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**SENATE JOINT RESOLUTION NO. 200**  
**AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the Senate Committee on Rules  
on February 10, 1998)

(Patron Prior to Substitute—Senator Gartlan)

*Directing the Virginia State Crime Commission to study additional or alternative means of sanctioning habitual offenders convicted of driving under the influence of intoxicants (DUI) offenses.*

WHEREAS, the Virginia Department of Motor Vehicles (DMV) reported that 11,220 alcohol-related crashes occurred in Virginia in 1996, resulting in 346 fatalities; and

WHEREAS, DMV further reported that 9,083 individuals were injured in these accidents, resulting in emergency medical treatment and expenses, pain and suffering, loss of time from work, car repairs; and, in many cases, significant injury, permanent disability, loss of a career, and the inability to live a full and normal life; and

WHEREAS, in 1996, 30,288 individuals were arrested for DUI and 26,099 were convicted; and

WHEREAS, 29,240 individuals had a blood alcohol content (BAC) that tested in excess of the legal limit of .08; and

WHEREAS, in 1995, 3,897 people in Virginia were convicted of a second DUI, and an additional 1,063 people were convicted of a third or subsequent charge; and

WHEREAS, drunken-driving deaths in Northern Virginia alone rose 56 percent in the first 10 months of 1997 to 28 deaths, according to Mothers Against Drunk Driving (MADD), which attributes part of the increase to chronic drunk drivers; and

WHEREAS, repeat offenders are a growing concern because even second and third DUI offenses are classified as misdemeanors rather than felonies and carry maximum penalties of one year imprisonment; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the Virginia State Crime Commission be directed to study additional and alternative means of sanctioning habitual offenders convicted of driving under the influence of intoxicants (DUI) offenses. In conducting its study, the Commission shall (i) review drunk-driving charges and penalties, (ii) examine the severity and violence of the crime and the problem of repeat offenders, and (iii) develop additional or alternative methods to reduce drunk driving and to restrict the ability of persons with DUI convictions to have access to motor vehicles, either by increased jail penalties or by other penalties levied on habitual offenders.

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

The Virginia State Crime Commission shall complete its work in time to submit its findings and recommendations to the Governor and the 1999 Session of the General Assembly as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents.

SENATE SUBSTITUTE

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