

We Save Lives Guide to Bad DUID Bills



Tell Your Representative To Reject These Bills!!

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*The notion that “it’s ok to drive drugged” is alarmingly widespread. The simple truth is that it’s never ok to drive drugged—even if the drugs are legal. After all, alcohol is legal, and yet we have harsh drunk driving sanctions in all fifty states. Just because prescription drugs and marijuana are legal doesn’t mean they don’t impair a person’s ability to drive. Quite the contrary: innocent lives are lost every day as a result of crimes committed by drivers high on legal drugs. Of course, it makes little difference to victims whether their perpetrators are high on legal drugs, illegal drugs, or both drugs and alcohol. We need to make drugged driving socially unacceptable and hold drivers accountable. **The legislation below does neither. Some of the legislation wastes taxpayer’s money and other bills do more harm than good.** Your legislator should be introducing bills that are good and not just “feel good” but don’t accomplish anything or protect you. There are some very good bills that legislators can introduce such as increasing funding for DRE and ARIDE programs, provide for roadside testing, enhance penalties for driving under both alcohol and drugs and make driving under the influence of drugs a separate crime. <https://wesavelives.org/solve-the-problem/ask-congress-to-stop-duid/>*

Arkansas SB 130 - Sponsor, Senator Gary Stubblefield

Bill applies to driving and boating; modifies testing language to include saliva and establishes a 5ng per se limit for THC.

WSL: Although WSL supports roadside saliva testing, we DO NOT support a 5 ng *per se* limit for THC because it is a license to drive stoned, since most marijuana-impaired drivers test below that limit. Urge your representative to reject this bill.

Connecticut HB 5539 - Sponsor, Representative Juan Candelaria

Bill outlines areas of statute to be amended if Connecticut were to legalize recreational marijuana; notes the establishment of a 5ng per se limit for THC.

WSL: A 5 ng *per se* limit for THC is a license to drive stoned, since most marijuana-impaired drivers test below that limit. Tell your legislator to reject this bill.

Connecticut HB 5975 - Sponsor, Representative Themis Klarides

Bill seeks to establish a blood test procedure to be utilized to determine whether a person suspected of driving under the influence of alcohol or drugs is under the influence of marijuana.

WSL: You can save your money! The blood level of THC tells a court *nothing* about the level of impairment of a driver. THC does not impair blood, it only impairs the brain. **Nothing impairs the blood.** Urge your representative to reject this bill and contact We Save Lives for more effective solutions.

Connecticut HB 6198 - Sponsor, Representative Thomas O'Dea

Bill seeks to establish a 5ng per se law for THC. Proposes "mirroring Colorado's law" however, there is no mention of reasonable inference.

WSL: A 5 ng *per se* limit for THC is a *license to drive stoned*, since most marijuana-impaired drivers test below that limit. Urge your representative to reject this bill! For example, Colorado who has a 5ng law **does not prohibit driving with greater than 5 ng/ml THC.** It merely **prevents** prosecution of those below 5 ng and enables a prosecutor to *attempt* to prove impairment if greater than 5 ng. In fact, Colorado found, "... **SUBSTANTIAL** evidence that for marijuana users who use less-than-weekly, there is meaningful driving impairment with a whole blood THC of 2-5 ng/mL"

Florida HB 237 - Sponsor Representative David Silvers

Bill establishes a 5ng per se limit for THC; applies to both driving and boating.

WSL: A 5 ng *per se* limit for THC is a license to drive stoned, since most marijuana-impaired drivers test below that limit. Tell your representative to reject this bill.

Hawaii SB 17 - Sponsor Senator Joshua Green

Bill establishes a 5ng limit for THC.

WSL: A 5 ng *per se* limit for THC is a license to drive stoned, since most marijuana-impaired drivers test below that limit. Urge your representative to reject this bill, and do something that will stop DUID.

Minnesota HF 58 - Sponsor Representative Duane Quam.

Bill would require the Commissioner of DPS to study and report on the use of screening tests that measure the controlled substance level of a person stopped/arrested for DWI. The Commissioner shall also study the threshold measurement level for the legal impairment of persons who are DUID. The study must include the identification, review, and evaluation of: (1) controlled substance screening tests, including at a minimum oral fluid roadside tests; (2) the measured amount of a controlled substance in a driver's blood or urine that is the legal threshold for impairment of the driver; (3) the practices and laws in other states for drug screening tests and measurement of controlled substances in persons driving while impaired by controlled substances; and, (4) any other necessary information relating to the measurement of controlled substances in persons who are driving under the influence of a controlled substance.

WSL: You can save your money! The blood level of THC tells a court *nothing* about the level of impairment of a driver. **THC does not impair blood**, it only impairs the brain. Urge your representative to reject this bill!

Minnesota SF 515 - Sponsor, Senator David Senjem

Bill requires the Department of Public Safety to study and report on the use of screening tests that measure the controlled substance level of a person stopped or arrested for DWI. The study will also include an examination of the threshold measurement level for the legal impairment of persons who are driving under the influence of controlled substances. The study must also include the identification, review, and evaluation of controlled substance screening tests (including, at a minimum, oral fluid roadside test); the measured amount of a controlled substance in a driver's blood or urine that is the legal threshold for impairment of the driver; etc.

WSL: You can save your money! The blood level of THC tells a court *nothing* about the level of impairment of a driver. THC does not impair blood, instead, contact We Save Lives for solutions. <https://wesavelives.org/solve-the-problem/ask-congress-to-stop-duid/>

New Mexico HB 22 - Sponsor, Representative William Rehm

Bill proposes per se limits for some of the most common drugs:

- amphetamine, 100ng/mL of blood
- cocaine, 50ng/mL of blood
- cocaine metabolite, cocaethylene, 50ng/mL of blood
- heroin, 50ng/mL of blood
- heroin metabolite, morphine, 50ng/mL of blood
- heroin metabolite, 6-monoacetylmorphine, 10ng/mL of blood
- THC, 5ng/mL of blood - methamphetamine, 100ng/mL of blood
- 3,4-methylenedioxymethamphetamine, 100ng/mL of blood

Also modifies DUID offense language and specifies that the interlock requirement is limited to alcohol-impaired driving offenses only.

WSL: A 5 ng *per se* limit for THC is a license to drive stoned, since most marijuana-impaired drivers test below that limit. Polydrug impairment renders individual drug limits irrelevant. Urge your representative to reject this bill and consider other solutions that are effective.

New Mexico HB 89 – Sponsors, Representative Bill McCamley & Representative Javier Martinez

Recreational marijuana bill; establishes that a person commits the offense of driving under the influence of intoxicating liquor or drugs if the person uses any marijuana item while driving a motor vehicle upon a highway. Bill also calls for the review of available research to examine the influence of marijuana items on a person's ability to drive a vehicle and on the concentration of THC in a person's blood. The findings are to be presented to the appropriate legislative interim committees to make recommendations to the legislature regarding any amendments to the Motor Vehicle Code.

WSL: You can save your money! The blood level of THC tells a court *nothing* about the level of impairment of a driver. THC does not impair blood, it only impairs the brain. Urge your legislator to reject this bill! This is not a solution but a detriment to the arrest and prosecution of DUID.

Oklahoma SB 69 - Senator Mark Allen

Bill seeks to establish a per se limit for THC of 5ng. The bill would also create the offense of aggravated DUID where 9ng would be the equivalent of a .15 BAC.

WSL: Science has shown there **to be no relationship** between forensically determined blood THC levels and levels of impairment. A 5 ng *per se* limit for THC is a license to drive stoned, since most marijuana-impaired drivers test below that limit. You already have a great Zero Tolerance law that requires evidence of impaired driving before taking a blood sample. Urge your representative to reject this bill.

Need to learn more? Contact We Save Lives. <https://wesavelives.org/> and <http://www.duidvictimvoices.org/>