



MOTHERS AGAINST DRUNK DRIVING
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TO: Senator Floyd Prozanski, Chair
Senate Committee on Judiciary

FROM: Cate Duke, MADD Oregon

SUBJECT: SB 1503

Dear Chair Prozanski and Members of the Committee:

Mothers Against Drunk Driving strongly supports the fixes that SB 1503 provides for important areas of Oregon DUII law.

The first is a fix needed to address the problems created by the *Hedgepeth* decision coming from the Oregon Supreme Court. Without this fix our current and long-standing law that sets the .08 per se limit for alcohol impaired driving will be greatly undermined.

The second piece of SB 1503 is the fix to the *Guzman* decision which states that a person charged with DUII cannot be held accountable for DUII's in other states unless the laws are essentially identical, when it comes to sentencing and enhancement purposes.

This could create a situation where a repeat DUII driver could move to Oregon and be charged as a first time offender if the state the offender was previously sentenced in did not have the same definition of DUII as Oregon. This presents a significant danger to our communities in the event a repeat offender continues to drive impaired on Oregon roads, and could rob victims of proper justice if prior convictions in other states are not taken into consideration at sentencing.

This bill is critical as it restores legislative intent when establishing a bright line rule for when BAC evidence constitutes impairment. Secondly, it restores how previous out-of-state DUII convictions are analyzed so that courts can take those into consideration when sentencing a defendant whose criminally dangerous driving behavior continues on the Oregon roadways.

MADD strongly urges you to support and pass these critical fixes in SB 1503.

Thank you.

Sincerely,

Cate Duke
MADD Oregon