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Source: National Transportation Safety Board (NTSB), *Multivehicle Crash at Signalized Intersection, North Las Vegas, Nevada (HWY22FH004)*

When the Warnings Go Unheard: Closing the Gaps in Records and Accountability to Address Dangerous Drivers

By Judge Kate Huffman, ABA National Judicial Fellow, and Dr. Ryan C. Smith, Senior Director of Traffic Safety Research and Innovation, Responsibility.org and National Alliance to Stop Impaired Driving (NASID)

A recent collision that claimed the lives of nine people exposes the painful truth about the cost of unchecked dangerous driving. The driver who caused the crash—impaired, traveling at over 100 mph and flouting multiple traffic laws—was no stranger to law enforcement, but significant systemic gaps in the legal and traffic records systems failed to adequately track his repeat offenses and therefore address his continued pattern of risky

driving. Despite an extensive history of speeding, driving under the influence, driving under suspension, and other violations, these offenses were often reduced or incapable of being tracked across multiple jurisdictions. Numerous traffic citations were not recorded on the driver's official record, and four speeding violations were reduced to "illegal parking" in the five years before the crash. These practices and data gaps obscured the true extent of risk behind the driver's record for the future justice professionals who encountered the driver. The catastrophic circumstances of the collision, while preventable, represent repeated failures to address the behavior of the driver and deter his continued dangerous driving. These systemic failures are not unique to this driver or jurisdiction but occur nationwide and undermine efforts to identify repeat offenders. This crash serves as an example of the all-too-common systemic failures across our traffic and court records systems and is not an exception. The collision underscores the critical need for comprehensive, transparent traffic histories available to criminal justice collaborators as well as real accountability for offenders throughout the legal process for even seemingly minor offenses. Without both, dangerous behaviors remained unchecked, with communities and individuals paying the ultimate price.

The NTSB Investigation

The National Transportation Safety Board, an independent federal agency charged by Congress with investigating every civil aviation incident in the United States and significant events in other modes of transportation, including on American roadways, not to assign fault or liability, but to investigate and issue safety recommendations aimed at preventing future occurrences[1] conducted an extensive investigation[2] into this North Las Vegas crash. Resulting from a combination of data gathered from multiple vehicle's event data recorders (EDRs), surveillance video and cameras in the area, investigators developed a precise picture of Robinson's activities in the seconds prior to impact. The NTSB also conducted independent toxicological analysis and meticulously searched for the driver's complete traffic records by scouring multiple data sources and records systems across the state. The findings and recommendations from this extensive investigation provide insight into the specific events leading up to this crash, as well as evidence-based solutions to prevent similar tragedies on our nation's roadways.

2018 Dodge Challenger. Source: National Transportation Safety Board (NTSB), *Multivehicle Crash at Signalized Intersection, North Las Vegas, Nevada (HWY22FH004)*

The Collision

On Saturday, January 29, 2022, at approximately 3:12PM, Gary Dean Robinson, age 59, with a front-seat passenger, approached the congested signalized intersection of North Commerce Street and Cheyenne Avenue in North Las Vegas, Nevada, operating his 2018 Dodge Challenger at a speed approaching 100 mph, almost three times the posted speed limit. The weather was clear and the roadway conditions were dry. A Toyota Sienna minivan, traveling lawfully on Cheyenne Avenue at 44 mph in a 50 mph zone, entered the intersection on a steady green light. The traffic signal controlling Robinson's direction of travel had been red for twenty-nine seconds as his vehicle entered the intersection traveling 103 mph and struck the right

2013 Toyota Sienna. Source: National Transportation Safety Board (NTSB), *Multivehicle Crash at Signalized Intersection, North Las Vegas, Nevada (HWY22FH004)*

[1] Title 49 Code of Federal Regulations, Section 831.4.

[2] *Supra* note 1.

side of the minivan. The impact of the collision caused the Toyota to strike an eastbound Ford Fusion and then sideswipe a Hyundai Tucson that was traveling westbound through the intersection. The Toyota then began a lateral rollover. The Dodge then struck a westbound Chevrolet Malibu before coming to a stop off the roadway.[3] Debris from the crash also struck a Mercedes GLE-350. In total, six vehicles and 15 people were directly involved in the crash.

Video evidence from the industrial area where the collision occurred showed Robinson, as he drove toward Cheyenne Avenue on North Commerce Street, moving to the left lane to pass a slower-moving truck, then returning to the right lane. Despite a "stop ahead sign" warning of an approaching stop sign, Robinson ran the stop sign at the four-way intersection with Brook Avenue, 1,360 feet south of the Cheyenne Avenue intersection, traveling at 88 mph in the posted 35 mph zone. Two 35 mph speed limit signs were visible on North Commerce Street in Robinson's direction of travel within one mile of the crash location. The asphalt roadway was straight and consisted of multiple lanes, but at the intersection with Cheyenne Avenue, the road consisted of one left-only and one right-only turn lanes, and one through lane. After running the stop sign at Brook Avenue, and as he approached Cheyenne Avenue, Robinson operated his vehicle at increasingly dangerous speeds during the five seconds prior to impact with the minivan—accelerating from 88 mph to 103 mph at impact.

The data available from Robinson's Challenger revealed the engine throttle recorded at 100% in the 5 seconds before impact. Similarly, the accelerator pedal was at 100% during the seconds before the crash up until 0.5 seconds before contact when a slight decrease was recorded. The accelerator pedal was 78% at impact. The vehicle recorded no effort at braking before or through impact. Because of the excessive speed at which Robinson's vehicle entered the intersection, none of the drivers affected by his reckless conduct had a reasonable opportunity to react and avoid the impacts. No evidence existed that the Challenger engaged in swerving, weaving, drifting, or any other behavior that could indicate loss of control of the vehicle by Robinson.

The Victims

The collision involved fifteen total vehicle occupants in six individual vehicles. Seven family members, ranging in age between 5 and 35 years old, traveling in the minivan died as a result of the collision. The driver of the minivan and the occupants in the front passenger seat and two middle row riders wore seat belts, but the three children in the third row were unrestrained, resulting in their ejection from the vehicle during the subsequent rollover of the van following impact. At least one of the ejected occupants of the minivan impacted a Mercedes traveling on Cheyenne Avenue. An occupant in the Ford Fusion sustained serious injuries, and one in the Hyundai Tucson received minor injuries.

The At-Fault Driver

Robinson and his passenger also perished in the crash. Although seatbelted, Robinson sustained blunt-force trauma to his head, torso, and extremities. His passenger was not utilizing a restraint and also experienced blunt-force trauma.

Driver Toxicology. The NTSB sent several blood samples from the driver to the Federal Aviation Administration (FAA) Forensic Sciences laboratory for comprehensive toxicological testing. Cocaine, phencyclidine (PCP), levamisole, gabapentin, and various additional prescription and non-prescription medications were detected in the blood samples. The NTSB included impairment from the effects of cocaine and PCP in their probable cause of the crash. Research has associated cocaine use with substantially elevated fatal crash risk.[4] Known signs of cocaine and PCP impairment include aggression, poor impulse control, and risk-taking behavior.[5]

[3] National Transportation Safety Board, *Multivehicle Crash at Signalized Intersection*, Highway Investigation Report HIR-23-09, November 14, 2023.

[4] R. Elvik, *Risk of Road Accident Associated With the Use of Drugs: A Systematic Review and meta-Analysis of Evidence from Epidemiological Studies*, 60 Accident Analysis & Prevention 254 (2013).

[5] SEE NTSB report p. 18–19 for additional details on the drug samples that were tested and drug analytes that were detected in each of these samples.

Driver Records. At the time of the collision, Robinson possessed a class C driver's license, expiring in 2028. His driving privileges had been previously suspended from December 25, 2017, to January 8, 2020.

Robinson's arrest record goes back to two DUI arrests in Indiana in the 1980s. The NTSB was able to track a total of 18 other citations that occurred after the DUIs and before the 2022 crash, including speeding, driving while license suspended, unsafe operation, failure to obey traffic signal, and unsafe operation. In the years preceding the crash, there were numerous opportunities for the criminal justice system to intervene to address Robinson's dangerous driving behavior, including five convictions for driving under suspension, three speeding convictions, one case of failure to signal and one adjudication for failure to obey traffic devices, as well as one offense of driving without liability insurance. At the time of the crash, Robinson's 10-year official driving record listed only one moving violation—a speeding ticket issued in 2017.

The NTSB spent significant time tracking Robinson's driving history that was not available in state or national databases. The table below shows Robinson's speeding citations beginning in 2017.[6] In the seventeen months prior to the North Las Vegas crash, Robinson's full driving history revealed five speeding arrests. Three out of the five were reduced to "illegal parking." This reduced them to non-moving violations, preventing them from appearing as meaningful indicators of repeat risky driving behavior in statewide driving records. The two other speeding convictions were not reflected on his Official Nevada Driving Record nor had any demerit points been assigned. Instead, the traffic violations remained in local court records only. Thus, reductions in offenses and faulty reporting of convictions made Robinson's record look better than it was and precluded the opportunity for courts to successfully address his dangerous driving. Further contributing to the inaccuracy of Robinson's official record, the Nevada statewide records system lacked any means for tracking reduced charges or sentences that altered original violations. Unless a particular court handled the reduced, dismissed, or unreported cases, the court lacked critical information important to bond and sentencing decisions.

Date	Original Citation	Outcome
4/26/2017	Speeding: 57 mph in a 45 mph	Guilty of Speeding
5/17/2017	Speeding: 86 mph in a 65 mph	Reduced to Illegal Parking
License Suspended 12/25/2017–1/8/2020		
8/29/2020	Speeding: 50 mph in a 40 mph	Reduced to Illegal Parking
11/18/2020	Speeding: 67 mph in a 45 mph	Guilty of Speeding
2/3/2021	Speeding: 80 mph in a 65 mph	Guilty of Speeding
8/9/2021	Speeding: 55 mph in a 35 mph	Reduced to Illegal Parking
12/9/2021	Speeding: 1–10 mph over speed limit	Reduced to Illegal Parking

Conclusions from the NTSB Report

After a lengthy evaluation and analysis, the NTSB found the probable cause of the crash included excessive speed and failure to obey traffic control devices, contributed to by Robinson's impairment and disregard for safety and traffic laws, as well as systemic issues with prior pleas and reductions associated with Robinson's extensive history of traffic violations, inaccurate driving records, and delays in reporting his convictions.[7]

[6] See North Las Vegas NTSB Report.

[7] *Supra* note 1.

The report concluded that the mechanical conditions of Robinson's Dodge Challenger, the actions of other drivers, and weather and visibility played no role in the collision.

In its report, the NTSB identified three primary safety issues associated with Robinson's conduct resulting in the deaths of nine people: preventing drug-impaired driving, the importance of developing technology to prevent excessive speed, and the need for countermeasures targeted at repeat speeding offenders. The report made a number of findings on the factors contributing to the deadly collision, including:

1. The mechanical condition of the vehicle, the conduct of other drivers, and weather and visibility were not factors in the collision;
2. The driver's use of cocaine and phencyclidine impaired his decision-making such that he increased his speed to 103 mph and failed to observe at least two traffic control devices;
3. The driver's history and his specific actions on the day of the collision showed repeated disregard for safety and traffic laws;
4. Because the driver was a repeat speed offender, he was more likely to cause a speed-related crash;
5. Inaccurate driver records, due to delays in reporting convictions and plea agreements to alter or drop charges, reduced the likelihood that a driver will be identified as a repeat speeder.[8]

Addressing Dangerous Speeding Offenders

Speeding remains one of the most dangerous and persistent factors in fatal crashes, magnifying the force of impact, reducing a driver's reaction time, and making it far harder to maintain control of a vehicle. According to national traffic safety data, speeding is involved in roughly 28% of all fatal crashes, underscoring just how often excessive speed turns a preventable decision into a fatal mistake. When drivers choose to exceed the speed limit—whether out of impatience, impairment, or simple disregard for safety—the risk not only to themselves but to everyone sharing the road increases dramatically. Excessive speed reduces the driver's reaction time to avoid dangerous situations, increases stopping distance, and reduces the potential for road safety structures, such as guardrails, crash cushions, and median dividers, to protect vehicle occupants in the event of impact.[9]

Speeding and impairment also represent a dangerous combination, as speeding exacerbates the risks associated with impaired driving.[10] However, as the NTSB report concluded, while repeat speeding is a nationwide problem, evidence-based countermeasures focusing on repeat speeding offenders and high-risk drivers are yet to be identified.

The NTSB final report recommended the installation of intelligent speed assistance systems as standard equipment in all new vehicles, which, at a minimum, should warn the driver when the vehicle exceeds the posted speed limit. The investigation concluded that the presence of an intelligent speed assistance system on Robinson's vehicle would likely have mitigated the severity of the crash.

The National Highway Traffic Safety Administration (NHTSA) describes Intelligent Speed Assistance (ISA) as in-vehicle technology that uses "GPS data interacting with accurate, digitally mapped speed limit data for the entire network or vehicle-based speed limit sign recognition. ISA systems can vary from minimal systems that provide information to active speed limit controls."[11] ISA is designed to ensure the vehicle does not exceed a safe or legally enforced speed using GPS and a database of posted speeds. The system can be active—

[8] The NTSB report reached thirteen distinct findings; those not listed are not pertinent to this discussion.

[9] National Safety Council, *Injury Facts*, available at https://injuryfacts.nsc.org/.

[10] Mark B. Johnson, *Drunk Driving Has a Speed Problem*, Traffic Injury Prevention (Feb. 21, 2025).

[11] Kirley, B. B., Robison, K. L., Goodwin, A. H., Harmon, K. J., O'Brien, N. P., West, A., Harrell, S. S., Thomas, L., & Brookshire, K. (2023, November). *Countermeasures that work: A highway safety countermeasure guide for State Highway Safety Offices, 11th edition, 2023* (Report No. DOT HS 813 490). National Highway Traffic Safety Administration.

automatically intervening to reduce the vehicles speed, or passive—an advisement to the driver of the posted limit and the driver's speed. Some vehicle systems, though, permit both active and passive ISA to be overridden by the driver. Numerous studies support the effectiveness of both active and passive ISA.[12]

In the absence of other available evidence-based practices to reduce speeding recidivism and until research supports other applicable countermeasures that work, courts should explore the mandatory use of an ISA system for repeat speeding violators, similar to the use of interlock systems for impaired drivers.

Systemic Failures to Intervene and Critical Data Gaps

Drivers displaying high-risk offending patterns are significantly associated with being at fault in a fatal crash.[13] Yet, systemic gaps in state and national traffic records systems make the identification of repeat offenders challenging or impossible. A drivers record system which fails to provide adequate and timely information about a driver's prior offenses (including plea agreements and reductions) available to prosecutors, law enforcement, and judges undermines the integrity of the system and the potential for the criminal justice system to apply evidence-based sanctions to affect recidivism.[14]

The NTSB report highlights "timely and accurate identification of high-risk drivers and repeat speeding offenders" as a critical step in targeting problematic speeding, among other dangerous driving behaviors. This is also true for other offenses such as impaired driving. However, delays in reporting convictions to state authorities can lead to inaccurate and incomplete driving records and, thus, uninformed responses by decision-makers, including prosecutors and judges. The driving history of Robinson, including systemic failures to report cases and adjudications to state-wide record management authorities, as well as an inability to track prior reductions and pleas, and a lack of prior appreciable intervention to deter his behavior contributed to the tragic events of January 22, 2022.

Drivers perceived to be first offenders are more often granted probation,[15] with little or no intervention to aid in reducing recidivism, thereby thwarting the deterrent effect of arrest and court involvement. Providing all involved with criminal justice decisions with a comprehensive driving history for the offender, including any out-of-state arrests, reduction in charges as well as the circumstances of each arrest, helps shape a more complete understanding of the offender, thus permitting appropriate interventions, and hopefully the opportunity to avoid preventable deaths.

Conclusion

In the end, preventing tragedies on our roads requires more than reacting after lives have been lost—it demands a system that recognizes and addresses dangerous driving behaviors before they escalate. Complete and accurate traffic records are essential in sentencing, ensuring that judges and prosecutors see the full picture rather than a fragmented history that minimizes risk. Taking so-called minor offenses seriously

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[12] Frank Lai and Oliver Carsten, *What Benefit Does Intelligent Speed Adaptation Deliver: A Close Examination of its Effect on Vehicle Speeds*, 48 Accident Analysis and Prevention 4 (2012); J. van der Pas, J. Kessels, B.D.G. Veroude and B. Van Wee, *Intelligent Speed Assistance for Serious Speeders: The Results of the Dutch Speedlock Trial*, 72 Accident Analysis and Prevention 78 (2014); D. De Leonardis, R. Huey and E. Robinson, *Investigation of the Use and Feasibility of Speed Warning Systems* (Report No. DOT HS 811 996), Washington, D.C.: U.S. Department of Transportation, NHTSA (2014); Andras Varhelyi, Magnus Hjalmdahl, Chriser Hyder and Magda Draskoczy, *Effects of an Active Accelerator Pedal on Driver Behavior and Traffic Safety After Long-Term Use in Urban Areas*, 36 Accident Analysis and Prevention 729 (2004).

[13] Benjamin Davey, Alexander Parkes, James Freeman, Laura Mills and Jeremy Davey, *Versatile, but Not Focused, Traffic Offenders are More Likely to be at Fault for a Fatal Crash*, 81 J Safety Research 143 (2022).

[14] Pamela Greer, *Model Impaired Driving Records Information Systems Tying Together Data Systems to Manage Impaired Drivers*, Report No. DOT HS 811 489), Washington, DC: U.S. Department of Transportation, NHTSA (2011).

[15] William J. Rauch, Paul L. Zador, Eileen M. Ahlin, Jan M. Howard, Kevin C. Frissel, and G. Doug Duncan, *Risk of Alcohol-Impaired Driving Recidivism Among First Offenders and Multiple Offenders*, 100 Am J Public Health 919 (2010); G.R. Wheeler and R.V. Hissong, *Effects of Criminal Sanctions on Drunk Drivers: Beyond Incarceration*, 34 Crime Delinquency 29 (1988); F.S. Taxman and A. Piquero, *On Preventing Drunk Driving Recidivism: An Examination of Rehabilitation and Punishment Approaches*, 26 J. Crim Justice 129 (1998).

is equally critical, as repeated speeding, impairment, or reckless conduct often signal deeper patterns that, if ignored, can lead to catastrophic outcomes. At the same time, embracing proven technologies like intelligent speed assistance can provide real-time safeguards, helping drivers stay within safe limits and reducing the likelihood of high-speed crashes. Together, accountability, thorough documentation, and proactive safety tools form the foundation of a system capable of truly protecting the public.

While this crash occurred in North Las Vegas, Nevada, these same systemic records gaps occur in jurisdictions throughout the country and produce similarly tragic incidents. Key traffic records data are too often siloed, unintegrated, and unavailable. Complete records are taken for granted and assumed, when complete records may be the exception rather than the norm. Data and traffic records are key elements of identifying repeat offenders, providing necessary treatment and court action, and reducing recidivism and loss of life on our roadways. In the meantime, other repeat offenders are still flying under the radar and needlessly placing themselves and others at extreme risk on our roadways.

About the Authors

Kate Huffman served for twenty-one years as a General Division Judge on the Montgomery County Common Pleas Court and since 2023 has served on the Ohio Second District Court of Appeals. During her trial court tenure, she presided at various times over the Drug Court and the Women's R.IS.E. court. Judge Huffman teaches as an adjunct faculty member at the University of Dayton School of Law and on the faculty of the National Judicial College. She currently serves as the American Bar Association Judicial Fellow, providing peer-to-peer training on a variety of topics associated with impaired driving. Judge Huffman is also the author of numerous publications, primarily related to impaired driving as well as treatment court issues.

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