

HOUSE BILL 310

R3
HB 1204/18 – JUD

9lr1109

By: **Delegates Valentino–Smith, Atterbeary, W. Fisher, Lehman, McComas, and Sydnor**

Introduced and read first time: January 28, 2019

Assigned to: Judiciary

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 to Study Impaired Driving and New
11 Technologies.

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

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

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

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

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

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

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

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 designee;

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

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

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

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

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

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

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

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

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

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

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

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

22 (iii) one representative of the automobile insurance industry;

23 (iv) two representatives of citizen-based traffic safety advocacy
24 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.

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

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

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

6 (f) A member of the Task Force:

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

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

10 (g) The Task Force shall:

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

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

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

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

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

22 (i) oral fluid testing;

23 (ii) cell phone analysis and textalyzers;

24 (iii) push-button technology;

25 (iv) alcohol-sensing flashlights; and

26 (v) continuous-monitoring body sensors;

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

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

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

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

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

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

11 (h) On or before December 1, 2020, the Task Force shall report its findings and
12 recommendations to the Governor and, in accordance with § 2-1246 of the State
13 Government Article, the General Assembly.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
15 1, 2019. It shall remain effective for a period of 2 years and, at the end of June 30, 2021,
16 this Act, with no further action required by the General Assembly, shall be abrogated and
17 of no further force and effect.