



CITY OF
West Linn

DATE: March 2, 2017
TO: House Judiciary Committee
FROM: Terry D. Timeus, Chief of Police
Member of the Governor's Advisory Committee on DUII
SUBJECT: Support for HB 2613

Chair Barker and Members of the House Judiciary Committee:

I am before you today to offer my testimony and support of House Bill 2613. House Bill 2613 will change the current DUII statute to include any impairing substances that are not controlled but adversely affect a person's ability to safely operate a motor vehicle.

Currently, a person can only be charged with DUII if the impairing substance is alcohol and or a controlled substance. In my nearly 34 years of law enforcement, I have encountered many individuals that were impaired by substances that were over-the-counter substances that are legal to possess; but when taken in excess and or abused, make the person as equally dangerous as those impaired by alcohol and or controlled substance. Currently, persons arrested for operating a motor vehicle that are impaired by a non-controlled substance do not fall under the mandates of treatment or the laws put into place to prevent recidivism.

Presently, there are 31 states that have language in their DUII statute to include non-controlled impairing substances; and as I have previously testified, any impairing substance is as equally dangerous as alcohol and or controlled substances.

Currently, if a person is driving a motor vehicle under the influence of a non-controlled substance, they cannot be charged with DUII even though they are heavily impaired and creating a very dangerous or even deadly situation to innocent people on our roadways.

The passing of HB 2613 will not result in the arrest(s) of person(s) who are using dosages that are recommended by the manufacturer just as in the case of having prescribed dose of a controlled substance or having a couple alcoholic drinks when taken in moderation.

It is literally impossible for the State of Oregon or the Federal Government to keep up with all of the substances that are being manufactured every day that have impairing capabilities, have a high potential for abuse and have addictive qualities when abused and or not taken as recommended.

It is for the aforementioned reasons, I strongly support HB 2613 and urge you to support and pass it into law changing the current DUII law to include the language of "any impairing substance."