

Codebook for Drugged Driving Laws

Prepared by Legal Science

November 2016

DRUGGED DRIVING LAWS

November 2016

Codebook

This codebook describes the variables in a dataset that examines variation in state laws regulating drugged driving. The jurisdictions selected for measurements are the 50 states and the District of Columbia. This dataset is a longitudinal updated through October 1, 2016.

There are six standard variables in every DAPS dataset. They are:

ID:

An identification code generated by the MonQcle.

FIPS CODE:

The Federal Information Processing Standard (FIPS) codes are a standardized set of numeric codes issued by the National Institute of Standards and Technology to ensure uniform identification of geographic entities through all federal government agencies.

JURISDICTION:

This is a dropdown selection in each coding form. It includes the jurisdictions coded in the dataset.

EFFECTIVE DATE:

This date (MM/DD/YYYY) is the most recent effective date of the legal text captured for this place. The effective date represents the date the policy coded was put into effect.

VALID THROUGH DATE:

This date (MM/DD/YYYY) is the last date the policy was in effect as reflected by the legal text captured to code this policy.

LEGAL TEXT:

This is a text box that captures all legal text relevant to the coding questions. This will not download into Microsoft Excel.

Question 1:	Does the state have a drugged driving law?
Question Type:	Binary - mutually exclusive
Variable Name:	DD_Law
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes

Question 2:	Does the state prohibit drugged driving using an under the influence standard?
Question Type:	Binary - mutually exclusive
Variable Name:	DD_DUI
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes

Question 3:	What drugs are prohibited?
Question Type:	Categorical - check all that apply
Variable Name:	DD_DUIdrugs_Any drug
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes

Question 4:	What drugs are prohibited?
Question Type:	Categorical - check all that apply

Variable Name:	DD_DUIdrugs_Controlled substance
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes

Question 5:	What drugs are prohibited?
Question Type:	Categorical - check all that apply
Variable Name:	DD_DUIdrugs_Intoxicating compound
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes

Question 6:	What drugs are prohibited?
Question Type:	Categorical - check all that apply
Variable Name:	DD_DUIdrugs_Marijuana
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes

Question 7:	What drugs are prohibited?
Question Type:	Categorical - check all that apply
Variable Name:	DD_DUIdrugs_Narcotic drug
Variable Values:	0, 1
Value Label:	0 = No

Value Label:	1 = Yes
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Question 8:	What drugs are prohibited?
Question Type:	Categorical - check all that apply
Variable Name:	DD_DUIdrugs_Chemical substance
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes

Question 9:	What drugs are prohibited?
Question Type:	Categorical - check all that apply
Variable Name:	DD_DUIdrugs_Hazardous substance
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes

Question 10:	What drugs are prohibited?
Question Type:	Categorical - check all that apply
Variable Name:	DD_DUIdrugs_Habit-producing drug
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes

Question 11:	What drugs are prohibited?
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Question Type:	Categorical - check all that apply
Variable Name:	DD_DUIdrugs_Hallucinogenic drug
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes

Question 12:	What drugs are prohibited?
Question Type:	Categorical - check all that apply
Variable Name:	DD_DUIdrugs_Self-administered intoxicant
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes

Question 13:	What drugs are prohibited?
Question Type:	Categorical - check all that apply
Variable Name:	DD_DUIdrugs_Depressant
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes

Question 14:	What drugs are prohibited?
Question Type:	Categorical - check all that apply
Variable Name:	DD_DUIdrugs_Stimulant substance
Variable Values:	0, 1

Value Label:	0 = No
Value Label:	1 = Yes
Question 15: What drugs are prohibited?	
Question Type:	Categorical - check all that apply
Variable Name:	DD_DUIdrugs_Dangerous drug
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes
Question 16: What drugs are prohibited?	
Question Type:	Categorical - check all that apply
Variable Name:	DD_DUIdrugs_Impairing substance
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes
Question 17: What drugs are prohibited?	
Question Type:	Categorical - check all that apply
Variable Name:	DD_DUIdrugs_Drug of abuse
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes
Question 18: What drugs are prohibited?	
Question Type:	Categorical - check all that apply

Variable Name:	DD_DUIdrugs_Other
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes

Question 19:	Does the law allow a person to claim an affirmative defense?
Question Type:	Binary - mutually exclusive
Variable Name:	DD_DUIAD
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes

Question 20:	Under what circumstances may a person claim an affirmative defense?
Question Type:	Categorical - check all that apply
Variable Name:	DD_DUIADCirc_Valid prescription
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes

Question 21:	Under what circumstances may a person claim an affirmative defense?
Question Type:	Categorical - check all that apply
Variable Name:	DD_DUIADCirc_Involuntary ingestion
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes

Question 22:	Under what circumstances may a person claim an affirmative defense?
Question Type:	Categorical - check all that apply
Variable Name:	DD_DUIADCirc_Person entitled to possess
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes
Question 23:	Under what circumstances may a person claim an affirmative defense?
Question Type:	Categorical - check all that apply
Variable Name:	DD_DUIADCirc_Legal ingestion
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes
Question 24:	Under what circumstances may a person claim an affirmative defense?
Question Type:	Categorical - check all that apply
Variable Name:	DD_DUIADCirc_Ingested drug after driving
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes
Question 25:	Under what circumstances may a person claim an affirmative defense?
Question Type:	Categorical - check all that apply
Variable Name:	DD_DUIADCirc_No intention of placing vehicle in motion
Variable Values:	0, 1

Value Label:	0 = No
Value Label:	1 = Yes
Question 26: Under what circumstances may a person claim an affirmative defense?	
Question Type:	Categorical - check all that apply
Variable Name:	DD_DUIADCirc_Other
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes
Question 27: What are the available penalties for a first time drugged driving offense?	
Question Type:	Categorical - check all that apply
Variable Name:	DD_DUIPen_Imprisonment
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes
Question 28: What are the available penalties for a first time drugged driving offense?	
Question Type:	Categorical - check all that apply
Variable Name:	DD_DUIPen_Probation
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes
Question 29: What are the available penalties for a first time drugged driving offense?	
Question Type:	Categorical - check all that apply

Variable Name:	DD_DUIPen_Fine
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes

Question 30:	What are the available penalties for a first time drugged driving offense?
Question Type:	Categorical - check all that apply
Variable Name:	DD_DUIPen_License revocation
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes

Question 31:	What are the available penalties for a first time drugged driving offense?
Question Type:	Categorical - check all that apply
Variable Name:	DD_DUIPen_License suspension
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes

Question 32:	What are the available penalties for a first time drugged driving offense?
Question Type:	Categorical - check all that apply
Variable Name:	DD_DUIPen_Enrollment in drug or alcohol treatment course
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes

Question 33:	What are the available penalties for a first time drugged driving offense?
Question Type:	Categorical - check all that apply
Variable Name:	DD_DUIPen_Other
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes
Question 34:	Does the state prohibit operating a vehicle with a threshold amount of a drug in a person's body?
Question Type:	Binary - mutually exclusive
Variable Name:	DD_PerSe
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes
Question 35:	What drugs are prohibited?
Question Type:	Categorical - check all that apply
Variable Name:	DD_PSDrug_Any drug
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes
Question 36:	What drugs are prohibited?
Question Type:	Categorical - check all that apply
Variable Name:	DD_PSDrug_Any intoxicating compound

Variable	
Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes

Question 37:	What drugs are prohibited?
Question Type:	Categorical - check all that apply
Variable Name:	DD_PSDrug_Any controlled substance
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes

Question 38:	What drugs are prohibited?
Question Type:	Categorical - check all that apply
Variable Name:	DD_PSDrug_Controlled substance Schedule I
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes

Question 39:	What drugs are prohibited?
Question Type:	Categorical - check all that apply
Variable Name:	DD_PSDrug_Controlled substance Schedule II
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes

Question 40:	What drugs are prohibited?
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Question Type:	Categorical - check all that apply
Variable Name:	DD_PSDrug_Controlled substance Schedule III
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes

Question 41: What drugs are prohibited?	
Question Type:	Categorical - check all that apply
Variable Name:	DD_PSDrug_Law provides threshold for specific listed drugs
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes

Question 42: What drugs are prohibited?	
Question Type:	Categorical - check all that apply
Variable Name:	DD_PSDrug_Other
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes

Question 43: Does the per se drugged driving law exclude marijuana?	
Question Type:	Binary - mutually exclusive
Variable Name:	DD_Mari
Variable Values:	0, 1
Value Label:	0 = No

Value Label:	1 = Yes
Question 44:	Through what mechanism does the state exclude marijuana from the per se drugged driving law?
Question Type:	Categorical - mutually exclusive
Variable Name:	DD_MarMech
Variable Values:	0, 1, 2, 3
Value Label:	0 = Explicit omission of marijuana in drug definition
Value Label:	1 = Marijuana exception directly in law
Value Label:	2 = By case law
Value Label:	3 = Provides list of drugs which does not include marijuana
Question 45:	Does the per se drugged driving law include marijuana?
Question Type:	Binary - mutually exclusive
Variable Name:	DD_IncMari
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes
Question 46:	What is the threshold amount of marijuana to be charged with an offense?
Question Type:	Categorical - mutually exclusive
Variable Name:	DD_MariAmt
Variable Values:	0, 1, 2, 3, 4
Value Label:	0 = Any amount
Value Label:	1 = 2 ng/mL
Value Label:	2 = 5 ng/mL
Value Label:	3 = 10 ng/mL

Value Label:	4 = Other
Question 47: Does the law allow a person to claim an affirmative defense?	
Question Type:	Binary - mutually exclusive
Variable Name:	DD_PSAD
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes
Question 48: Under what circumstances may a person claim an affirmative defense?	
Question Type:	Categorical - check all that apply
Variable Name:	DD_PSADCirc_Valid prescription
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes
Question 49: Under what circumstances may a person claim an affirmative defense?	
Question Type:	Categorical - check all that apply
Variable Name:	DD_PSADCirc_Involuntary ingestion
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes
Question 50: Under what circumstances may a person claim an affirmative defense?	
Question Type:	Categorical - check all that apply

Variable Name:	DD_PSADCirc_Person entitled to possess
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes

Question 51:	Under what circumstances may a person claim an affirmative defense?
Question Type:	Categorical - check all that apply
Variable Name:	DD_PSADCirc_Legal ingestion
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes

Question 52:	Under what circumstances may a person claim an affirmative defense?
Question Type:	Categorical - check all that apply
Variable Name:	DD_PSADCirc_Ingested drug after driving
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes

Question 53:	Under what circumstances may a person claim an affirmative defense?
Question Type:	Categorical - check all that apply
Variable Name:	DD_PSADCirc_No intention of placing vehicle in motion
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes

Question 54:	Under what circumstances may a person claim an affirmative defense?
Question Type:	Categorical - check all that apply
Variable Name:	DD_PSADCirc_Other
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes
Question 55:	What are the available penalties for a first time drugged driving offense?
Question Type:	Categorical - check all that apply
Variable Name:	DD_PSPen_Imprisonment
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes
Question 56:	What are the available penalties for a first time drugged driving offense?
Question Type:	Categorical - check all that apply
Variable Name:	DD_PSPen_Probation
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes
Question 57:	What are the available penalties for a first time drugged driving offense?
Question Type:	Categorical - check all that apply
Variable Name:	DD_PSPen_Fine

Variable	
Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes

Question 58:	What are the available penalties for a first time drugged driving offense?
Question Type:	Categorical - check all that apply
Variable Name:	DD_PSPen_License revocation
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes

Question 59:	What are the available penalties for a first time drugged driving offense?
Question Type:	Categorical - check all that apply
Variable Name:	DD_PSPen_License suspension
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes

Question 60:	What are the available penalties for a first time drugged driving offense?
Question Type:	Categorical - check all that apply
Variable Name:	DD_PSPen_Enrollment in drug or alcohol treatment course
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes

Question 61:	What are the available penalties for a first time drugged driving offense?
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Question Type:	Categorical - check all that apply
Variable Name:	DD_PSPen_Other
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes