

HOUSE JOINT RESOLUTION NO. 41

INTRODUCED BY VINCENT, EUDAILY, D. BROWN, BROOKE,
COCCHIARELLA, WALLIN, SPAETH

IN THE HOUSE

APRIL 4, 1989 INTRODUCED AND REFERRED TO COMMITTEE
 ON JUDICIARY.

 FIRST READING.

APRIL 11, 1989 COMMITTEE RECOMMEND BILL
 DO PASS AS AMENDED. REPORT ADOPTED.

APRIL 12, 1989 PRINTING REPORT.

APRIL 13, 1989 SECOND READING, DO PASS.

APRIL 14, 1989 ENGROSSING REPORT.

APRIL 15, 1989 THIRD READING, PASSED.
 AYES, 97; NOES, 0.

 TRANSMITTED TO SENATE.

IN THE SENATE

APRIL 17, 1989 INTRODUCED AND REFERRED TO COMMITTEE
 ON JUDICIARY.

 FIRST READING.

APRIL 19, 1989 COMMITTEE RECOMMEND BILL BE
 CONCURRED IN. REPORT ADOPTED.

 ON MOTION, RULES SUSPENDED TO PLACE
 BILL ON SECOND READING THIS DAY.

 SECOND READING, CONCURRED IN.

 ON MOTION, RULES SUSPENDED TO PLACE
 BILL ON THIRD READING THIS DAY.

 THIRD READING, CONCURRED IN.
 AYES, 26; NOES, 22.

RETURNED TO HOUSE.

IN THE HOUSE

APRIL 20, 1989

RECEIVED FROM SENATE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 ~~House~~ JOINT RESOLUTION NO. 41
2 INTRODUCED BY Vincent Lindley Dave Brown Bruce
3 Chockieville Billie Smith

4 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF
5 REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING AN
6 INTERIM STUDY OF THE STATE'S DRIVING UNDER THE INFLUENCE OF
7 INTOXICANTS LAWS AND EDUCATIONAL AND TREATMENT PROGRAMS
8 RELATING TO DRIVING UNDER THE INFLUENCE; AND REQUIRING A
9 REPORT TO THE 52ND LEGISLATURE.

10
11 WHEREAS, stronger laws against driving under the
12 influence of intoxicants (DUI) enacted in 1981 and 1983 have
13 been highly successful in reducing Montana's DUI toll from
14 4,711 accidents and 211 deaths in 1981 to 2,531 accidents
15 and 128 deaths in 1987; and

16 WHEREAS, stronger laws, publicity, and education that
17 sharply reduced the DUI toll among lighter, social drinkers
18 have not had and are unlikely in the future to have similar
19 success in reducing DUI accidents among the
20 heavier-drinking, more alcoholic population that now
21 comprises the bulk of Montana's DUI accident problem; and

22 WHEREAS, drivers under 21 years of age, who reduced
23 their DUI accident toll the most dramatically of any age
24 group following the enactment of stronger DUI laws in the
25 early 1980s, have shown an unexpectedly sharp increase since

1 1985 in accidents involving heavier drinking, which
2 indicates that the greater use over the past 4 years of
3 age-based programs and measures at the state and local
4 levels has not proven effective in reducing the DUI rate for
5 young drivers; and

6 WHEREAS, innovative measures requiring careful study
7 and design are needed to further reduce Montana's DUI toll
8 among all age groups, especially among heavier-drinking
9 drivers who require approaches that are more effective,
10 long-term, and treatment-oriented than are now available.

11
12 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE
13 OF REPRESENTATIVES OF THE STATE OF MONTANA:

14 That an appropriate interim committee be assigned to
15 study:

16 (1) past and present trends in Montana's DUI
17 accidents;

18 (2) the effectiveness of current measures, information
19 courses, and treatment programs in deterring further DUI;

20 (3) the effectiveness and fairness of current
21 measures, programs, information courses, and educational
22 approaches aimed at reducing DUI by young drivers;

23 (4) the feasibility of improving and expanding
24 Montana's treatment programs that are designed to treat
25 alcoholics, alcohol abusers, and chronic DUI offenders; and

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1 (5) statutory changes and policies required to further
2 those programs and measures that have proven, or promise to
3 prove, effective in deterring and reducing DUI in the
4 future.

5 BE IT FURTHER RESOLVED, that the interim committee
6 report the findings of the study to the 52nd Legislature and
7 present options for legislative consideration, if the
8 interim committee determines they are necessary.

-End-

APPROVED BY COMMITTEE
ON JUDICIARY

HOUSE JOINT RESOLUTION NO. 41

INTRODUCED BY VINCENT, EUDAILY, D. BROWN, BROOKE,
COCCHIARELLA, WALLIN, SPAETH

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF
REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING AN
INTERIM STUDY OF THE STATE'S DRIVING UNDER THE INFLUENCE OF
INTOXICANTS LAWS AND EDUCATIONAL AND TREATMENT PROGRAMS
RELATING TO DRIVING UNDER THE INFLUENCE; AND REQUIRING A
REPORT TO THE 52ND LEGISLATURE.

WHEREAS, stronger laws against driving under the
influence of intoxicants (DUI) enacted in 1981 and 1983 have
been highly successful in reducing Montana's DUI toll from
4,711 accidents and 211 deaths in 1981 to 2,531 accidents
and 128 deaths in 1987; and

WHEREAS, stronger laws, publicity, and education that
sharply reduced the DUI toll among lighter, social drinkers
have not had and are unlikely in the future to have similar
success in reducing DUI accidents among the
heavier-drinking, more alcoholic population that now
comprises the bulk of Montana's DUI accident problem; and

WHEREAS, drivers under 21 years of age, who reduced
their DUI accident toll the most dramatically of any age
group following the enactment of stronger DUI laws in the

early 1980s, have shown an unexpectedly sharp increase since
1985 in accidents involving heavier drinking, which
indicates that the greater use over the past 4 years of
age-based programs and measures at the state and local
levels has not proven effective in reducing the DUI rate for
young drivers; and

WHEREAS, NOT ALL JUDGES IMPOSE THE SENTENCES MANDATED
BY THE DUI AND PER SE LAWS; AND

WHEREAS, innovative measures requiring careful study
and design are needed to further reduce Montana's DUI toll
among all age groups, especially among heavier-drinking
drivers who require approaches that are more effective,
long-term, and treatment-oriented than are now available.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE
OF REPRESENTATIVES OF THE STATE OF MONTANA:

That an appropriate interim committee be assigned to
study:

(1) past and present trends in Montana's DUI
accidents, CONVICTIONS, AND FINES;

(2) THE EFFECT THAT BEING FORCED BY THE FEDERAL
GOVERNMENT TO RAISE THE DRINKING AGE TO 21 IN 1987 HAS HAD
ON THE DUI AND PER SE RATES AND ALCOHOL-RELATED ACCIDENT
LEVELS AMONG DRIVERS UNDER 21 YEARS OF AGE;

(3) JUDICIAL COMPLIANCE WITH THE SENTENCING MANDATES

1 IN THE DUI AND PER SE LAWS, THE EXTENT TO WHICH THE MANDATES
2 ARE AND ARE NOT COMPLIED WITH BY JUDGES, INCLUDING AVAILABLE
3 STATISTICS ON THE MATTER, AND THE REASONS FOR NONCOMPLIANCE;

4 {2}{4} the effectiveness of current measures,
5 information courses, and treatment programs in deterring
6 further DUI;

7 {3}{5} the effectiveness and fairness of current
8 measures, programs, information courses, and educational
9 approaches aimed at reducing DUI by young drivers;

10 {4}{6} the feasibility of improving and expanding
11 Montana's treatment programs that are designed to treat
12 alcoholics, alcohol abusers, and chronic DUI offenders; and

13 {5}{7} statutory changes and policies required to
14 further those programs and measures that have proven, or
15 promise to prove, effective in deterring and reducing DUI in
16 the future.

17 BE IT FURTHER RESOLVED, that the interim committee
18 report the findings of the study to the 52nd Legislature and
19 present options for legislative consideration, if the
20 interim committee determines they are necessary.

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WHEREAS, stronger laws against driving under the influence of intoxicants (DUI) enacted in 1981 and 1983 have been highly successful in reducing Montana's DUI toll from 4,711 accidents and 211 deaths in 1981 to 2,531 accidents and 128 deaths in 1987; and

WHEREAS, stronger laws, publicity, and education that sharply reduced the DUI toll among lighter, social drinkers have not had and are unlikely in the future to have similar success in reducing DUI accidents among the heavier-drinking, more alcoholic population that now comprises the bulk of Montana's DUI accident problem; and

WHEREAS, drivers under 21 years of age, who reduced their DUI accident toll the most dramatically of any age group following the enactment of stronger DUI laws in the

early 1980s, have shown an unexpectedly sharp increase since 1985 in accidents involving heavier drinking, which indicates that the greater use over the past 4 years of age-based programs and measures at the state and local levels has not proven effective in reducing the DUI rate for young drivers; and

WHEREAS, NOT ALL JUDGES IMPOSE THE SENTENCES MANDATED BY THE DUI AND PER SE LAWS; AND

WHEREAS, innovative measures requiring careful study and design are needed to further reduce Montana's DUI toll among all age groups, especially among heavier-drinking drivers who require approaches that are more effective, long-term, and treatment-oriented than are now available.

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4 †3†(4) the effectiveness of current measures,
5 information courses, and treatment programs in deterring
6 further DUI;

7 †3†(5) the effectiveness and fairness of current
8 measures, programs, information courses, and educational
9 approaches aimed at reducing DUI by young drivers;

10 †4†(6) the feasibility of improving and expanding
11 Montana's treatment programs that are designed to treat
12 alcoholics, alcohol abusers, and chronic DUI offenders; and

13 †5†(7) statutory changes and policies required to
14 further those programs and measures that have proven, or
15 promise to prove, effective in deterring and reducing DUI in
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