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SENATE JOINT RESOLUTION NO. 28

Offered January 10, 2018

Prefiled January 10, 2018

Directing the Virginia State Crime Commission to study the causes of the decrease over the past five years in convictions in the Commonwealth for driving a motor vehicle while intoxicated. Report.

Patron—Surovell

Referred to Committee on Rules

WHEREAS, in 2012, 28,719 persons were convicted in the Commonwealth of driving a motor vehicle while intoxicated and 22,531 of such persons were tested and found to have a blood alcohol content of .08 or greater; and

WHEREAS, in 2016, 19,925 persons were convicted in the Commonwealth of driving a motor vehicle while intoxicated and 15,495 of such persons were tested and found to have a blood alcohol content of .08 or greater; and

WHEREAS, in 2016, the number of convictions for driving a motor vehicle while intoxicated was 69.38 percent of the number of convictions in 2012, and the number of persons tested who had a blood alcohol content of .08 or greater was 68.77 percent of the number of persons tested in 2012; and

WHEREAS, in 2016, the average blood alcohol content of such persons tested was .1452, and the average blood alcohol content of such persons tested in 2012 was .1397; and

WHEREAS, between 2012 and 2016, the General Assembly enacted several laws aimed at reducing the number of violations for driving a motor vehicle while intoxicated, and since no agency of the Commonwealth has examined the cause of the significant decline in convictions for driving a motor vehicle while intoxicated, no primary cause has been identified for this decline; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the Virginia State Crime Commission be directed to study the causes for the decrease over the past five years in convictions in the Commonwealth for driving a motor vehicle while intoxicated.

In conducting its study, the Virginia State Crime Commission (the Commission) shall (i) investigate and determine, to the extent possible, the role of the ignition interlock and other restrictive measures that have been enacted within the past five years in causing or contributing to the decrease in convictions for driving a motor vehicle while intoxicated over the past five years, including recidivism rates relating to driving a motor vehicle while intoxicated over the past five years; (ii) examine any other factors the Commission determines may have contributed to the decrease; and (iii) make recommendations regarding future actions of the General Assembly in order to reduce the incidence of driving a motor vehicle while intoxicated.

Technical assistance shall be provided to the Commission by the Virginia State Police. All agencies of the Commonwealth shall provide assistance to the Commission for this study, upon request.

The Commission shall complete its meetings by November 30, 2018, and the chairman shall submit to the Division of Legislative Automated Systems an executive summary of its findings and recommendations no later than the first day of the 2019 Regular Session of the General Assembly. The executive summary shall state whether the Commission intends to submit to the General Assembly and the Governor a report of its findings and recommendations for publication as a House or Senate document. The executive summary and report shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

INTRODUCED

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