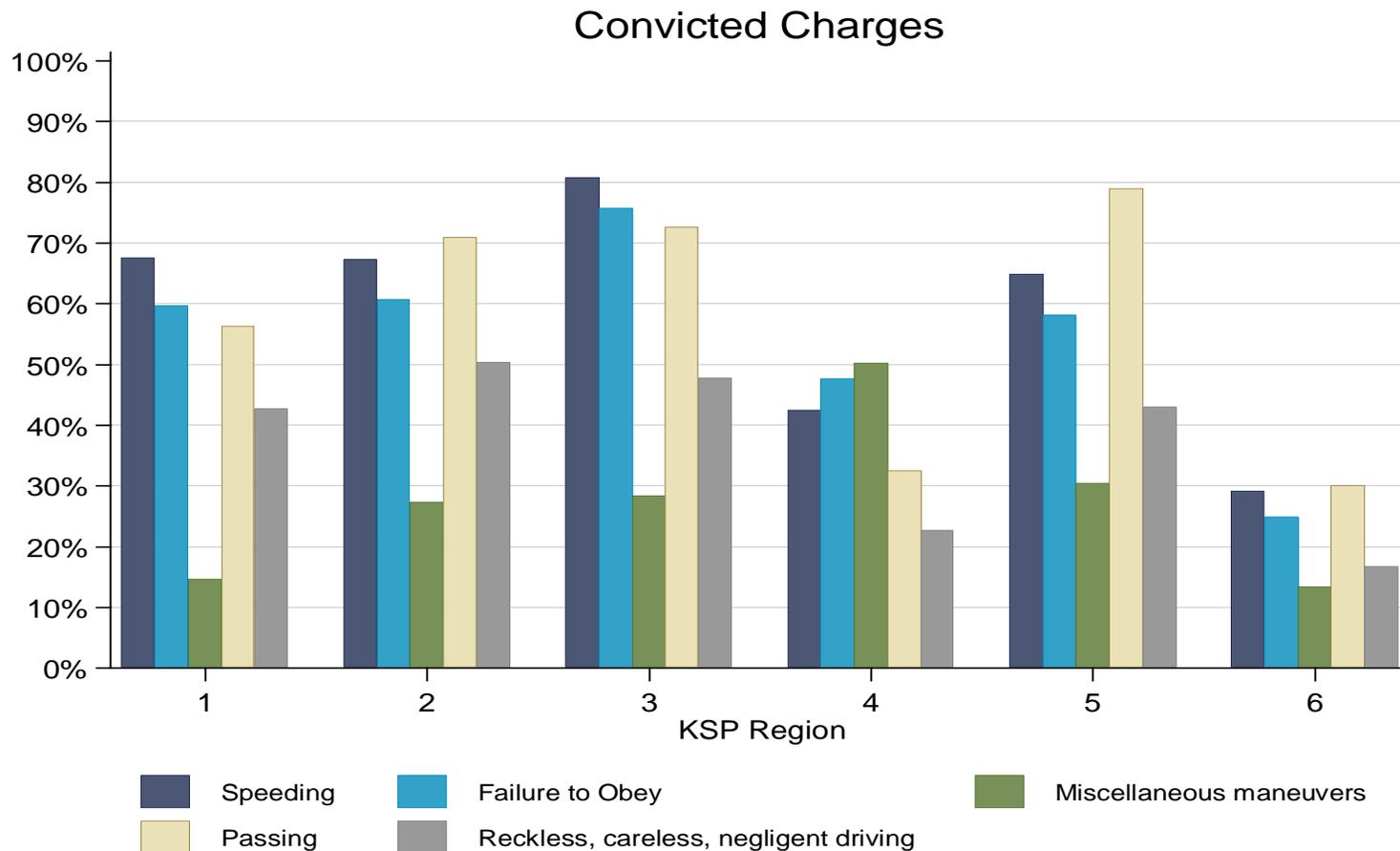
Weigh Stations

AADT

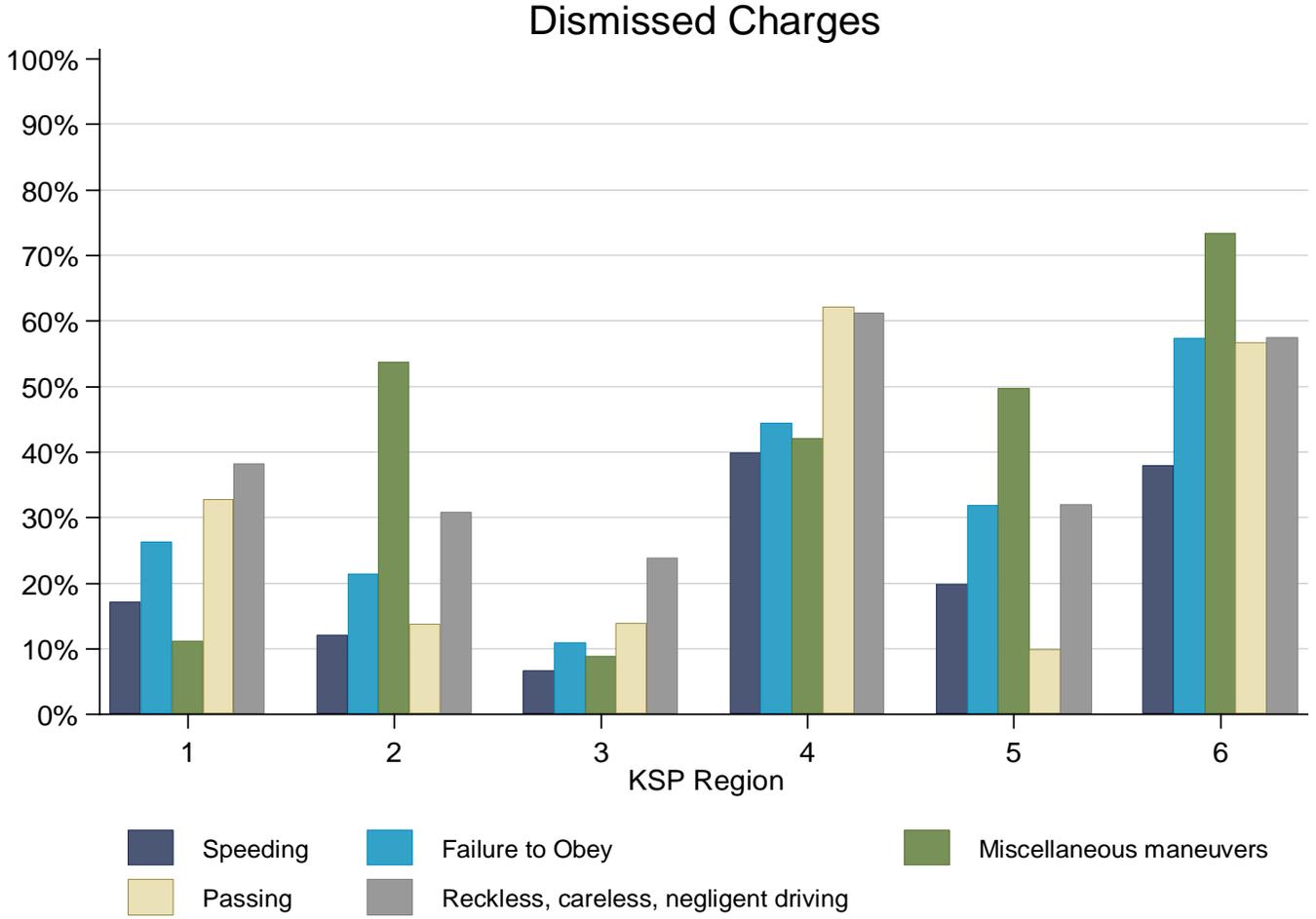
KSP Region	Conviction Rate	Dismissal Rate	Amend Rate	Diversion Rate	Other
1	61.84 %	18.83 %	13.98 %	0.44 %	4.92 %
2	65.39 %	14.68 %	16.86 %	0.16 %	2.92 %
3	73.01 %	8.96 %	11.86 %	0.03 %	6.14 %
4	42.40 %	41.27 %	13.62 %	0.06 %	2.65 %
5	63.32 %	21.29 %	11.00 %	0.38 %	4.02 %
6	27.36 %	41.74 %	17.53 %	11.50 %	1.87 %

Composition of Dispositions by KSP Region

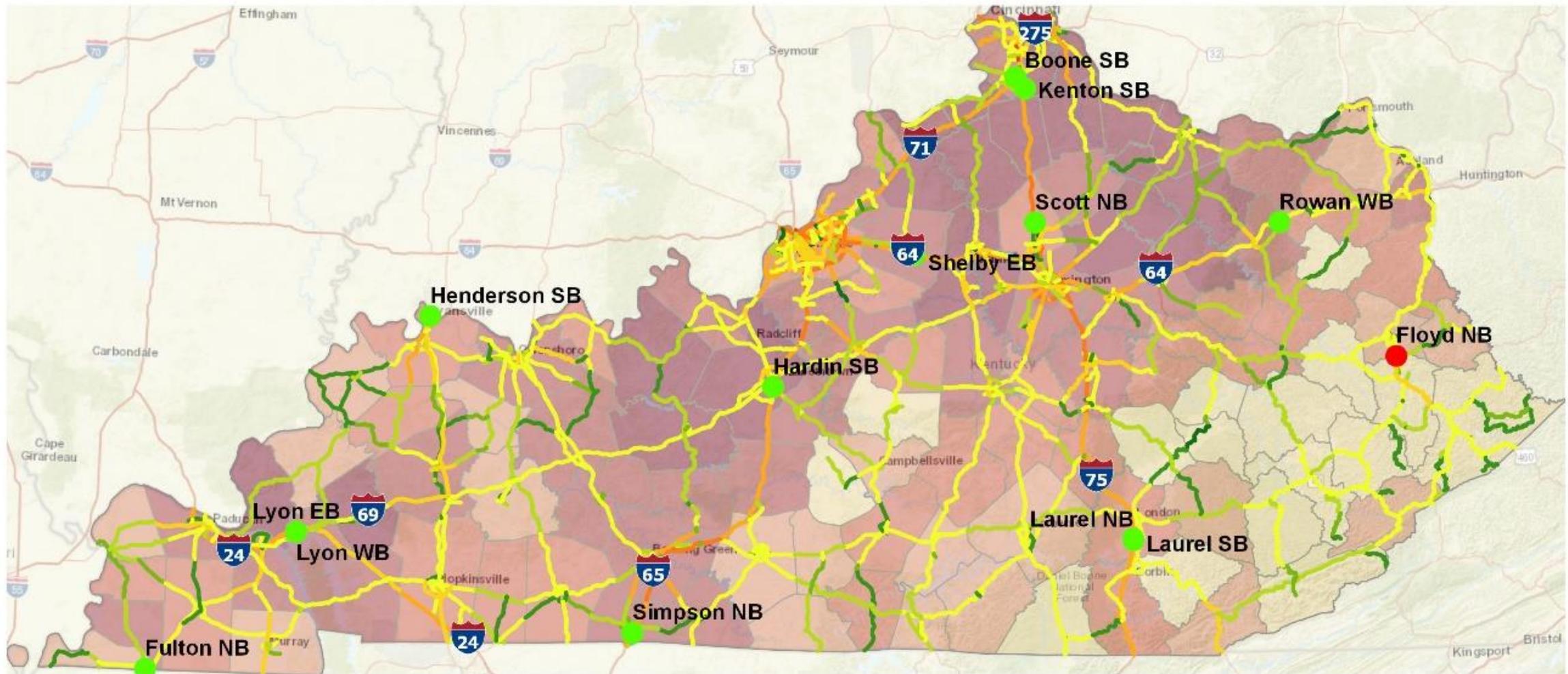
Conviction Rates by KSP Region



Dismissal Rates by KSP Region



Conviction Rates for All Commercial Vehicle Offenses by County (2002-2016)

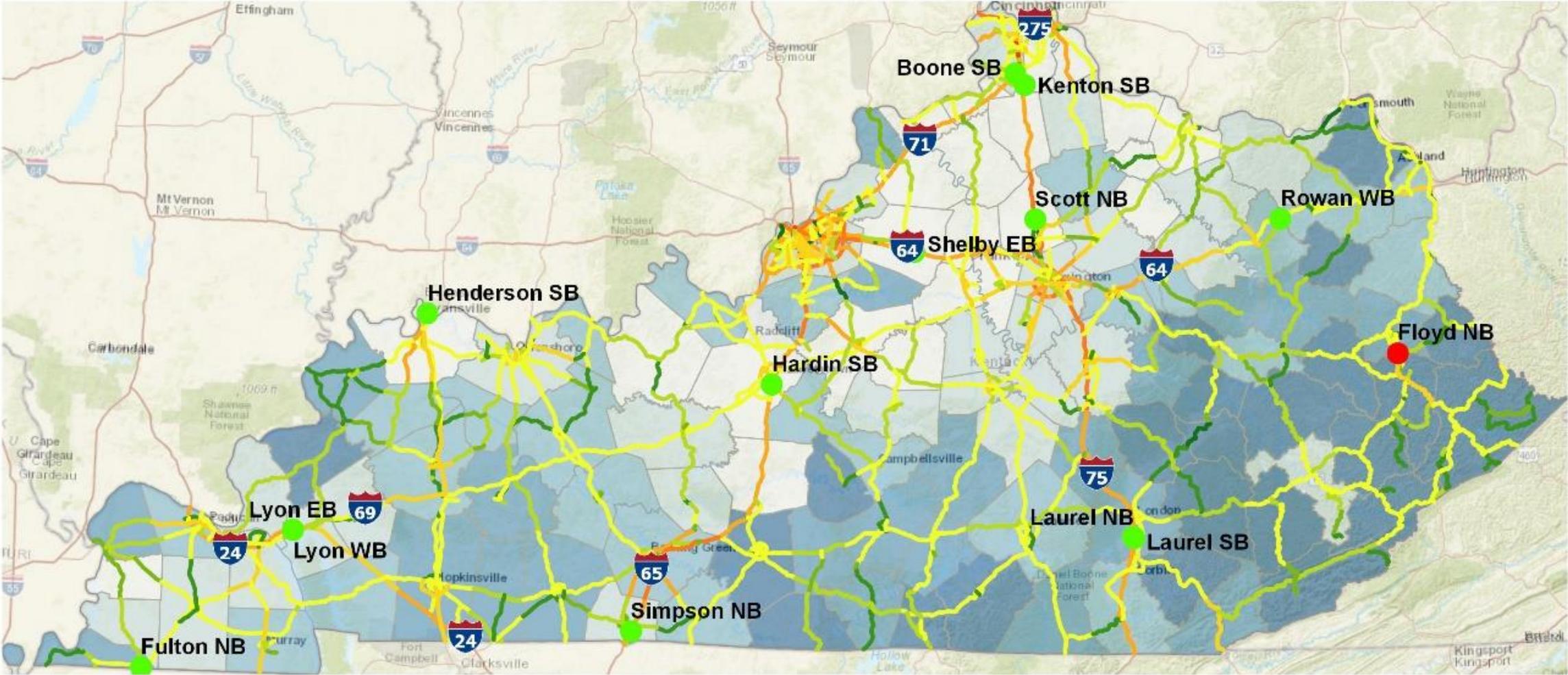


Weigh Stations

AADT

Conviction Rate

Dismissal Rates for All Commercial Vehicle Offenses by County (2002-2016)



Weigh Stations

AADT

Dismissal Rate

Kentucky CDL Advisory Committee

- Chaired by the State CDL Program Coordinator, Judy Wolf.
- The Kentucky Transportation Center (KTC) is based at the University of Kentucky and serves as the research program for the Transportation Cabinet.
- KTC sought and received a Commercial Driver's License Program Implementation Grant (CDLPI) grant from the FMCSA.
- KTC has assisted the Division of Driver's Licensing (DDL) and the Kentucky State Police (KSP) with previous CDLPI grants.
- KTC received a CDLPI grant to establish the CDL Advisory Board and a Judicial Outreach Project.

Objectives of the CDL Advisory Committee

1. Assemble a team of CDL stakeholders;
2. Hold regular stakeholder meetings to discuss emerging issues and long-term challenges for CDL compliance;
3. Assist stakeholders with CDLPI grant preparation and administration;
4. Assist with data quality monitoring and performance measures;
5. Plan and facilitate a strategic planning session.



Highway Funds Could be at Stake

States must have a plan to maintain compliance with 49 Code of Federal Regulations 384.

States face a 4% reduction in federal highway funds if it fails to maintain substantial compliance with the federal regulations.

The regulations require states to ensure a single license requirement and maintain timely, accurate, and compliant records for CDLs issued by Kentucky in the Commercial Driver's License Information System (CDLIS).

States must also enforce the penalties mandated by FMCSA for certain convictions.

Emerging Areas of Concern

- FMCSA has mandated entry-level driver training, which requires drivers to receive formal training before taking the CDL knowledge and skills test. FMCSA expects the state program to be implemented by February 2022.
- FMCSA has a Drug and Alcohol Clearinghouse that is a database that lets FMCSA, motor carriers, SDLAs, and law enforcement agencies identify drivers that have not completed drug and alcohol program requirements before returning to work. The implementation date for this emerging issue is January 2023.

CDL Related Technology



- Kentucky has purchased tablets for all the examiners, including maintenance and licensing fees for the mCDL system. This system streamlines the CDL skills testing process by replacing the old paper scoring system.
- The new system allows the scores to be easily uploaded to the Commercial Skills Test Information System (CSTIMS) software and manually entered into the driver history record in the Kentucky Drivers License System (KDLIS).
- The new system reduces human error by automatically tallying the scores and eliminates the need to store so much paperwork.

CDL Outreach Project

- The Advisory Committee will develop training presentations for various stakeholders about important CDL regulations and the steps necessary to keep the state in compliance.
- The Kentucky Judicial Outreach Liaison will help develop the judicial training and will coordinate with the District Judges Education Committee to seek approval for the training and get it on the schedule.
- The Kentucky TSRPs will also take part in developing the training curriculum and will coordinate with the Prosecutor's Advisory Council Training staff and the County Attorney's Association to get the training on the schedule for prosecutors.



Additional Parts of the Plan

Kentucky has reached out to the leaders at the National Traffic Law Center for help developing a plan to solve Kentucky's issues.

Kentucky has applied for a new grant to implement a pilot project that will have two court systems develop and implement a "best practices protocol" and track the improvements in the conviction and dismissal rates in the pilot counties.

Once the best practices protocol has been tested and proven in the pilot project counties, it will be rolled out to the rest of the state with additional training on the benefits of the program.

Additional Parts of the Plan

- The Kentucky TSRPs and the KSP Commercial Vehicle Enforcement Division are assisting the NTLC in developing a new national training with video scenarios that will be created and released later this year by the NTLC. This training will be the foundation for the new training featured at prosecutor conferences in Kentucky.

Questions?



Join the Kentucky Traffic Law Forum
Send an e-mail from your agency email
to: KyTrafficSafety.com

AARON ANN COLE

Traffic Safety Resource Prosecutor

Kentucky State Police

AaronAnn.Cole@ky.gov

502-782-2199

TOM LOCKRIDGE

Traffic Safety Resource Prosecutor

Unified Prosecutorial System

Tlockridge@prosecutors.ky.gov

502-696-5437