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DUI BILLS ADVANCE IN VIRGINIA

BILLS TARGETING DRUNK DRIVERS AND UNDERAGE DRINKERS MOVE FORWARD IN RICHMOND

Richmond, VA, Feb. 15 – Budget, education and gun bills may be getting all the attention but a significant number of bills aimed at both drunk drivers and teen drinkers are both quietly and surely advancing in Virginia's current General Assembly session.

Bills moving forward this year and in advance of this week's "crossover" deadline include those proposing to:

- impound vehicles of those driving on a driving under the influence (DUI)-suspended driver's license (HB 742);
- create a new Class 1 misdemeanor penalty for school bus operators consuming or possessing alcohol beverages (HB 1353);
- mandate ignition interlock devices for all DUI offenders (HB 1197);
- limit where alcohol legally served to those underage (families within a residence) is consumed (to said residence) (HB 1293);
- remove the caveat that persons under 21 would have to have "illegally" consumed alcohol to be charged with drinking and driving (HB 993);
- double ("up to...") the current six-month driver's license sanction for persons under 18 twice or more convicted of underage drinking (HB 908);
- eliminate the current mandate that persons under 18 convicted of underage drinking automatically have their disposition deferred (HB 862);
- specify that hospital settings be allowed as places of DUI arrests thereby facilitating blood alcohol concentration (BAC) tests to be conducted at the same (HB 924*);

(more)

- disallow courts from issuing restricted driver's licenses for school travel to underage persons convicted of either DUI or refusing a BAC test (HB 863*);
- allow law enforcement to issue a summons (versus making an arrest) for DUI suspects transferred to a hospital setting and eliminate the current mandate that DUI offenses occur in an officer's *presence* to warrant arrest (HB 770*);
- and direct Virginia's Department of Criminal Justice to develop model policy allowing Virginia law enforcement to collect and report "place of last drink" information for persons arrested for DUI (HB 144).

(All of the aforementioned bills have already passed Virginia's House of Delegates unless marked with an asterisk. These () three bills are on their second reading today.)*

"As Virginia's numbers of alcohol-related traffic fatalities remain largely unchanged in the last ten years, these bills are demonstrative that the Commonwealth's patience with both drunk drivers and teen drinkers has worn thin," said Kurt Gregory Erickson, President of the nonprofit and Virginia-based Washington Regional Alcohol Program (WRAP) and registered Virginia lobbyist.

While Virginia officials recently hailed 2009 as the year recording the lowest number of traffic deaths since first recording such fatalities in 1966, a review of *alcohol-related* deaths occurring on Virginia's roadways shows that – with the exception of 2005's double-digit percentage decline – drunk driving deaths occurring on Virginia's roadways have dropped by a little over two-and-a-half percent (2.74%) between 1999 and 2008.

(Source:

Virginia DMV; http://www.dmv.virginia.gov/webdoc/safety/crash_data/crash_facts/index.asp)

In addition to this year's advancing DUI-specific legislation, other Virginia bills also moving forward this year include those proposing new procedures in criminal cases involving forensic evidence including BAC tests and in response to last summer's U.S. Supreme Court's *Melendez-Diaz v. Massachusetts* decision.

Founded in 1982, the non-profit and McLean, Virginia-based Washington Regional Alcohol Program is a two-time winner of Virginia's prestigious Governor's Transportation Safety Award as well project manager of the Commonwealth's statewide *Checkpoint Strikeforce* campaign. As a public-private partnership, WRAP works to prevent drunk driving and underage drinking in the Washington-metropolitan area including in Northern Virginia however the organization may best be known to area residents via its popular free cab ride service for would-be drunk drivers, *SoberRide*.

For more information, visit WRAP's web site at www.wrap.org.