



## Alcohol, Drugs and Impairment Division Operating Rules

### **Effective Date**

These Operating Rules were most recently adopted, as revised, on November 7, 2021.

### **1 Definitions**

#### 1.1 Division

A group of volunteers with shared safety interests and approved as a Division by the NSC Board of Directors.

#### 1.2 Division Officers

The Division Chair, Vice Chair, and Secretary, as elected by the ADID Executive Board.

#### 1.3 Division Executive Board

The Division Officers, fifteen elected regular members, five at-large regular members, along with NSC Staff members as assigned.

#### 1.4 Section

A specialized interest group within a Division.

#### 1.5 Committee

A subset of a Division or Section that addresses ongoing needs of the Division or Section. Committee chairs report directly to Division Leadership and activities are part of the goals of the Division.

#### 1.6 Meetings

Division events held virtually and/or in-person that discuss strategy and determine ongoing initiatives of the Division, its Sections or Committees.

#### 1.7 Ad-hoc Committees

Ad hoc committees are created by the Division Chair when necessary to complete specific, short-term activities.

### **2 Introduction**

The National Safety Council (NSC) saves lives, from the workplace to anyplace. The Board of Directors provides governance and oversight for the organization and operates according to the National Safety Council Charter, Constitution and Bylaws. According to the Council Bylaws, the Divisions exist as a group of volunteers with shared safety interests.

National Safety Council has a sustained commitment to the Division Structure and Membership. As such, the Council will provide resources to support the overall success of the Division provided the Division's plans and actions demonstrate active engagement in the goals of the Council. The Divisions shall conform to and be governed by the National Safety Council Charter, Constitution, Bylaws, Standards and Procedures, Practices and Protocols, and policies of the Council.

The purpose of this document is to provide clarification for areas not specifically covered by Council Bylaws or the Standards and Operating Procedures. In the event of any conflict between Council Bylaws and the Division Operating Rules, National Safety Council Bylaws shall take precedence.

The following shall constitute the Operating Rules of the Alcohol, Drugs and Impairment Division (ADID), formerly known as the Committee on Alcohol and Other Drugs.

### **3 Relationship to the NSC**

#### **3.1 Reporting Relationship**

These Operating Rules shall outline the expectations for meetings and engagement, creation and use of Committees and Sections. Once approved, these will be submitted to the Corporate Secretary.

#### **3.2 Public Representation**

No Division, Section, Committee, or member thereof, may represent the Division, Board of Directors or the Council on any policy matter at any public hearing, public or private meeting, interview or broadcast unless approved and/or requested by the President & CEO or the Chair of the Board of Directors. No member shall misrepresent any policy or position of the Division or the National Safety Council.

#### **3.3 Responsibilities**

##### **3.3.1 Duty of Care**

Division members are expected to actively participate in organizational planning and decision-making and to make sound and informed judgments as stewards of the National Safety Council. The duty of care describes the level of competence that is expected of Division members and is commonly expressed as the duty of care that an ordinarily prudent person would exercise in a like position and under similar circumstances.

##### **3.3.2 Duty of Loyalty**

The duty of loyalty is a standard of faithfulness; the Division must give undivided allegiance when making decisions affecting the National Safety Council. Division members must put the interests of the Division before any personal or professional concerns, avoid potential conflicts of interest, and may never use confidential information gained through their Division position for personal gain.

##### **3.3.3 Duty to Disclose a Conflict of Interest**

A conflict of interest exists when a person's private or organizational financial interest interferes, or appears to interfere, in any way, with the interest of the Council. If a Division member or the organization they represent has a financial interest, ownership or investment interest or a compensation interest or the potential for any of these interests; wherein, the Council has a

business transaction or partnership, and their interest is adverse or presents a conflict of interest with the Council, the Member must disclose this information to the Division's Executive Board. The Executive Board shall evaluate the potential conflict of interest and seek guidance from the Council when needed.

#### 3.3.4 Reporting

The Division shall submit meeting minutes to the Delegates Committee after each Division Business Meeting.

## 4 Organizational Statement

### 4.1 Statement of Purpose

ADID will support the mission, values and strategic initiatives of the National Safety Council by:

- Advising and assisting the National Safety Council in its ongoing efforts to reduce deaths and injuries caused by alcohol, drugs and impairment
- Facilitating the exchange of information within the forensic scientific community and other fields related to alcohol, drugs and impairment
- Providing the National Safety Council and the public with Division positions on impairment issues, laboratory best practices, and recommended legislative actions

### 4.2 Statement of Objectives

ADID has been organized to:

- Promote and sponsor research:
  - Relating to the incidence and effects of alcohol, drugs, and impairment
  - Designed to effectively reduce the incidence of operation of motor vehicles while impaired or under the influence of alcohol or other drugs
  - Evaluating the effectiveness, accuracy and reliability of the various means and methodologies of analysis for alcohol and other drugs and determination of impairment
- Establish standards for:
  - Approval and use of various methods and technologies of determining impairment caused by alcohol, drugs and other factors
  - Qualifications and training of personnel in the analysis of alcohol and other drugs and determination of impairment
- Collaborate and inform to:
  - Collect, collate and publicly disseminate available information and statistics relating to the foregoing subjects
  - Cooperate with educational institutions, professional research organizations and other agencies or groups in the conduct and sponsorship of any research or function of this Division

## 5 Division Membership

### 5.1 Membership Description and Categories

The membership of this Division shall include, but not be limited to, toxicologists, sociologists, physicians, pharmacologists, law enforcement officials, educators, chemists, attorneys and other professionals involved in the study or control of alcohol, drugs and impairment.

## 5.2 Membership Qualifications

The Division shall have two membership categories:

Regular Members shall be: (a) persons of significant involvement or noteworthy achievement in their particular profession who have contributed at the national level to this Division's fields of interest and (b): either (1) individual or organizational members of the National Safety Council or (2) members of a peer-recognized professional organization appropriate to their field of expertise.

Associate members shall be persons involved in one or more of the Division's fields of interest who: (a) have not yet met the high level of professional achievement to qualify as Regular members or (b) are neither individual nor organizational members of the National Safety Council or members of a peer-recognized professional organization.

## 5.3 Appointment of Members

Appointment of members of this Division shall be made upon nomination by two Regular members of the Division and approval of the Executive Board.

Nomination for Division membership shall be made on a form prescribed by the Executive Board.

All nominations for membership shall be referred to the Membership Committee, which shall investigate the qualifications of the nominee and the nominee's commitment to participate in the activities of the Division. The Membership Committee may consult with the agency or organization in which the prospective member is employed or whose interests the member will represent in this Division. The Membership Committee shall report its findings for consideration by the Executive Board.

## 5.4 Change in Membership Status

Any member who no longer meets the requirements of the member's current membership category shall give notice to the Membership Committee. The Membership Committee shall make a recommendation to the Executive Board as to whether to grant either a change in the category of membership or termination of membership.

Associate members who achieve the requirements of Regular Membership shall be nominated via the nomination process in 5.2.

## 5.5 Representation of Membership Status

Division membership does not constitute an official endorsement or affirmation of the qualifications or expertise of the member by the Division. No member shall expressly represent or otherwise create the impression to the contrary.

5.5.1 A member's representation of membership status in any personal information including, but not limited to, curriculum vitae, biographies, testimony, speeches and presentations, shall at all times conform to the actual membership status conferred by the Division.

5.5.2 No member shall state or otherwise directly use the member's Division membership in connection with any product, advertisement or other enterprise of a commercial nature.

5.5.3 It is the member's responsibility to maintain current contact information with the Division

Secretary.

## 5.6 Review and Termination of Membership

- 5.6.1 The Executive Board shall periodically review the continuing activity of the membership as may be necessary or required by these Operating Rules.
- 5.6.2 Membership shall be terminated if: a) member is absent from four Division meetings within a two year time frame, and b) the Executive Board determines that the member has not made other significant contributions to the Division during the period of absence that warrant continued membership.
- 5.6.3 Membership may be terminated if a member engages in any activity that the Executive Board determines is in conflict with the purposes, goals or objectives of this Division.

Any person who alleges that a Division member has participated in activity that is contrary to the purposes, or not in the best interests, of the Division may file a formal written complaint with the Executive Board, which shall review and investigate all written complaints received. Oral complaints shall not be considered. Investigation of the written complaint shall include notification to the member against whom the complaint has been made and shall provide the member an opportunity to respond to the Executive Board. If the Executive Board, upon concluding its investigation, determines that the complaint is meritorious, the matter shall be scheduled for formal vote at the next scheduled meeting of the Executive Board. The person who filed the complaint and the member against whom the complaint was made shall be given the opportunity to appear and speak before the Executive Board. Upon consideration of all relevant evidence presented, the Executive Board shall determine whether or not the complaint is founded. If the Executive Board determines that the complaint is founded, the Executive Board may impose such sanctions it deems appropriate, including, but not limited to, a formal reprimand, suspension of or termination of membership.

- 5.6.4 Any member whose membership has been terminated shall have the right to request reinstatement. The Executive Board may, in its discretion, grant, deny or condition such reinstatement on such terms the Board deems necessary.

## 5.7 Voting Rights

Only Regular Members shall have the right to vote on Division activities. Associate Members shall not have voting rights.

### 5.7.1 Designation of Proxies

Regular Members of this Division qualified to vote under Section 5.3 of these rules may designate, in writing, another Regular Member of the Division to act as a proxy for voting. Intentions to designate a proxy must be made known to the Division Secretary prior to the meeting at which the proxy will appear.

## 5.8 Conferral of Emeritus Status

Any Regular or Associate Member who is discontinuing membership, but who has completed ten or more years of active and productive service within the Division, shall be eligible to be awarded Emeritus status. The Membership Committee shall submit all requests or recommendations for Emeritus status to the Executive Board, which shall review and approve or deny the recommendations in its discretion.

# 6 Executive Board and Division Leadership

## 6.1 Membership

The elected leadership of the Division, the Executive Board, is comprised of the elected Chair, Vice Chair, Secretary, Immediate Past Chair, fifteen elected regular members serving three-year staggered terms in classes of five regular members, five at-large regular members serving two-year terms appointed by the Division Chair, along with NSC Staff members as assigned.

Each member of the Executive Board shall be a Regular Member of this Division prior to appointment or election to the Executive Board.

## 6.2 Officers of the Division

The Executive Board shall elect the officers to two-year terms. The Chair and Vice-Chair may not serve more than two consecutive two-year terms in that office. The Chair, Vice-Chair, and Division Secretary shall, during their terms of office, also serve as Chair, Vice-Chair, and Secretary, respectively, of the Executive Board. All officers shall be Regular Members of this Division at the time of their election to office.

## 6.3 Executive Board Meetings

The Executive Board shall hold an annual meeting at a time and place to be designated by its Chair. It may meet at other times at the call of its Chair or upon request of five or more of its members.

## 6.4 Quorum and Voting

A quorum of the Executive Board shall consist of the majority of its members. Executive Board actions shall be taken by majority vote.

## 6.5 Reports

The Division Secretary shall submit the meeting minutes of the Executive Board to the assigned NSC staff member.

## 6.6 Selection of members

At least thirty days prior to the next annual meeting of the Executive Board, the Nominating Committee shall submit nominations to the current Executive Board for the officers of this Division, if applicable, and members of the Executive Board.

# 7 Committees

## 7.1 Standing Committees

There shall be the following standing committees, whose duties and responsibilities include, but are not limited to, those set forth herein:

### 7.1.1 Executive Committee

The Executive Committee consists of the Chair, Vice Chair, Past Chair, Secretary, and an Executive Committee Chair appointed by the Division Chair for a one year term.

1. Responds to urgent requests of the Division Chair when a regular meeting is not scheduled and the full Executive Board cannot readily be convened.

2. Reports provided by the Executive Committee to the NSC must clearly be labeled as a response from the Executive Committee and/or the officers of the Division and not necessarily the view or position of the Division.
3. All actions taken by the Executive Committee must be reported to the Executive Board at the next regular meeting of the Executive Board.

#### 7.1.2 Administrative Committee

1. Coordinates meetings
2. Maintains contacts with other organizations
3. Organizes Robert F. Borkenstein Award Dinner
4. Coordinates with National Safety Council
5. Solicits support from members and patrons to offset meeting expenses
6. Provides report of committee activities to the Executive Board including expenses, assets, and future events.

#### 7.1.3 Nominating Committee

The Nominating Committee is chaired by the Division's Immediate Past Chair and consists of four additional members from the Executive Board as determined by ballot at each annual Executive Board meeting. If the Immediate Past Chair is unable to serve as Chair of the Committee, the Division Chair shall appoint an individual to serve as such.

As required, the Nominating Committee shall propose a slate of candidates to the Executive Board for:

1. Division Officers
  - a. Chair
  - b. Vice Chair
  - c. Secretary
2. Executive Board Members
  - a. Vacant positions
  - b. Expiring three-year terms

#### 7.1.4 Membership Committee

1. Reviews applications for Division membership
2. Reviews qualifications of the nominees
3. Consults with an agency or organization of which the prospective member is employed, if necessary
4. Makes recommendations for changes in membership categories
5. Reports its findings related to membership to the Executive Board for action

#### 7.1.5 Robert F. Borkenstein Award Committee

7.2 The Award Committee will consist of five members: The four most recent Laureates of the NSC Robert F. Borkenstein Award able and willing to serve and an additional NSC Robert F. Borkenstein Award Laureate, appointed annually by the Division Chair, who shall serve as the voting chair of the Committee. Duties of the Committee and details of the Award are set forth in Addendum 1. Committee Appointments

- a. The Chair of this Division or their designee may appoint Regular Members and Associate Members of this Division with appropriate professional interests and activities to one or more of the standing Committees or ad hoc committees.

- b. The Chair of this Division shall appoint a Chair for each Committee from among the Regular Members of this Division.
- c. Only Committee members who are Regular Members of the Division shall have authority to vote as members of the Committee.
- d. The Committee Chair or designee shall report at Division meetings concerning such developments, make recommendations with respect to appropriate action by this Division on subjects of the Committee, and undertake specific projects assigned to the Committee by the Division or by the Executive Board.
- e. Additional standing committees may be established by the Executive Board.

### 7.3 Ad Hoc Committees

- a. The Division Chair shall appoint a Chair of each Ad Hoc Committee. Each Ad Hoc Committee Chair shall be a Regular Member of this Division.
- b. The Division Chair, with the advice and approval of the Executive Board, may appoint to Ad Hoc Committees persons qualified in their respective fields who are not members of this Division.
- c. Only those Ad Hoc Committee members who are Regular members of the Division shall have authority to vote as members of the Ad Hoc Committee.

## 8 Sections

Each Section is assigned topical subjects noted below.

The Chair of ADID may appoint members, regardless of member status and with appropriate professional interests and activities, to one or more of the following six Sections or their subcommittees:

- Section on Alcohol  
Subject areas include:
  - Testing for alcohol in blood, breath, tissue and other fluids
  - Techniques for measurement of the presence of and impairment by alcohol
  - Evaluation of analytical methods
  - Review of the medical, toxicological and pharmacological literature
- Section on Cannabis  
Subject areas include:
  - Testing for cannabis in blood, breath, tissue and other fluids
  - Techniques for measurement of the presence of, and impairment by, cannabis
  - Evaluation of analytical methods
  - Review of the medical, toxicological and pharmacological literature
- Section on Drugs  
Subject areas include:
  - Testing for drugs other than alcohol or cannabis in blood, urine, tissue and other fluids
  - Techniques for measurement of the presence of, and impairment by, drugs
  - Evaluation of analytical methods and scope
  - Review of medical, toxicological and pharmacological literature
- Section on Legal Factors



Subject areas include:

- Review of alcohol, drugs and impairment (ADI) related litigation and adjudication
- Identification of relevant statutory and Constitutional issues
- Legislative enactments and proposals
- Agency rulemaking and protocols governing ADI methods and instruments
- Section on Social and Behavioral Factors  
Subject areas include review and evaluation of:
  - Strategies to prevent and/or treat substance abuse
  - Behavioral factors that contribute to impaired driving crashes
  - Programs to reduce impaired driving
  - Social and behavioral science literature
- Section on Education, Training and Programs  
Subject areas include:
  - Science and technology of ADI in people
  - Use of scientific methods and data on ADI to promote safety and public policy
  - Identification of education and training opportunities related to ADID activities and interests.
  - Topics and guest speakers of interest to, and influence on, Division members

## 8.1 Section Membership and Activities

The Chair of this Division shall annually appoint a Chair for each Section from among the Regular Members of this Division. The Section Chair may recommend Subsections and subsection Chairs as needed to carry out the objectives of the Section for approval by the Chair.

Voting privileges related to the Section are limited to Regular Members.

Members of each Section shall keep abreast of current developments in the subjects assigned to the Section. The Section chair or designee shall report at Division meetings concerning such developments, make recommendations with respect to appropriate action by this Division on subjects of the Section, and undertake specific projects assigned to the Section by the Division Chair or by the Executive Board.

Additional permanent Sections may be established by the Executive Board by amendment to this document.

### 8.1.1 Section Activities Process

Section Activities, including subsection activities, should reflect the goals of the Division and Section, and be consistent with the mission of the National Safety Council.

NSC Policies and Position Statements can be produced from these activities, as can academic research. Any ADID supported research should be submitted to a discipline-specific peer-reviewed journal for possible publication.

Section goals and projects should be reviewed every two years by the Executive Board and NSC Staff for alignment with ADID goals and NSC strategy.

## 9 Meetings and Actions of the Division

### 9.1 Annual Meetings

The Division shall meet twice annually, virtually and/or in person, coordinated with the annual meetings of the American Academy of Forensic Sciences (AAFS) and the Society of Forensic Toxicologists (SOFT). A meeting notice shall be published to the membership at least 30-days prior to each meeting.

The Division Secretary shall submit minutes to the designated NSC staff member

#### 9.2 Additional Meetings

The Division may convene additional meetings upon call of the Division Chair with the approval of the Executive Board. Notice of any additional meetings shall be provided to each member of the Division at least thirty days before the meeting date.

#### 9.3 Quorum

At any meeting of this Division, a quorum of fifteen or more Regular Members or their proxies, in attendance either physically present or present by electronic means, shall be required for the transaction of business.

#### 9.4 Voting

A majority affirmative vote of Regular Members or their proxies, present and voting at any meeting, virtual or in-person, at which a quorum is present shall constitute approval of any proposed action to be taken by this Division.

### **10 Amendment of Operating Rules**

These Operating Rules may be amended by a two-thirds vote of the full membership of the Executive Board, subject to the approval of the majority of Regular Members, either at a meeting, by letter, or by electronic ballot. A written notice of proposed amendments to the Operating Rules shall be sent to all Regular Members at least thirty days prior to the taking of any formal vote on amendment.

### **11 Conduct of Meetings**

The provisions of the most recent edition of Robert's Rules of Order shall govern the conduct of the meetings of the Division, Executive Board, Sections, Committees, and other actions unless otherwise provided for by law, the bylaws of the National Safety Council or these rules.

## **Addendum 1**

### **NSC Robert F. Borkenstein Award**

The Alcohol, Drug and Impairment Division's highest peer-recognition award will be the NSC Robert F. Borkenstein Award which is governed by the following:

#### **Purpose**

To recognize individuals who have made outstanding contributions through a lifetime of service consistent with the ideals and achievements of Dr. Robert Frank Borkenstein. These contributions will be in the area of alcohol/drugs in relation to traffic and transportation safety.

#### **Sponsor**

The Alcohol, Drugs and Impairment Division is the sponsor of the National Safety Council Robert F. Borkenstein Award.

#### **Qualifications**

Persons nominated must, through a minimum tenure of twenty-five years of active service in the field of alcohol/drugs and traffic safety, have contributed to that field to a degree that their achievements have been nationally recognized. A minimum of ten years of active and productive involvement as a volunteer with the National Safety Council must be shown. Career contributions will have been in one of the following areas: (1) alcohol education; (2) legal matters; (3) alcohol-related cases; (4) human factors – the involvement in scientific research and studies of alcohol and the medical/physiological/psychological aspects of alcohol and traffic safety; (5) technology-toxicological procedures involving alcohol/drugs and development and evaluation of techniques; and (6) action programs – law enforcement, legislation, public information, intervention efforts, and other social factors related to alcohol/drugs and traffic safety.

#### **Nominations**

Any individual, committee, agency or organization may submit nominations. The Robert F. Borkenstein Award Committee (as defined in Section 7.1.4 of these Operating Rules) shall review each nomination for appropriateness and qualifications. If the Committee selects a proposed award recipient, the Committee Chair shall forward the proposed nomination through the Division Chair to the Executive Board for review and final vote on the nomination.

#### **Rules**

Only one award recipient will be designated in a year. Awards may or may not be granted each year. Nominations must be submitted to the Alcohol, Drugs and Impairment Division through its Executive Board at the National Safety Council Headquarters by September 1 of the year preceding the year the award is to be granted.

#### **Presentation**

The award winner will be recognized at the annual meeting of the Alcohol, Drugs and Impairment Division or an affair associated with such annual meeting.

#### **Publicity**

Publicity for the award will be provided by the National Safety Council Communications Department.