

METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS
777 North Capitol Street, NE
Washington, D.C. 20002-4239

**RESOLUTION SUPPORTING THE ENACTMENT OF LAWS THAT ARE SCIENTIFICALLY PROVEN
TO BE EFFECTIVE IN REDUCING IMPAIRED DRIVING**

WHEREAS, the Metropolitan Washington Council of Governments (COG) has a long history of supporting stringent region-wide policies against alcohol and drug abuse, especially focusing on the perils of drinking and driving and underage drinking; and

WHEREAS, prior COG actions have included the adoption in 1984 of Resolution R38-84, endorsing a uniform drinking age of twenty-one (21); the adoption of Resolution R37-97, endorsing the adoption of .08 blood alcohol concentration (BAC) limit in the state of Maryland, the Commonwealth of Virginia and the District of Columbia; and supporting regional alcohol and traffic safety public education initiatives in partnership with the Washington Regional Alcohol Program (WRAP) and other public and community efforts; and

WHEREAS, more recent COG efforts have included regular reports on highway safety, impaired driving, underage drinking and collaboration with WRAP and other traffic and alcohol education groups in support of the region's annual holiday police enforcement and public awareness campaigns (such as *Soberide*) to reduce alcohol-related traffic crashes during the December/January holiday season, St. Patrick's Day, Independence Day and Halloween; and

WHEREAS, scientific research by the National Highway Traffic Safety Administration and many alcohol and traffic safety agencies and organization have shown a number of controls to be effective in reducing impaired driving; and

WHEREAS, the state of Maryland, the Commonwealth of Virginia and the District of Columbia have enacted some of these controls; to date controls not in place or consistent throughout the region include:

License plate confiscation - This gives state officials the authority to cancel vehicle registration and confiscate the metal plate from a vehicle if the operator is arrested for drunk driving

Vehicle impoundment/boot – This gives state officials the ability to impound vehicles after conviction for driving under the influence, while impaired or driving while suspended.

Vehicle confiscation – Allows states to require forfeiture of vehicles driven by drivers with suspended or revoked licenses.

Mandatory alcohol assessment/treatment – Would require drivers convicted of driving under the influence or while impaired be assessed for substance abuse treatment needs.

Primary enforcement seatbelt law- Primary belt laws allow law enforcement to stop and ticket a driver for non-use of a safety belt without requiring the driver to be cited for or have committed another offense. Unbelted drivers account for 75% of impaired driving fatalities.

Enhanced penalty for high BAC

Mandatory BAC test of killed drivers – Would require blood alcohol test on all drivers killed in crashes.

Prohibit insurance refusal to cover medical costs if injury occurred while under the influence – Would remove the legal right of insurers to deny coverage for trauma due to alcohol or narcotics.

WHEREAS, the Commonwealth of Virginia has enacted license plate confiscation and the State of Maryland has enacted the prohibition of insurance companies to refuse to cover medical costs if injury occurred while under the influence, vehicle impoundment or booting and primary seatbelt law; and the District of Columbia has enacted vehicle impoundment or booting, primary seatbelt laws and enhanced penalty for high BAC; and

WHEREAS, the Public Safety Policy Committee received a presentation on the recent report, *Regional Activities To Reduce Impaired Driving in the Washington Metropolitan Area*, which contains recommendations on data collection, legislation, judicial, enforcement, and public education and outreach measures to combat alcohol and drug related automobile accidents at the October 17, 2003, meeting and approved the report for presentation to COG's Board of Directors.

NOW, THEREFORE, BE IT RESOLVED BY BOARD OF DIRECTORS OF THE METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS THAT:

1. The State of Maryland is urged to enact legislation for license plate confiscation, vehicle confiscation, mandatory assessment for treatment, enhanced penalty for high BAC and mandatory testing of killed drivers.
2. The Commonwealth of Virginia is urged to enact vehicle impoundment or booting, vehicle confiscation, mandatory alcohol assessment for treatment, primary seatbelt law, mandatory BAC testing of killed drivers and to prohibit insurance refusal to cover injuries incurred while under the influence.
3. The District of Columbia is urged to enact license plate confiscation, vehicle confiscation, mandatory BAC testing of killed drivers and to prohibit insurance refusal to cover injuries incurred while under the influence.
4. Copies of this resolution shall be transmitted to the Governors, the Mayor and all COG jurisdictions.
