

Driving While Impaired



NewMexico 2004



New Mexico DEPARTMENT OF
TRANSPORTATION
MOBILITY FOR EVERYONE

**Message from Rachel O'Connor
State DWI Czar
Office of the Governor**



Impaired driving is a critical problem in New Mexico. The concerted efforts of law enforcement, community leaders, state officials and community organizations are striving to change social norms and initiating changes in the enforcement, judicial and social environments. New Mexico has made progress in reducing alcohol related fatal crashes, but the state still exceeds the national average in fatalities.

Governor Richardson has made an unprecedented commitment to work with federal and state transportation officials, law enforcement, community advocates, media and the general public to reduce death and injury due to DWI in New Mexico. Together with the Legislature, the Governor has worked to mandate increased penalties for DWI as well as a fourth degree felony for providing alcohol to a minor. Ignition Interlocks are now mandatory for all convicted DWI offenders as is community service. New initiatives include increasing the number of Super Blitzes, the development of a toll free “Drunkbusters” hotline to report DWI, and the founding of a Mobile Strike Unit to crackdown on establishments that are serving minors and persons who are intoxicated. Over the past year, new dollars were also made available to partner with Mothers Against Drunk Drivers (MADD) to deliver the Protecting You Protecting Me (PYPM) curriculum to students in grades 1-5 in elementary schools throughout New Mexico. We have only just begun

The State’s Comprehensive Impaired Driving Plan serves as the driving force for the Governor’s DWI initiatives. Our partners at the federal level—the National Highway Traffic Safety Administration—offer assistance in implementing the Governor’s Highway Safety Plan. The Traffic Safety Bureau of the New Mexico Department of Transportation administers state and federal funds to provide for full-time DWI Officers in counties with the highest DWI crash fatality rates, increased enforcement and a statewide public awareness campaign. Together we can all work to make our roads safer for all New Mexicans.

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The University of New Mexico, Division of Government Research, produces this “Driving While Impaired” 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 McKinley County Sherriff's new DWI Units feature three DWI bats painted on each side. The backdrop is the Red Rock State Park in Gallup, New Mexico. Photo by Deputy Everett Howe, Gallup, NM.

DWI in New Mexico

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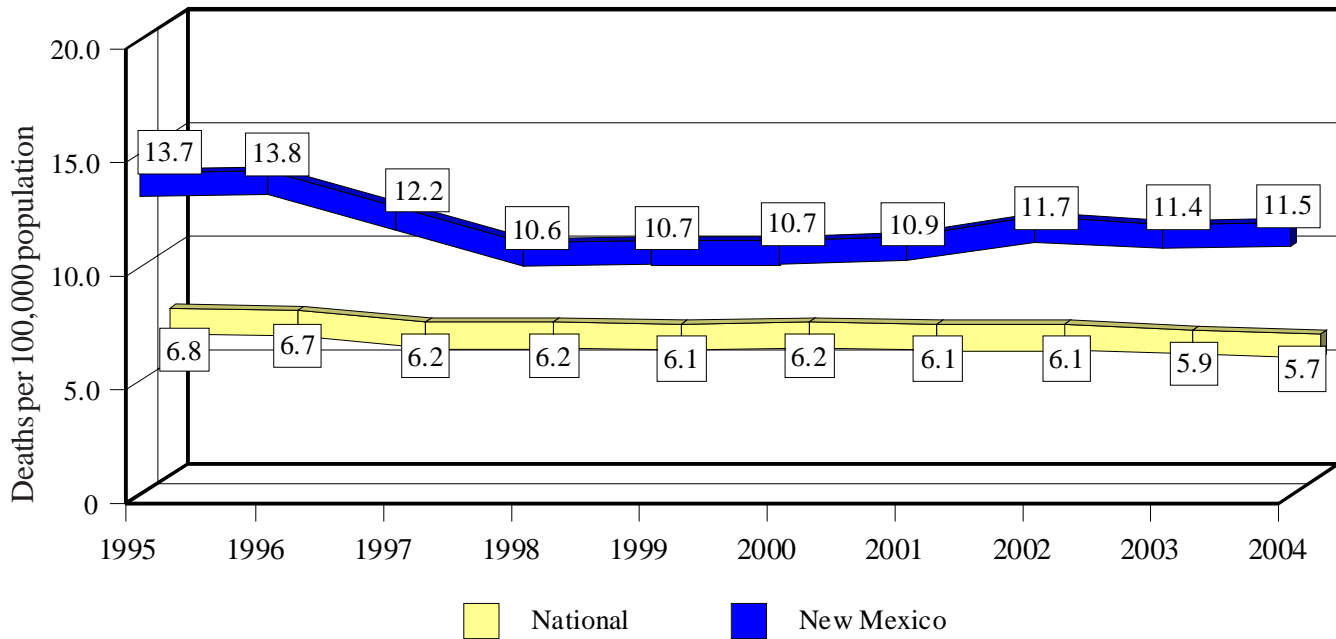
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Per Capita Costs of Crashes Map	Back Cover

The Traffic Safety Bureau of the New Mexico Department of Transportation (NMDOT) develops programs to address traffic issues in the state. The mission of the Bureau 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 Bureau works in partnership with New Mexico law enforcement agencies statewide to enforce traffic safety laws.

Note: 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 Fatality Rates, 1995-2004



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

Contributing Factors in Fatal Crashes, 2004

Contributing Factor	Count	Percent	Percent of Involvements
Driver inattention	207	28.6	28.6
Excessive speed	193	26.6	26.6
Alcohol involved	186	25.7	25.7
Other	154	21.2	21.2
Other improper driving	87	12.0	12.0
Drove left of center	80	11.0	11.0
Failure to yield	38	5.2	5.2
Disregard traffic control	29	4.0	4.0
Improper overtaking	17	2.3	2.3
Mechanical defects	13	1.8	1.8
Improper turn	12	1.7	1.7
Follow too close	9	1.2	1.2
Total	725		100.0

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.

Victims of Alcohol-involved Crashes, 2004

County	People in Crashes			Impact (in dollars) ²		2004 Population ³
	Total	Sober ¹	Under 18	Total (000)	Per capita	
Bernalillo	2,728	1,202	713	208,873	352	593,765
Catron	10	3	5	1,680	488	3,440
Chaves	224	87	48	31,098	505	61,635
Cibola	117	38	22	23,438	851	27,549
Colfax	32	8	8	7,190	520	13,831
Curry	82	25	18	8,755	192	45,662
De Baca	7	0	3	1,850	909	2,035
Doña Ana	651	214	105	84,723	455	186,095
Eddy	135	49	26	18,247	353	51,688
Grant	52	7	7	10,761	365	29,443
Guadalupe	19	8	2	4,449	982	4,530
Harding	0	0	0	0	0	774
Hidalgo	3	1	0	1,300	251	5,186
Lea	150	39	37	23,577	419	56,231
Lincoln	72	25	15	11,682	564	20,727
Los Alamos	29	8	12	2,772	147	18,796
Luna	71	27	10	14,100	540	26,129
McKinley	554	190	138	94,431	1,304	72,425
Mora	30	6	7	6,869	1,318	5,212
Otero	90	19	14	20,492	324	63,282
Quay	16	2	1	4,220	445	9,483
Rio Arriba	227	84	52	46,568	1,144	40,710
Roosevelt	64	19	16	9,782	539	18,165
Sandoval	387	153	98	50,653	496	102,120
San Juan	614	249	133	81,178	654	124,166
San Miguel	134	29	27	30,551	1,035	29,514
Santa Fe	865	365	163	107,296	774	138,705
Sierra	28	3	4	7,120	549	12,961
Socorro	79	21	17	14,911	820	18,177
Taos	102	37	25	15,672	498	31,464
Torrance	11	3	0	3,310	196	16,864
Union	3	0	0	1,680	439	3,827
Valencia	190	70	36	31,892	464	68,698
Total	7,776	2,991	1,762	981,121	515	1,903,289

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 Federal Highway Administration estimation formulae (*The Costs of Highway Crashes*, FHWA-RD-91-055, Federal Highway Administration, 1991). The figures are based on 1988 dollars, adjusted for inflation to 2004 dollars. **These are estimates, not actual dollar amounts.** Included are direct costs such as lost wages and medical expenses, and indirect "willingness to pay" estimates of lost quality of life.
- 3 Population estimates are for July 2005 and are from the Census Bureau.

DWI Penalties in New Mexico*

Offense	Administrative License Revocation
Implied Consent Violation (Driving with BAC over legal limit or refusal to take BAC test)	Age under 21 and BAC at least .02: 6 months for first offense Age 21 or older and BAC at least .08: 90 days for first offense CDL at least .04: 90 days for first offense Limited license for first offense after 30-day revocation §66-5-35B ¹ Refusal: 1 year (no limited license) Any subsequent offense: 1 year Ignition interlock license available ²

Note 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. First offenders who did not refuse the BAC test may obtain limited licenses after a 30-day revocation.

Criminal Sanctions (Basic Sentence)					Aggravated ³
DWI Offense	Jail ⁴	Fines/Fees/Costs ⁵	License Revocation	Other	If convicted of ADWI
1st Misdemeanor §66-8-102E	Maximum: 90 days ⁴ Mandatory: 48 hours if offender fails to comply with sentence	Maximum: \$500 §66-8-102E License Fee: \$100 §66-5-33.1 Crime Lab Fee: \$65 §31-12-7A Community Fee: \$75 §31-12-7B DWI School: up to \$150 Alcohol Screening: \$100-\$200 Limited license: \$45 Interlock license fee: \$45 Interlock costs: \$960+/yr. Corrections fee: \$20	1 year (Unless DWI school is completed) §66-5-29A(2) Limited license available ¹ §66-5-35A Interlock license available ² §66-5-503	Mandatory: screening ⁶ DWI school §66-8-102E,K If ordered by court: 48 hours community service, treatment ⁶ §66-8-102E,K Interlock §66-8-102O Up to 1 yr probation	Mandatory: additional 48 hours jail §66-8-102D,E Interlock §66-8-102N
2nd Misdemeanor §66-8-102F	Mandatory: 96 hours Maximum: 364 days ⁴ Mandatory: 7 days if offender fails to comply with sentence	Maximum: \$1,000 §66-8-102F Mandatory: \$500 §66-8-102F(1) Fees and costs are the same as for first offense	1 year §66-5-29A(3) Interlock license available ² §66-5-503 No limited license §66-5-35B ¹	Mandatory: 48 hours community service, ignition interlock, screening ⁶ , treatment §66-8-102F(1),L,K,P If ordered by court: up to 5 years probation §66-8-102F	Mandatory: additional 96 hours jail, §66-8-102D, ignition interlock §66-8-102P
3rd Misdemeanor §66-8-102F	Mandatory: 30 days Maximum: 364 days ⁴ Mandatory: 60 days if offender fails to comply with sentence	Maximum: \$1,000 §66-8-102F Mandatory: \$750 §66-8-102F(1) Fees and costs are the same as for first offense	10 years if offender is convicted of DWI 3 times within any 10 year period. §65-5-5D Otherwise: 1 year. No limited license §66-5-35B ¹ Interlock license available ² §66-5-503	Mandatory: screening ⁶ treatment, ignition interlock §66-8-102L,K,P If ordered by court: probation, §66-8-102F In Albuquerque, Las Cruces, & Doña Ana & Torrance Counties vehicle forfeiture in civil action	Mandatory: additional 60 days jail §66-8-102D Ignition interlock §66-8-102P

* All section numbers (§...) refer to New Mexico Statutes Annotated, 1978

Criminal Sanctions (Basic Sentence) - continued				
DWI Offense	Jail⁴	License Fines/Fees/Costs⁵	Revocation	Other
4th or 5th 4th Degree Felony §66-8-102G	Mandatory: 6 mon (4th) 1 year for 5th §66-8-102G Maximum: 18 months (4th) ⁴ 2 years (5th) ⁴ §31-18-15G,H	Maximum: \$5,000 §31-18-15E(5) Fees and costs are the same as for first offense	Same as for third offense	Mandatory: treatment, screening ⁶ , ignition interlock §66-8-102K,M,P vehicle forfeiture in civil action as for 3rd
6th or subsequent 3rd Degree Felony §66-8-102L,J	Mandatory: 18mon (6th) 2 years for 7th+ §66-8-102L,J Maximum: 30 months (6th) ⁴ 3 years (7th+) ⁴ §66-8-102L,J	Maximum: \$5,000 §31-18-15E(5) Fees and costs are the same as for first offense	Same as for third offense	Mandatory: treatment, screening ⁶ , ignition interlock §66-8-102K,H,M,P vehicle forfeiture in civil action as for 3rd
Vehicular Homicide 3rd Degree Felony §66-8-101	Maximum: 6 years per offense ² §31-18-15A(4)	Maximum: \$5,000 §31-18-15E(4)	Depends on number of prior DWI offenses No Interlock license available	4 years extra jail time added for each prior DWI conviction in the past 10 years. §66-8-101D, including tribal convictions, §66-8-101E(2)
Driving While Revoked for DWI Misdemeanor §66-5-39	Mandatory: 7 days §66-5-39A Maximum: 364 days ⁴ §66-5-39A	Mandatory: \$300 §66-5-39A Maximum: \$1,000 §66-5-39A	1 year §66-5-39C	30 days immobilization of vehicle driven by offender. §66-5-39B vehicle forfeiture in civil action as for 3rd

Notes on DWI Penalties

- 1 **Limited license:** A limited license is restricted to driving to or from work or school or to attend court-ordered treatment and is available only to first offenders who took the breath or blood alcohol test.
- 2 **Interlock license:** An ignition interlock license is available to anyone who is revoked for a DWI except for those who have killed someone while driving impaired. The penalty for driving without an interlock is the same as driving while revoked. The interlock license requires drivers to install interlocks on all cars they drive. Application for either of these licenses are available at <http://ipl.unm.edu/traf/pubs/mvd10792.pdf> or from the the Motor Vehicle Division.
- 3 Aggravated DWI is a conviction for DWI when the offender: (a) drove with a BAC (Blood Alcohol Concentration) of .16 or higher, (b) caused a person bodily injury while DWI, **or** (c) refused a BAC test when arrested.
- 4 Mandatory jail time must be served consecutively.
- 5 Fines and Fees do not include increased insurance costs, treatment, lost wages, towing and storage, court costs and attorney fees.
- 6 The judge *shall* sentence the offender to alcohol screening; the court will approve screening programs; the court does not have to order the offender to pay for it (§66-8-102K).
 ♦ A deferred sentence on a first offense *is considered* a first offense for the purposes of defining subsequent offenses (§66-8-102E).

Source: Institute of Public Law, UNM School of Law. Laws are available at IPL's website (<http://ipl.unm.edu/traf>).

Alcohol-involved Crashes and DWI Convictions by County, 2004

County	Crashes ¹				People Killed	People Injured	DWI Conv.	Rates ²		2004 Licensed Drivers
	Alcohol Fatal	% of all Fatal	Alcohol Injury	% of all Injury				Severe ³ Alcohol Crashes	DWI Conv.	
Bernalillo	30	39	501	7	32	777	2,736	1.3	6.7	409,603
Catron	0	0	2	7	0	8	19	0.6	6.0	3,171
Chaves	6	55	43	9	7	70	251	1.2	6.0	41,863
Cibola	5	36	25	16	5	40	293	1.9	18.3	15,973
Colfax	1	17	13	9	1	22	86	1.3	8.1	10,579
Curry	0	0	17	5	0	28	223	0.6	7.5	29,745
De Baca	1	100	1	3	1	3	6	1.2	3.5	1,697
Doña Ana	11	33	151	10	19	244	1,193	1.4	10.0	119,883
Eddy	1	14	32	9	1	54	257	0.9	7.0	36,640
Grant	4	57	11	6	4	19	154	0.7	6.9	22,225
Guadalupe	2	29	3	4	5	4	31	1.6	10.2	3,047
Harding	0	0	0	0	0	0	4	0	6.4	622
Hidalgo	0	0	0	0	0	0	23	0	6.4	3,595
Lea	6	55	32	7	7	59	302	1.0	7.8	38,514
Lincoln	0	0	17	9	0	28	132	1.0	8.0	16,493
Los Alamos	0	0	3	3	0	8	45	0.2	2.9	15,720
Luna	2	29	14	9	3	19	167	0.9	9.4	17,790
McKinley	26	57	94	18	33	174	951	3.2	25.4	37,453
Mora	2	50	5	16	6	10	41	1.9	11.3	3,622
Otero	1	8	25	6	1	35	306	0.7	7.9	38,500
Quay	0	0	6	7	0	11	80	0.8	10.8	7,381
Rio Arriba	14	58	52	20	18	99	403	2.2	13.6	29,692
Roosevelt	3	50	14	11	4	27	96	1.4	8.1	11,792
Sandoval	10	59	79	11	11	134	529	1.2	7.1	74,314
San Juan	19	61	119	11	26	204	1,364	1.9	18.5	73,646
San Miguel	7	54	34	13	7	48	306	2.2	16.8	18,236
Santa Fe	11	48	200	11	12	287	1,001	2.1	9.9	101,155
Sierra	1	25	10	16	1	15	62	1.2	6.6	9,360
Socorro	4	33	12	11	4	23	111	1.4	9.7	11,471
Taos	3	30	22	9	5	43	156	1.1	6.6	23,646
Torrance	1	8	2	2	1	2	97	0.3	8.8	10,995
Union	0	0	3	12	0	3	17	1.0	5.4	3,137
Valencia	5	36	46	13	5	78	392	1.1	8.2	47,529
Other							805			
Total	176	40	1,588	9	219	2,576	12,639	1.4	9.8	1,289,089

Sources: Crash files and Driver History file

¹ The crash percentages shown are the percent of all crashes which involved alcohol. For example, 39 percent of all Bernalillo County fatal crashes involved alcohol, and resulted in 30 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 2004. The citations that resulted in these convictions could have been issued prior to 2004. See the note on page 15 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 805 convictions received by drivers with missing, invalid, or out-of-state ZIP codes are shown as “Other” and are included in the total.

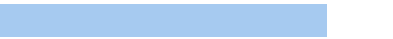

















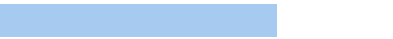





Alcohol-involved Crashes and DWI Convictions by City, 2004

City	Crashes ¹				People Killed	People Injured	DWI Conv.	Rates ²		2004 Licensed Drivers
	Alcohol Fatal	% of all Fatal	Alcohol Injury	% of all Injury				Severe ³ Alcohol Crashes	DWI Conv.	
Alamogordo	0	0	9	4	0	11	202	0.4	7.9	25,485
Albuquerque	29	42	478	7	31	748	2,681	1.3	6.8	394,996
Artesia	0	0	3	5	0	3	66	0.3	5.9	11,110
Aztec	0	0	5	9	0	7	95	0.5	8.7	10,869
Bayard	0	0	0	0	0	0	18	0	10.2	1,773
Belen	2	50	6	9	2	14	111	0.6	7.7	14,373
Bernalillo	1	100	15	15	1	23	65	2.6	10.5	6,195
Bloomfield	0	0	2	4	0	2	171	0.2	18.0	9,478
Bosque Farms	0	0	0	0	0	0	21	0	5.6	3,779
Carlsbad	0	0	16	8	0	28	177	0.7	7.5	23,604
Clayton	0	0	0	0	0	0	14	0	6.5	2,148
Clovis	0	0	13	4	0	23	212	0.5	7.8	27,340
Corrales	0	0	3	10	0	6	33	0.4	4.4	7,556
Deming	1	50	2	3	1	2	158	0.2	9.7	16,331
Espanola	0	0	44	14	0	74	165	3.8	14.4	11,441
Eunice	0	0	0	0	0	0	16	0	7.7	2,083
Farmington	3	75	45	8	4	78	563	1.4	16.3	34,459
Gallup	7	58	33	13	7	45	345	2.7	23.3	14,801
Grants	0	0	5	14	0	8	109	0.7	15.7	6,927
Hobbs	3	75	17	7	3	26	187	0.8	7.4	25,207
Jal	0	0	0	0	0	0	18	0	11.5	1,572
Las Cruces	4	44	94	8	4	150	693	1.3	9.1	75,862
Las Vegas	1	100	10	7	1	15	217	0.9	17.6	12,297
Lordsburg	0	0	0	0	0	0	14	0	5.4	2,589
Los Alamos	0	0	2	2	0	5	45	0.1	2.9	15,720
Los Lunas	0	0	12	10	0	25	236	0.5	9.3	25,300
Lovington	0	0	4	7	0	4	79	0.5	9.3	8,477
Milan	0	0	2	17	0	2	40	1.1	21.6	1,852
Portales	0	0	7	9	0	9	90	0.6	8.3	10,866
Raton	0	0	4	8	0	6	50	0.7	8.1	6,141
Rio Rancho	0	0	31	8	0	55	236	0.7	5.2	45,500
Roswell	2	67	22	6	2	37	207	0.7	5.6	36,720
Ruidoso	0	0	7	8	0	12	63	0.9	8.4	7,500
Santa Fe	3	60	105	10	4	144	917	1.3	10.7	85,885
Silver City	0	0	4	4	0	4	81	0.3	5.8	13,947
Socorro	2	100	6	15	2	13	67	1.2	9.7	6,921
Sunland Park	0	0	2	7	0	7	53	0.3	7.5	7,100
Taos	1	100	10	7	2	23	69	1.3	8.1	8,565
T or C	0	0	5	20	0	6	36	1.0	6.9	5,236
Tucumcari	0	0	1	4	0	2	73	0.2	13.3	5,473
Tularosa	0	0	1	8	0	1	31	0.3	8.4	3,672

Sources: Crash files and Driver History file













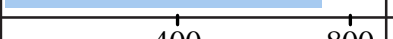
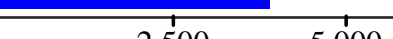
◆ The notes for the previous table apply here as well.

Alcohol-involved Crashes and DWI Arrests by Month, 2004

Month	Crashes		Crashes	Arrests		Arrests
	Total	Percent		Total	Percent	
January	285	8.5		1,742	8.7	
February	316	9.5		1,735	8.6	
March	286	8.6		1,682	8.4	
April	286	8.6		1,688	8.4	
May	313	9.4		1,956	9.7	
June	291	8.7		1,673	8.3	
July	287	8.6		1,748	8.7	
August	272	8.2		1,676	8.3	
September	266	8.0		1,741	8.7	
October	280	8.4		1,545	7.7	
November	241	7.2		1,351	6.7	
December	213	6.4		1,556	7.7	
Total	3,336	100.0	100 200 300	20,093	100.0	900 1,800

Source: Crash files and DWI Citation Tracking file





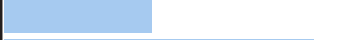

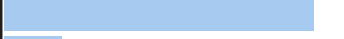



Alcohol-involved Crashes and DWI Arrests by Day of the Week, 2004

Day	Crashes		Crashes	Arrests		Arrests
	Total	Percent		Total	Percent	
Sunday	387	11.6		1,487	7.4	
Monday	326	9.8		1,583	7.9	
Tuesday	372	11.2		1,986	9.9	
Wednesday	399	12.0		2,531	12.6	
Thursday	433	13.0		3,581	17.8	
Friday	685	20.5		5,022	25.0	
Saturday	734	22.0		3,903	19.4	
Total	3,336	100.0	400 800	20,093	100.0	2,500 5,000

Source: Crash files and DWI Citation Tracking file

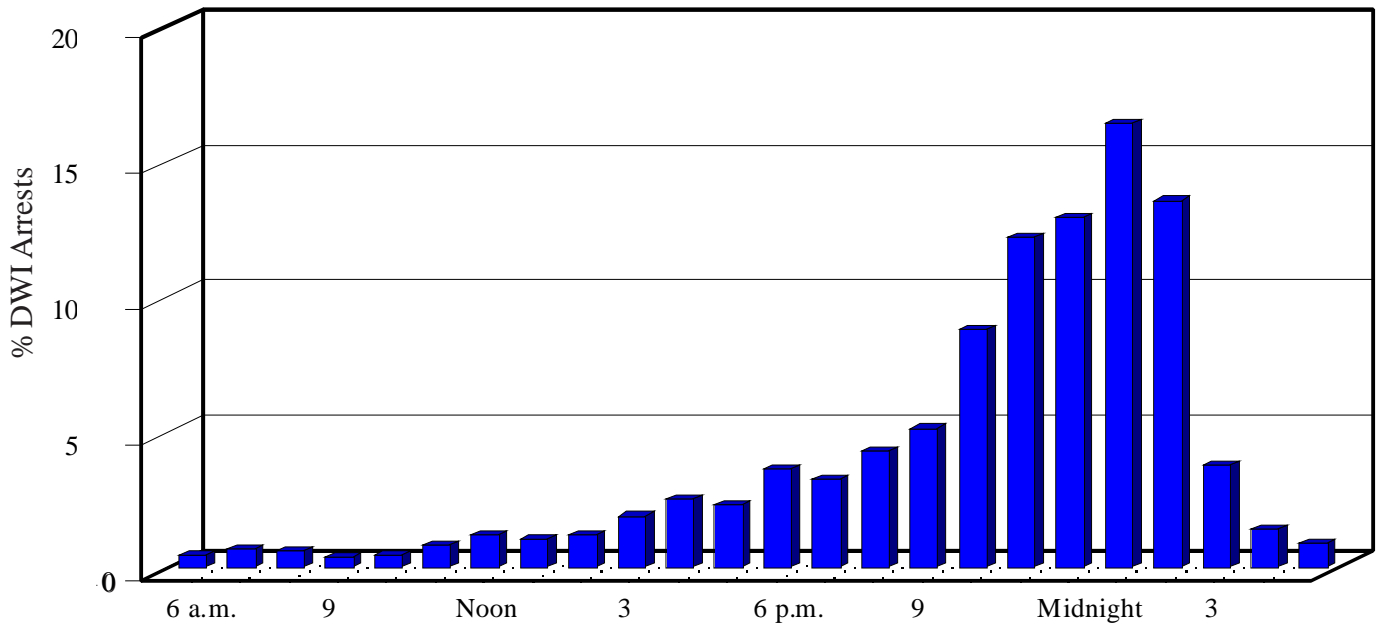
◆ For this table, each day was considered to run from 6:00 a.m. to 5:59 a.m. the following morning.

Alcohol-involved Crashes and DWI Arrests by Agency, 2004

Agency	Crashes		Crashes	Arrests		Arrests
	Total	Percent		Total	Percent	
Albuquerque PD	902	27.0		5,819	29.0	
State Police	719	21.6		4,025	20.0	
County Sheriff	493	14.8		3,144	15.6	
Other City PDs	1,028	30.8		6,588	32.8	
Other	194	5.8		517	2.6	
Total	3,336	100.0	500 1,000	20,093	100.0	3,000 6,000

Source: Crash files and DWI Citation Tracking file

Percent DWI Arrests by Hour of the Day*, 2004

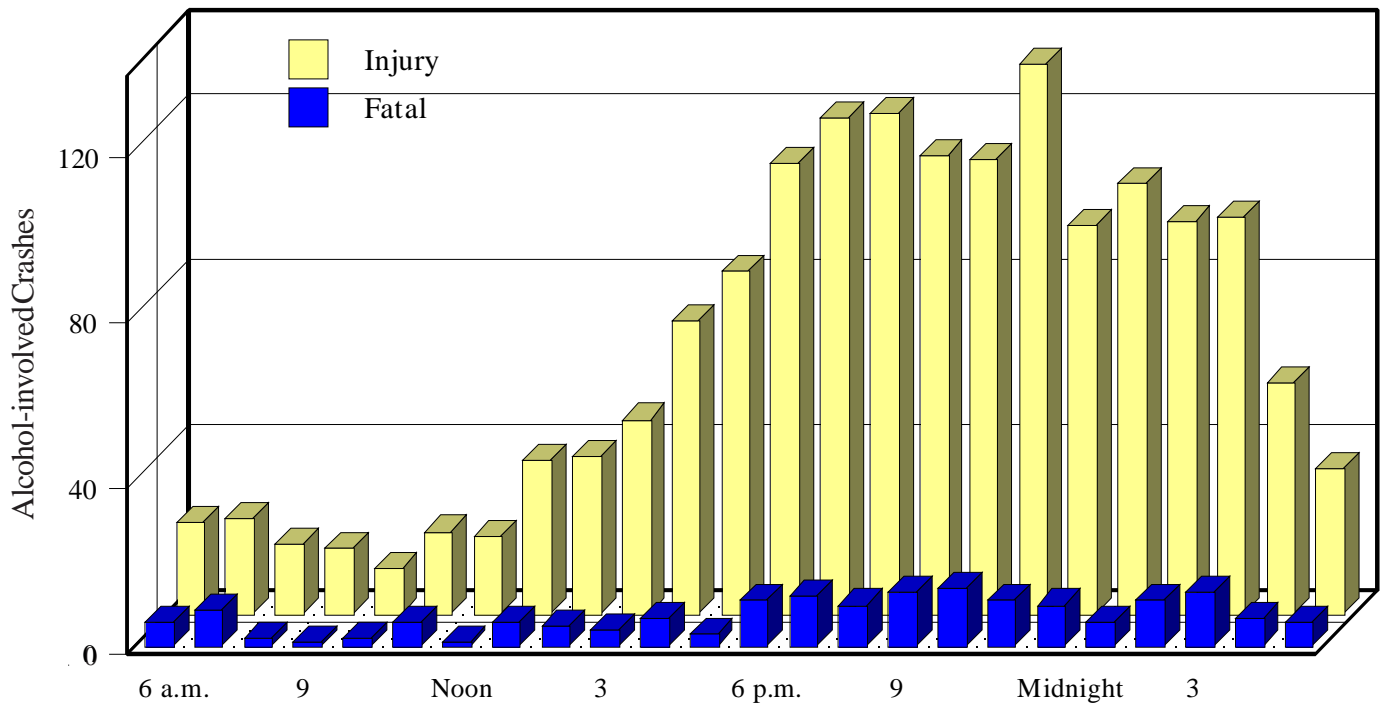


* Arrests with missing time information are excluded from this table.

This chart is not comparable to previous years which showed numbers of arrests by hour not percentages of arrests by hour.

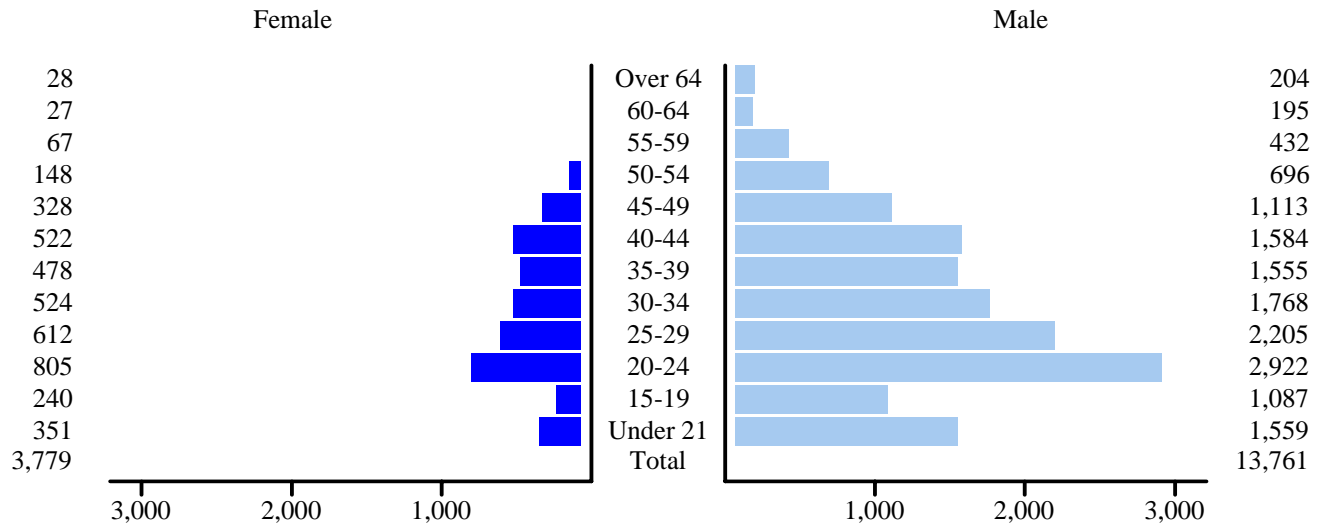
Source: DWI Citation Tracking file

Alcohol-involved Crashes by Hour and Severity, 2004



Source: Crash files

New Mexico DWI Arrests by Age and Sex, 2004



Source: DWI Citation Tracking file

Alcohol-involved Crashes and DWI Convictions by Driver Age and Sex, 2004

Age	Severe Crash Drivers ¹				DWI Conv.	Rates ²		Licensed Drivers
	Fatal Male	Fatal Female	Injury Male	Injury Female		Severe Alcohol Crashes	DWI Conv.	
Under 15	1	0	2	0	4	*	*	40
15-19	17	7	160	36	745	3.23	10.93	68,186
20-24	30	8	225	90	2,742	3.07	23.82	115,090
25-29	20	5	166	45	2,095	2.12	18.81	111,350
30-34	15	5	128	50	1,684	1.75	14.86	113,305
35-39	17	2	109	41	1,466	1.48	12.82	114,380
40-44	13	2	118	36	1,532	1.26	11.41	134,315
45-49	9	0	78	25	1,080	0.83	8.01	134,837
50-54	9	2	52	23	635	0.68	5.04	125,984
55-59	9	1	30	9	337	0.45	3.09	109,005
60-64	3	2	24	6	168	0.43	2.05	81,781
Over 64	3	2	27	5	158	0.20	0.87	180,816
Total	146	36	1,119	366	12,646	1.29	9.81	1,289,089
Under 21	24	12	217	51	1,198	3.36	13.24	90,496

Sources: Crash files and Driver History file

1 Severe crashes are those resulting in death or injury.

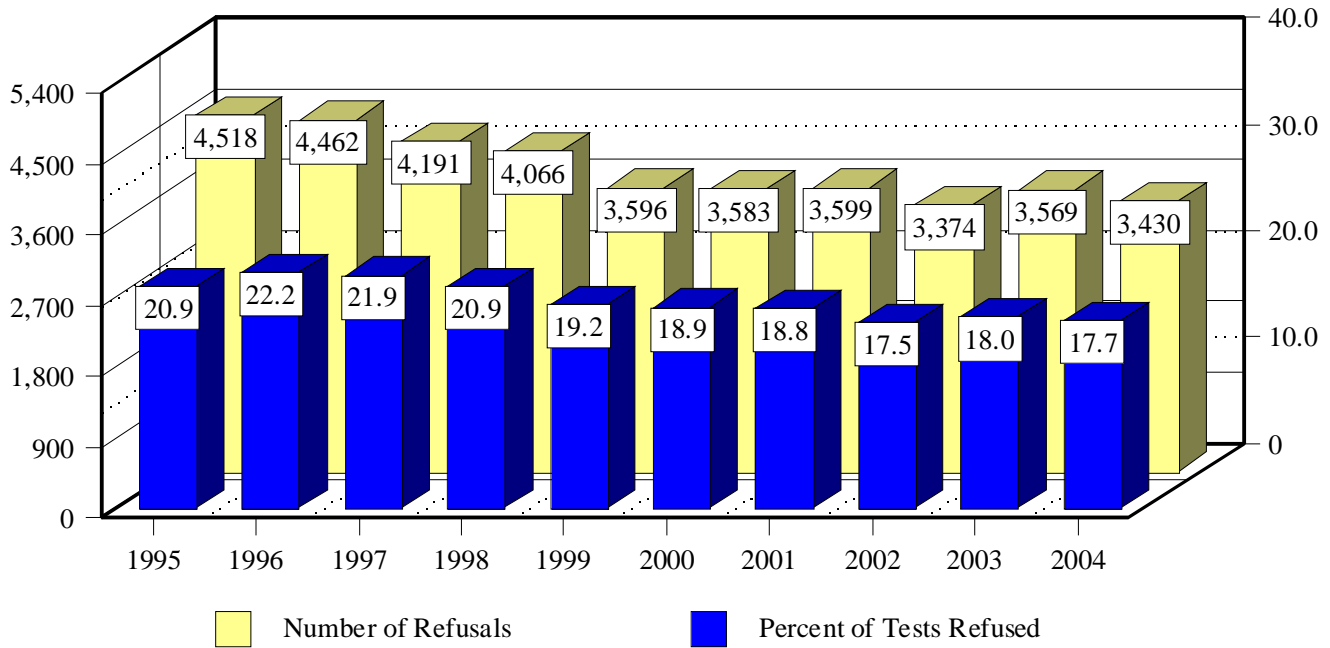
2 Rates are per 1,000 licensed drivers.

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

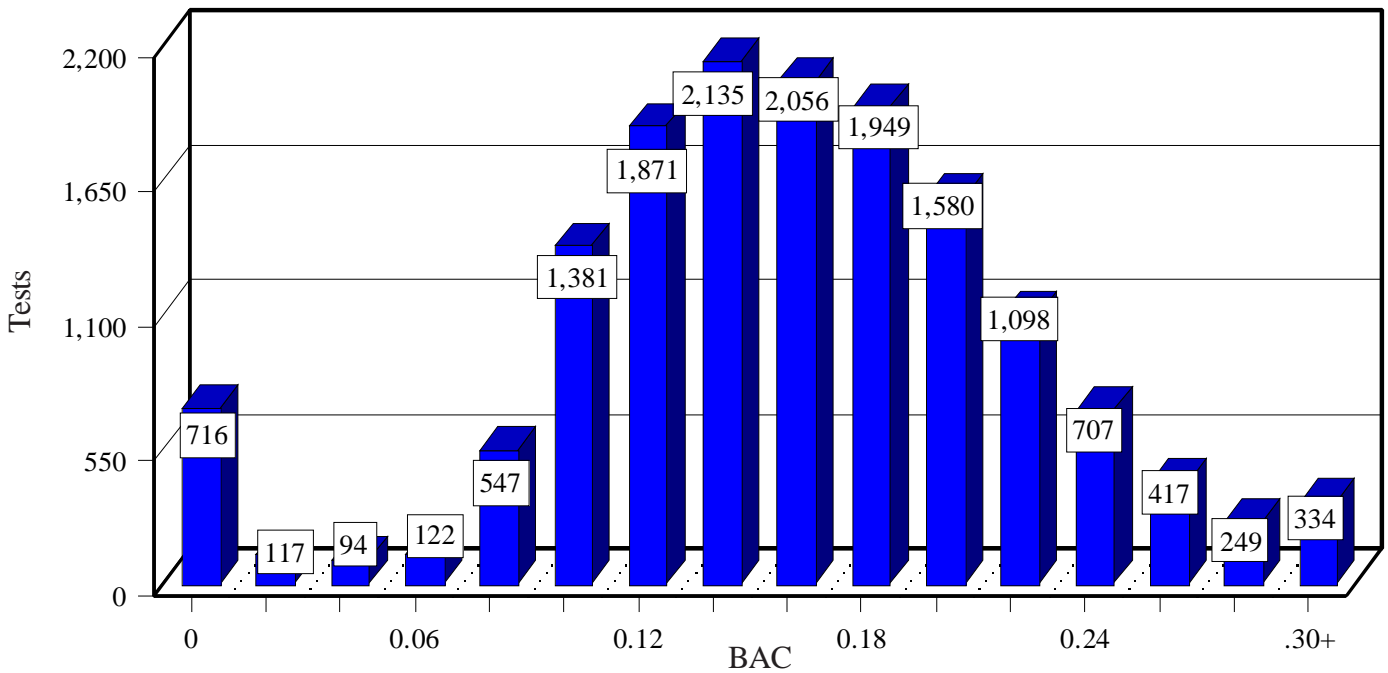
- ◆ These are drivers or pedestrians in crashes who reportedly had been drinking.
- ◆ People under the legal drinking age of 21 accounted for 9.5 percent of the DWI convictions in 2004.
- ◆ See explanation of conviction counts on page 15.

BAC TESTS

BAC Test Refusals, 1995-2004



BAC Test Results, 2004



Source: DWI Citation Tracking file

- ◆ The mean BAC (Blood Alcohol Concentration) result was 0.16, double the legal limit for drivers over 21. This average excludes tests with a result of 0.0.

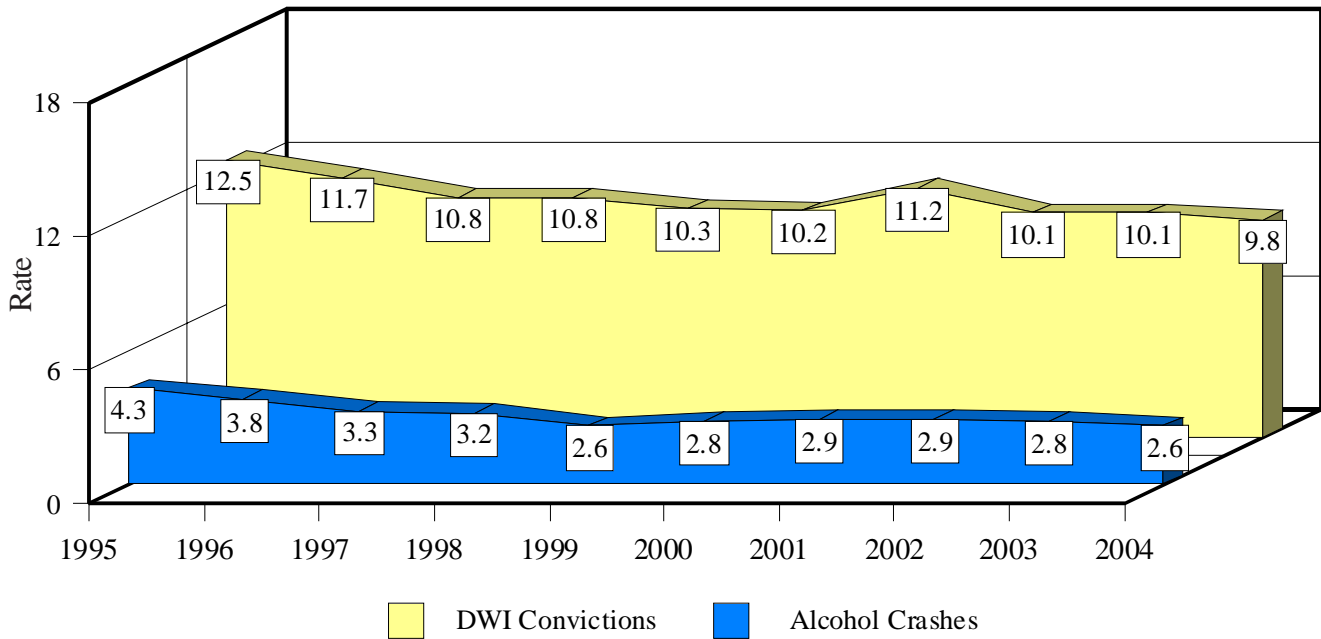
Mean Number of Days to Court Disposition by County, 2004

County	Total Arrests	Percent Crash Involved ¹	Mean BAC ²	Citations Resolved ³		Mean Days ⁴	
				DWI Conviction	Dismissal	DWI Conviction	Dismissal
Bernalillo	6,911	13	0.15	2,984	1,780	159	170
Catron	26	11	0.17	20	1	75	109
Chaves	296	25	0.16	238	16	71	145
Cibola	442	10	0.16	268	84	120	150
Colfax	143	13	0.16	113	15	83	83
Curry	346	13	0.14	206	36	105	150
De Baca	11	0	0.10	8	2	60	203
Doña Ana	1,813	13	0.16	1,008	98	128	110
Eddy	368	17	0.16	279	27	89	119
Grant	254	14	0.17	166	47	66	86
Guadalupe	44	9	0.20	38	3	78	213
Harding	3	0	0.10	1	2	103	158
Hidalgo	71	9	0.15	53	6	70	110
Lea	455	15	0.15	341	47	64	122
Lincoln	246	15	0.15	171	33	69	113
Los Alamos	44	36	0.18	29	7	129	69
Luna	239	10	0.15	163	33	76	144
McKinley	1,497	11	0.17	846	404	91	141
Mora	51	27	0.17	27	6	142	186
Otero	574	12	0.15	362	53	72	46
Quay	123	12	0.15	96	17	62	81
Rio Arriba	345	31	0.16	228	41	64	105
Roosevelt	133	20	0.16	91	9	56	47
Sandoval	575	21	0.17	319	86	118	149
San Juan	1,769	11	0.16	1,332	179	98	138
San Miguel	455	12	0.16	297	56	120	179
Santa Fe	1,642	20	0.17	1,053	237	89	123
Sierra	113	14	0.16	75	16	103	153
Socorro	208	19	0.17	108	18	118	155
Taos	191	27	0.17	111	30	85	48
Torrance	134	17	0.16	105	16	112	134
Union	40	20	0.15	25	8	74	119
Valencia	519	17	0.16	293	138	102	119
Total	20,081	14	0.16	11,454	3,551	112	149

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 2004 for which results were available by July 2005. The conviction counts differ from those in other tables because these are based on citations issued in 2004 as opposed to convictions handed down in 2004. The resulting convictions or dismissals could have been decided in 2005.
- 4 These are the average number of days from the date of the citation to the date of any court disposition as of July 2005. For example, the 2,984 convictions in Bernalillo County were decided on average within 159 days after the citation.

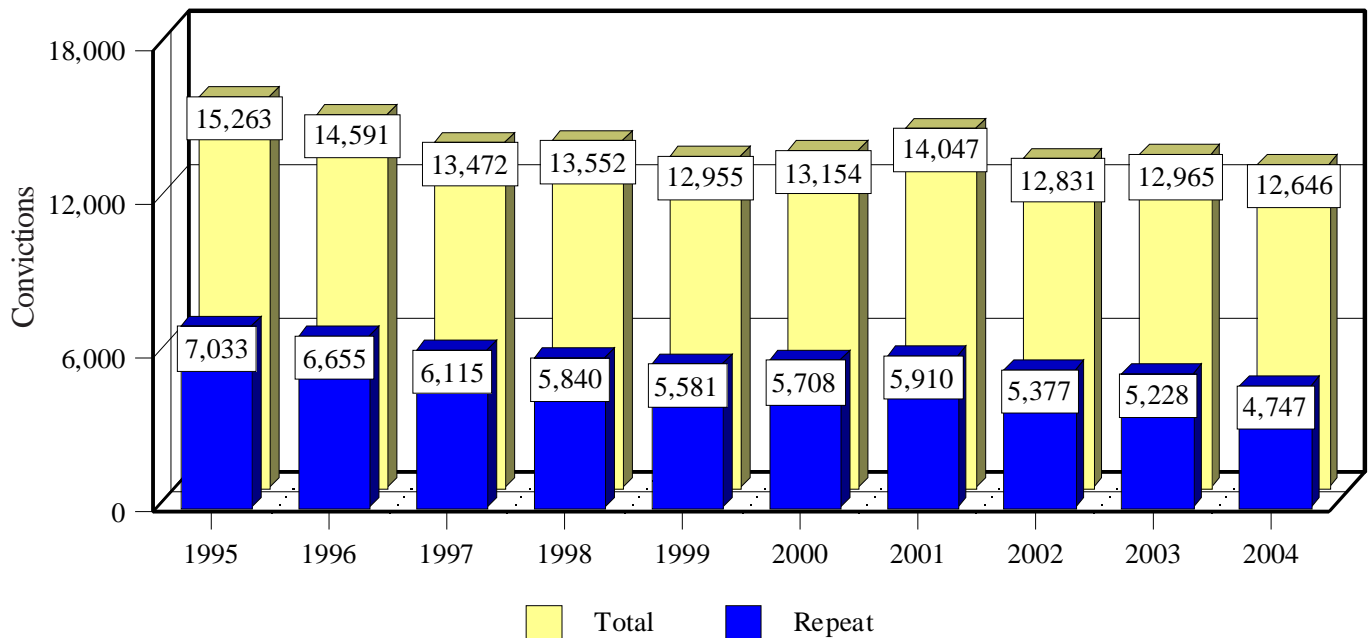
DWI Conviction Rates and Alcohol-involved Crash Rates, 1995-2004



Sources: Driver History file and Crash files

- ◆ The rates are incidents (convictions or crashes) per 1,000 licensed drivers. See page 15 for a note about convictions. The rate of alcohol-involved crashes has decreased 40% from 1995 to 2004.

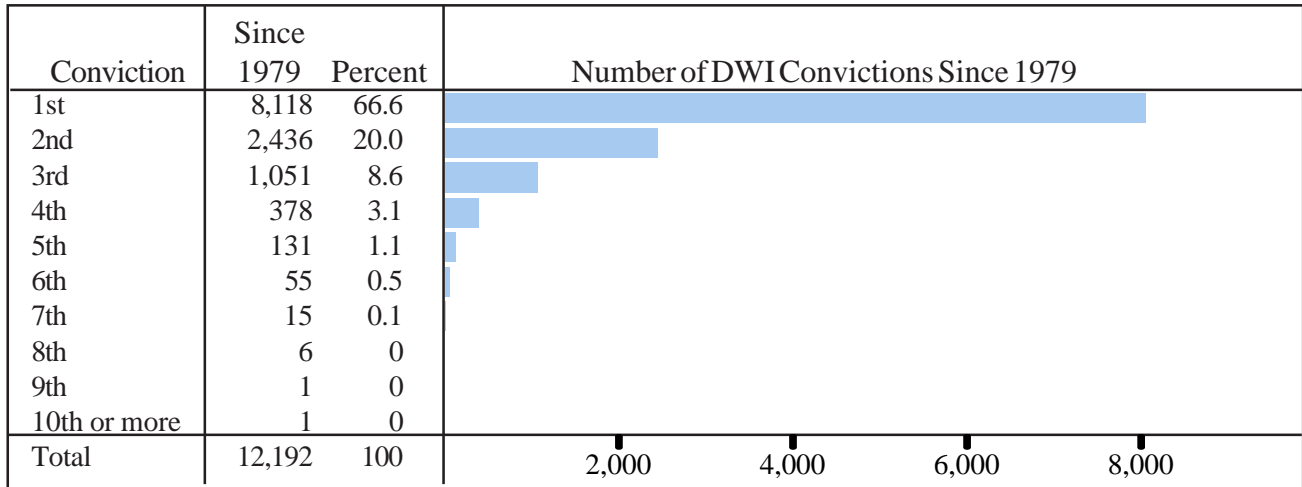
Repeat and Total DWI Convictions, 1995-2004



Source: Driver History file

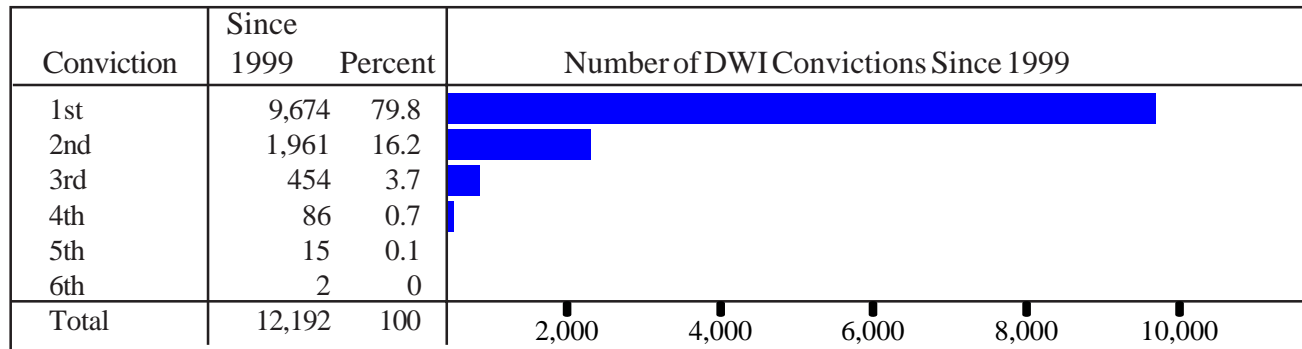
REPEAT OFFENDERS

Lifetime DWI Convictions for Drivers Convicted of DWI in 2004



Source: Driver History file

DWI Convictions in the Last Five Years for Drivers Convicted of DWI in 2004



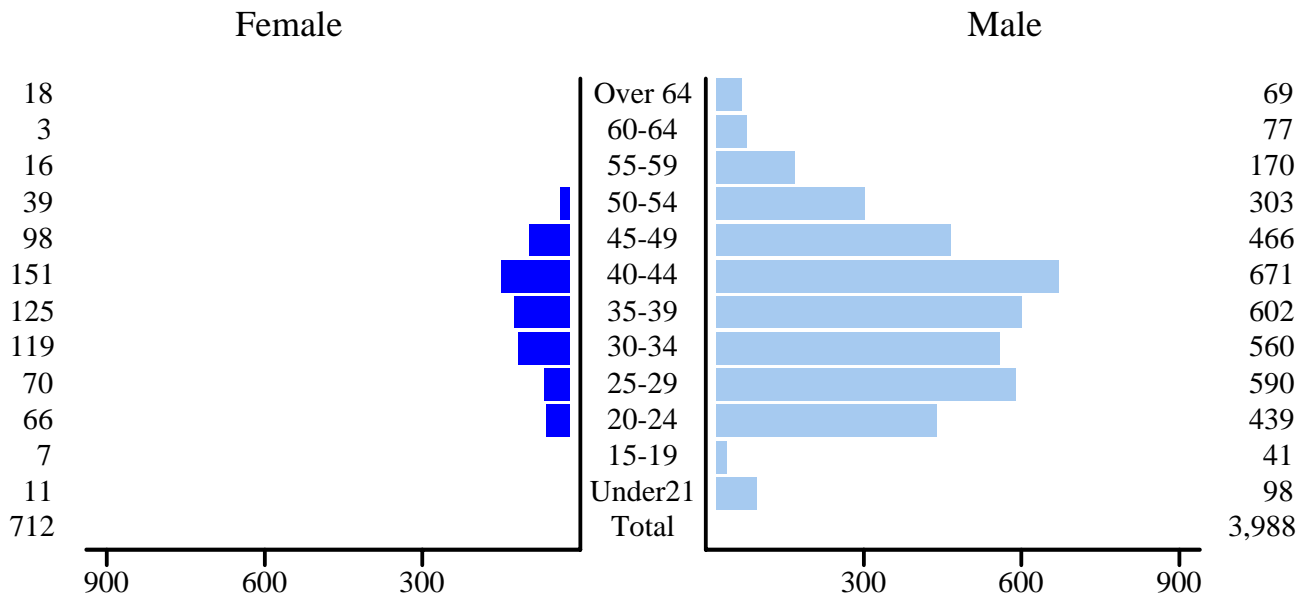
Source: Driver History file

- ◆ There were 12,192 people convicted of DWI in 2004. Of those, 9,674 had not been convicted since 1999, and 8,118 had not been convicted since 1979 (1,556 had been convicted at least once between 1979 and 1999). The number of repeat convictions (4,747, see chart on page 13) is *not* equal to the total minus the number of first convictions, because some people were convicted more than once in 2004. 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 2004, 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 2004. Due to the sometimes lengthy period between citation and conviction (see table on page 12), counting convictions resulting from citations issued during a particular year (e.g., 2004) would result in convictions after the publication of this report never being counted. By counting convictions regardless of citation date, all convictions are included.

REPEAT OFFENDERS

DWI Repeat Convictions by Age and Sex, 2004



♦ See page 15 for a note about convictions.

Repeat DWI Convictions by NMDOT Districts*, 1995 - 2004

Year	District 1	District 2	District 3	District 4	District 5	District 6	State
1995	807	1,168	1,767	383	1,692	1,169	7,033
1996	830	1,062	1,744	383	1,597	1,006	6,655
1997	733	1,019	1,447	371	1,541	971	6,115
1998	634	936	1,631	330	1,376	914	5,840
1999	595	937	1,566	324	1,312	822	5,581
2000	668	910	1,452	310	1,558	784	5,708
2001	746	830	1,832	292	1,522	676	5,910
2002	678	665	1,644	307	1,480	585	5,377
2003	703	679	1,563	262	1,366	648	5,228
2004	658	606	1,007	299	1,378	796	4,747

* These Districts are based on counties, with the following definition: **District 1:** Doña Ana, Grant, Hidalgo, Luna, Sierra and Socorro; **District 2:** Chavez, 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.

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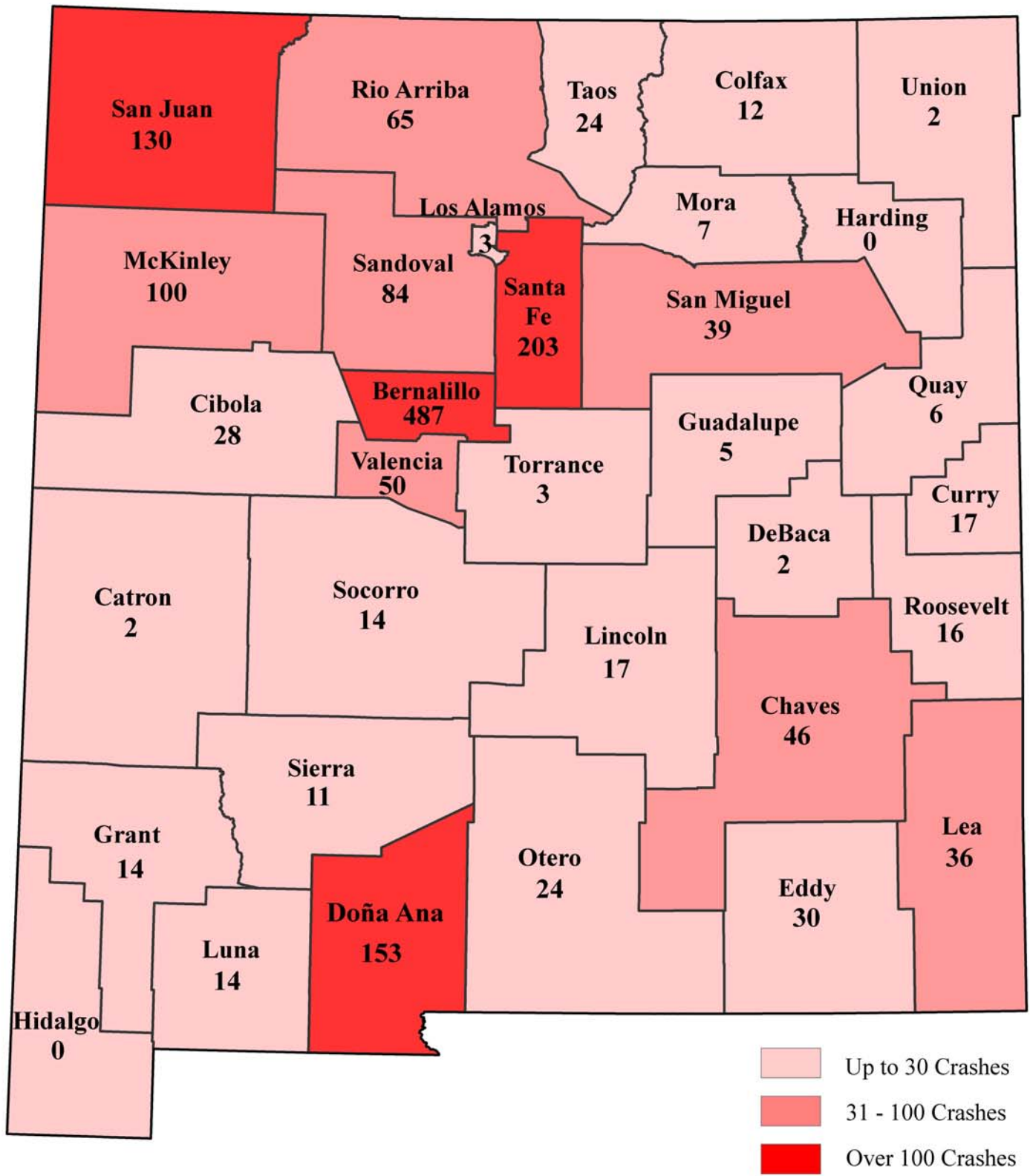
Source data are noted below each table. The data sources are:

BAC results	The Blood Alcohol Content (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 the 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 2005.
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 2005.
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 2005 from the Driver History file maintained by the Motor Vehicle Division.
Population	Estimates are from the 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. Requests for further information should be directed to Traffic Safety Bureau at the address inside the front cover.

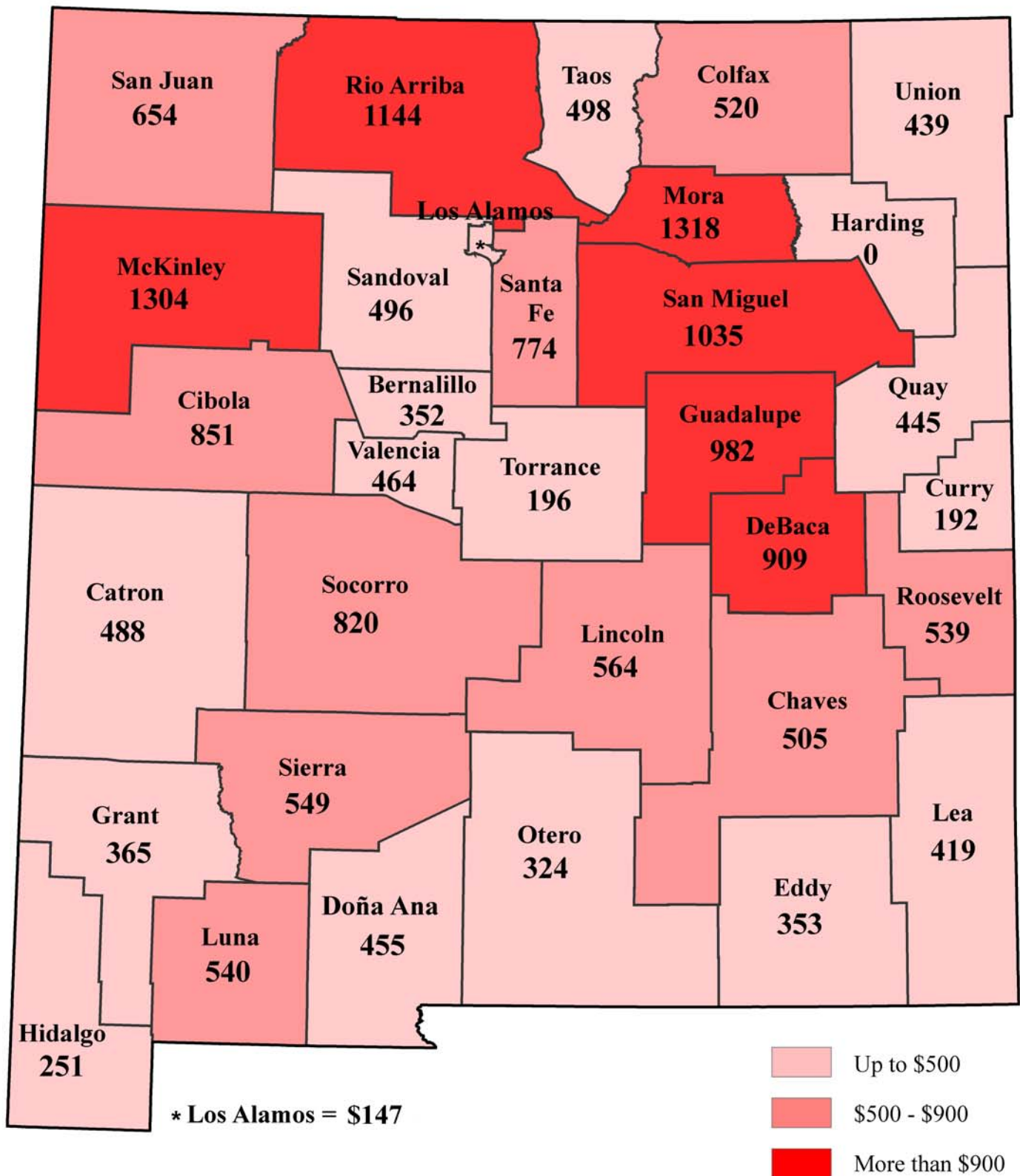
Several people at DGR are responsible for the data and analysis included in this report. James W. Davis is the Director of DGR. Bich-Hanh Nguyen is TSB project leader. This report was produced by Annaliese Mayette with assistance from Schuyler Smith and Susan W. Bucklin.

Number of Fatal or Injury 'DWI'* Crashes, 2004



* A 'DWI' Crash is a crash in which at least one driver is alcohol-involved.

Per Capita Cost Estimates of Alcohol-involved Crashes, 2004



DWICost estimates based on FHWA economic loss formulae
 Population estimates are from July 2004
 New Mexico's cost estimate is \$515 Per capita