



MOTHERS AGAINST DRUNK DRIVING
Lane County Chapter
c/o Lane County Victim Impact Panel
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March 1, 2017

TO: House Judiciary Committee
FROM: Cate Duke
Board Member, MADD Lane County Chapter
Vice Chair, Governor's Advisory Committee on DUII

RE: **HOUSE BILL 2613 – SUPPORT**

Chair Barker, and Members of the Committee:

I would like to thank you for the opportunity to present testimony in support of HB 2613 which expands the definition of DUII to include any drug that adversely affects a person's physical or mental faculties to a noticeable or perceptible degree. MADD acknowledges that while alcohol is still the most prevalent impairing substance found in DUII cases, drugs other than alcohol are also resulting in traffic deaths and serious injuries on our roadways.

Under current Oregon law (ORS 813.010), a driver cannot be charged with DUII if their impairment is caused by a non-controlled substance or over-the-counter drug (OTC), regardless of how impaired they might be by those substances. Two areas of particular concern are the increasing abuse or misuse of OTC drugs, and the use of non-controlled impairing substances such as synthetic cannabinoids or opioids. As quickly as these synthetic substances are scheduled, makers of these substances will change a single molecule resulting in a new, and now unscheduled, impairing substance.

Another area of concern is the loophole created for cases where there are both controlled and non-controlled substances in a person's system. These drivers, are often able to beat the DUII charge by asserting their impairment was due to the non-controlled substance. This allows an offender to violate the law without penalty, and without receiving treatment or counseling which could help prevent them from driving impaired in the future.

Driving under the influence of any drug or substance that impairs one's ability to drive can result in needless traffic deaths and injuries. The inability to charge a driver who is impaired by an OTC or non-controlled substance with DUII puts Oregon lives at risk.

Mothers Against Drunk Driving urges you to support HB 2613.

Thank you.