

# HOUSE BILL 1204

R3

8lr2437

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By: **Delegates Valentino-Smith, Sanchez, Sydnor, A. Washington, and P. Young**  
Introduced and read first time: February 8, 2018  
Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Task Force to Study Impaired Driving and New Technologies**

3 FOR the purpose of establishing the Task Force to Study Impaired Driving and New  
4 Technologies; providing for the composition, chair, and staffing of the Task Force;  
5 prohibiting a member of the Task Force from receiving certain compensation, but  
6 authorizing the reimbursement of certain expenses; requiring the Task Force to  
7 study and make recommendations regarding certain matters; requiring the Task  
8 Force to report its findings and recommendations to the Governor and the General  
9 Assembly on or before a certain date; providing for the termination of this Act; and  
10 generally relating to the Task Force on Impaired Driving and New Technologies.

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
12 That:

13 (a) There is a Task Force to Study Impaired Driving and New Technologies.

14 (b) The Task Force consists of the following members:

15 (1) one member of the Senate of Maryland, appointed by the President of  
16 the Senate;

17 (2) one member of the House of Delegates, appointed by the Speaker of the  
18 House;

19 (3) the Secretary of State Police, or the Secretary's designee;

20 (4) the Secretary of Transportation, or the Secretary's designee;

21 (5) the Director of the Division of Parole and Probation, or the Director's  
22 designee;

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (6) the Chief Administrative Law Judge of the Office of Administrative  
2 Hearings, or the Chief Administrative Law Judge's designee;

3 (7) the Executive Director of the Maryland Institute for Emergency  
4 Medical Services Systems, or the Executive Director's designee;

5 (8) one member of the Judiciary, appointed by the Chief Judge of the Court  
6 of Appeals;

7 (9) the President of the Maryland Chiefs of Police Association, or the  
8 President's designee;

9 (10) the President of the Maryland Sheriffs' Association, or the President's  
10 designee;

11 (11) the President of the Maryland State's Attorneys' Association, or the  
12 President's designee;

13 (12) the Public Defender of Maryland, or the Public Defender's designee;

14 (13) the President of the Maryland Trial Lawyers Association, or the  
15 President's designee;

16 (14) the President of the Maryland Criminal Defense Attorneys' Association,  
17 or the President's designee; and

18 (15) the following members appointed by the Governor:

19 (i) one representative of the Maryland hospitality industry;

20 (ii) one representative of the alcoholic beverages industry;

21 (iii) one representative from the automobile insurance industry;

22 (iv) two representatives of citizen-based traffic safety advocacy  
23 groups; and

24 (v) one member of the general public.

25 (c) The Governor shall request that a representative from the National  
26 Transportation Safety Board participate in the Task Force.

27 (d) The Secretary of Transportation, or the Secretary's designee, shall chair the  
28 Task Force.

29 (e) (1) The Governor's Office of Crime Control and Prevention shall provide  
30 staff for the Task Force.

1           (2) At the request of the chair of the Task Force, other units of State  
2 government shall provide any facilities, assistance, and data that the Task Force needs to  
3 carry out its duties.

4           (f) A member of the Task Force:

5                 (1) may not receive compensation as a member of the Task Force; but

6                 (2) is entitled to reimbursement for expenses under the Standard State  
7 Travel Regulations, as provided in the State budget.

8           (g) The Task Force shall:

9                 (1) review any achievements made in the past 20 years in combating  
10 driving while under the influence of drugs and alcohol;

11                (2) identify and assess current efforts being taken in the State and other  
12 states to address driving while under the influence of drugs and alcohol;

13                (3) identify national best practices for combating driving while under the  
14 influence of drugs and alcohol;

15                (4) determine if any gaps exist between current State efforts and identified  
16 national best practices for combating driving while under the influence of drugs and  
17 alcohol;

18                (5) study and review new technologies being used to combat driving while  
19 under the influence of drugs and alcohol, including:

20                         (i) oral fluid testing;

21                         (ii) cell phone analysis and textalyzers;

22                         (iii) push-button technology;

23                         (iv) alcohol-sensing flashlights; and

24                         (v) continuous-monitoring body sensors;

25                (6) identify the most effective and practicable technologies that could be  
26 implemented in the State;

27                (7) recommend technologies that should be implemented in the State;

28                (8) recommend actions necessary to implement national best practices for  
29 combating driving while under the influence of drugs and alcohol in the State;

1 (9) recommend new State initiatives to address all impaired-driving  
2 populations, including those found to be disproportionately responsible for driving  
3 fatalities, such as repeat offenders, drivers with blood alcohol concentrations of 0.15% or  
4 more, and underage drinkers;

5 (10) recommend actions to sustain and enhance the public's awareness of  
6 and concern for the danger posed by drunk driving; and

7 (11) recommend strategies for improved coordination of management,  
8 funding, and resources at State and local levels.

9 (h) On or before December 1, 2019, the Task Force shall report its findings and  
10 recommendations to the Governor and, in accordance with § 2-1246 of the State  
11 Government Article, the General Assembly.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
13 1, 2018. It shall remain effective for a period of 2 years and, at the end of June 30, 2020,  
14 this Act, with no further action required by the General Assembly, shall be abrogated and  
15 of no further force and effect.