



# Maryland Chiefs of Police Association

## Maryland Sheriffs' Association



### MEMORANDUM

**TO:** The Honorable Luke Clippinger, Chairman and  
Members of the Judiciary Committee

**FROM:** Chief David Morris, Co-Chair, MCPA, Joint Legislative Committee  
Sheriff Darren Popkin, Co-Chair, MSA, Joint Legislative Committee  
Andrea Mansfield, Representative, MCPA-MSA Joint Legislative Committee

**DATE:** March 4, 2020

**RE:** **HB 1381-Vehicle Laws - Accidents Resulting in Death - Mandatory Drug and  
Alcohol Testing (Danshaun's Law)**

**POSITION:** **SUPPORT**

The Maryland Chiefs of Police Association (MCPA) and the Maryland Sheriffs' Association (MSA) SUPPORT HB 1381(Danshaun's Law). This bill would allow a police officer, who detains a driver involved in a vehicle collision that resulted in the death of another person, to require the driver to submit to certain drug and alcohol testing. The test would be administered by qualified personnel who have expertise with the testing procedures specified in statute. This bill would greatly increase the ability of police officers to request and obtain evidence of impaired driving.

Under current vehicle law, the police officer must have reasonable grounds to believe that a person committed an alcohol and/or drug-related driving offense, if the person was involved in a collision, that resulted in death, before directing that the person submit to a test. According to MVA, there were, on average, 477 fatal vehicle collisions per year between fiscal 2014 and 2018. Of these collisions, on average, 145 of these collisions were alcohol or drug related. This bill would significantly reduce this number of vehicle fatalities from drug and alcohol use by making it easier for police officers to obtain the proper testing and evidence that is crucial for impaired driving cases. HB 1381 would allow police officers to obtain more reliable tests in the form of blood for evidence in these cases.

Current procedures in Maryland vehicle law, provide an avenue for individuals to avoid proper testing. HB 1381 allows for police officers to conduct this critical testing, without requiring reasonable doubt. As a result, this will allow when a death occurs in an alcohol or drug related collision, the appropriate testing and provide for a higher quality of overall safety for all Marylanders.

For these reasons, MCPA and MSA SUPPORT HB 1381 and urge a FAVORABLE Committee report.

532 Baltimore Boulevard, Suite 308  
Westminster, Maryland 21157  
667-314-3216 / 667-314-3236