

Regular Session, 2005

Approved
6-23-05

HOUSE STUDY REQUEST NO. 19

BY REPRESENTATIVE KENNARD

DWI: Study of issues regarding the criminal offense of operating a vehicle while intoxicated

1 A STUDY REQUEST

2 To the House Committee on Administration of Criminal Justice to study the existing laws
3 regarding the crime of driving while intoxicated and to study other issues relating to
4 the arrest, prosecution, and disposition of such cases and to report its findings to the
5 legislature prior to the convening of the 2006 Regular Session.

6 WHEREAS, Louisiana has a compelling interest in protecting its citizens as they
7 travel on the roadways of this state; and

8 WHEREAS, there is an increased risk of harm to the motoring public when a person
9 operates a motor vehicle while under the influence of alcoholic beverages or other
10 substances which hinder the ability of the driver to safely navigate the roadways; and

11 WHEREAS, in 2001, the Louisiana Legislature enacted Act 1163 which reduced the
12 terms of imprisonment in which repeat DWI offenders would serve and provided for
13 mandatory substance abuse treatment in lieu of lengthy prison terms; and

14 WHEREAS, Act 543 of the 2003 Regular Session created the crime of unlawful
15 refusal to submit to chemical tests in an effort to deter persons arrested by operating a
16 vehicle while intoxicated from refusing to submit to chemical tests; and

17 WHEREAS, the Louisiana Legislature has also enacted laws in recent years to
18 require the installation of ignition interlock devices on vehicles operated by repeat offenders
19 in an effort to reduce the incidents of alcohol-related car crashes; and

20 WHEREAS, a comprehensive review of Louisiana's laws regarding the criminal
21 offense of operating a vehicle while intoxicated is needed to determine if additional changes

1 to the law are needed to better protect the citizens of this state and their property from
2 damage resulting from alcohol-related car crashes; and

3 WHEREAS, a comprehensive study of issues is needed with regard to the arrest,
4 prosecution, and disposition of persons charged with operating a vehicle while intoxicated.

5 THEREFORE, the House of Representatives of the Legislature of Louisiana requests
6 the House Committee on Administration of Criminal Justice to study the existing laws
7 regarding the crime of driving while intoxicated and to study other issues relating to the
8 arrest, prosecution, and disposition of such cases, and to report its findings to the legislature
9 prior to the convening of the 2006 Regular Session.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument.

Kennard

HSR No. 19

Requests the House Committee on Administration of Criminal Justice to study the existing laws regarding the crime of driving while intoxicated, to study other issues relating to the arrest, prosecution, and disposition of such cases, and to report its findings to the legislature prior to the convening of the 2006 R. S.