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HOUSE JOINT RESOLUTION NO. 551
AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the House Committee on Rules
on February 1, 1999)

(Patrons Prior to Substitute—Delegates Callahan and Moran [HJR592])

Directing the Virginia State Crime Commission to continue to study alternative means of sanctioning habitual offenders of the Commonwealth's laws regarding the operation of motor vehicles and to examine the effectiveness of vehicle seizure in reducing re-arrest among recalcitrant drunk drivers.

WHEREAS, the Virginia State Crime Commission was directed by SJR 200 (1998) to study additional and alternative means of sanctioning habitual offenders; and

WHEREAS, the Commission determined as a result of this study that some drivers in Virginia are chronic offenders of the Commonwealth's laws regarding the operation of motor vehicles involving driving under the influence and other offenses; and

WHEREAS, these drivers often ignore judicial and administrative sanctions, and are not punished or rehabilitated after their offenses; and

WHEREAS, by avoiding punishment and rehabilitation, these drivers pose an increased threat to the citizens and resources of the Commonwealth; and

WHEREAS, many people who have been convicted of drunk driving are seemingly impervious to traditional sanctions and continue to drive, despite the fact their licenses have been suspended or revoked; and

WHEREAS, there are increased public safety hazards, including innocent deaths across the Commonwealth every year, as a result of repeated violations of driving under the influence and driving on a suspended license; and

WHEREAS, currently there are campaigns in several states and in the United States Congress to promulgate laws which employ the seizure of the vehicles of recalcitrant drunk drivers in order to ensure compliance with the suspension of driving privileges; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Virginia State Crime Commission be directed to continue to study alternative means of sanctioning habitual offenders of the Commonwealth's laws regarding the operation of motor vehicles and to examine the effectiveness of vehicle seizure in reducing re-arrest among recalcitrant drunk drivers.

In conducting the study, the Commission shall (i) determine those offenses relating to the operation of a motor vehicle that pose the greatest threat to the citizens of the Commonwealth; (ii) develop additional or alternative sanctions or methods, including increased incarceration, to restrict the access the aforementioned habitual offenders have to motor vehicles and equipment; (iii) investigate the feasibility of implementing a vehicle seizure program in the Commonwealth and the potential benefits of vehicle seizure; and (iv) determine the effectiveness of such programs in other states.

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

The Commission shall complete its work in time to submit its findings and recommendations to the Governor and the 2000 Session of the General Assembly as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents.