

HOUSE BILL 758

R3

7lr1291

By: **Delegates Dumais, Bronrott, Anderson, Barkley, Barve, Feldman, Frank, Howard, Kaiser, Kelly, N. King, Kramer, Lawton, Lee, McComas, Mizeur, O'Donnell, Schuler, Shank, Shewell, Smigiel, Sophocleus, and Valderrama**

Introduced and read first time: February 9, 2007

Assigned to: Judiciary

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 20, 2007

CHAPTER _____

1 AN ACT concerning

2 **Task Force to Combat Driving Under the Influence of Drugs and Alcohol**

3 FOR the purpose of establishing the Task Force to Combat Driving Under the
4 Influence of Drugs and Alcohol; providing for the membership of the Task Force;
5 requiring the Governor to request that a certain representative participate in
6 the Task Force; designating the chair of the Task Force; providing for the
7 staffing for the Task Force; providing that a member of the Task Force may not
8 receive certain compensation, but is entitled to a certain reimbursement;
9 establishing the duties of the Task Force; requiring the Task Force to submit
10 interim and final reports to the Governor and the General Assembly on or
11 before certain dates; providing for the termination of this Act; and generally
12 relating to the Task Force to Combat Driving Under the Influence of Drugs and
13 Alcohol.

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
15 MARYLAND, That:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (a) There is a Task Force to Combat Driving Under the Influence of Drugs
2 and Alcohol.

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

4 (1) ~~three members~~ one member of the Senate of Maryland, appointed
5 by the President of the Senate;

6 (2) ~~three members~~ one member of the House of Delegates, appointed
7 by the Speaker of the House;

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

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

10 ~~(5) the Secretary of Health and Mental Hygiene, or the Secretary's~~
11 ~~designee;~~

12 ~~(6) the Motor Vehicle Administrator, or the Administrator's designee;~~

13 ~~(7) the State Highway Administrator, or the Administrator's designee;~~

14 ~~(8) the Attorney General of the State, or the Attorney General's~~
15 ~~designee;~~

16 ~~(9)~~ (5) the Director of the Division of Parole and Probation, or the
17 Director's designee;

18 ~~(10)~~ (6) the Chief Administrative Law Judge of the Office of
19 Administrative Hearings, or the Chief Administrative Law Judge's designee;

20 ~~(11)~~ (7) the Executive Director of the Maryland Institute for Emergency
21 Medical Services Systems, or the Executive Director's designee;

22 ~~(12)~~ (8) ~~the Chief Judge of the District Court, or the Chief Judge's~~
23 ~~designee;~~

24 ~~(13) one representative of the circuit courts appointed by the Chief~~
25 ~~Judge of the Court of Appeals;~~

26 ~~(14) a provider of judicial training and education from the Judicial~~
27 ~~Institute of Maryland~~ one member of the Judiciary, appointed by the Chief Judge of
28 the Court of Appeals;

1 ~~(15)~~ (9) the President of the Maryland Chiefs of Police Association, or the
2 President's designee;

3 ~~(16)~~ (10) the President of the Maryland Sheriffs' Association, or the
4 President's designee;

5 ~~(17)~~ (11) the President of the Maryland State's Attorneys' Association, or
6 the President's designee;

7 ~~(18) the President of the Maryland Public Defender's Association, or the~~
8 ~~President's designee;~~

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

10 ~~(19)~~ (13) the President of the Maryland Trial Lawyers Association, or the
11 President's designee; ~~and~~

12 (14) the President of the Maryland Criminal Defense Attorneys'
13 Association, or the President's designee;

14 (15) one representative of the Maryland Beer Wholesalers Association,
15 appointed by the Maryland Beer Wholesalers Association; and

16 ~~(20)~~ (16) the following members appointed by the Governor:

17 (i) ~~three representatives~~ one representative of the Maryland
18 alcoholic beverage and hospitality industry;

19 (ii) ~~three representatives~~ one representative of alcoholic
20 beverage manufacturers;

21 (iii) ~~three representatives~~ one representative from the auto
22 insurance industry; ~~and~~

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

25 (v) one member of the general public.

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

1 (d) The chair of the Task Force shall be the State Secretary of
2 Transportation, or the Secretary's designee.

3 (e) (1) The State Department of Transportation shall provide staff for the
4 Task Force.

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

8 (f) A member of the Task Force:

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

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

12 (g) The Task Force shall:

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

15 (2) identify and assess current efforts being taken to address driving
16 while under the influence of drugs and alcohol in the State;

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

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

22 (5) recommend actions necessary to implement, in the State, national
23 best practices for combating driving while under the influence of drugs and alcohol;

24 (6) recommend new State initiatives to address all impaired driving
25 populations including those found to be disproportionately responsible for driving
26 fatalities, such as repeat offenders, drivers with blood alcohol concentrations of .15%
27 or more, and underage drinkers;

28 (7) recommend actions to sustain and enhance the public's awareness
29 and concern for the danger posed by drunk driving; and

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

3 (h) (1) On or before December 31, 2007, the Task Force shall submit an
4 interim report of its findings and recommendations to the Governor and, in accordance
5 with § 2–1246 of the State Government Article, the General Assembly.

6 (2) On or before October 31, 2008, the Task Force shall submit a final
7 report of its findings and recommendations to the Governor and, in accordance with §
8 2–1246 of the State Government Article, the General Assembly.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 July 1, 2007. It shall remain effective for a period of 1 year and 6 months and, at the
11 end of December 31, 2008, with no further action required by the General Assembly,
12 this Act shall be abrogated and of no further force and effect.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.