

ALASKA STATE LEGISLATURE

REPRESENTATIVE BRUCE WEYHRAUCH
HOUSE DISTRICT 4



ALASKA
STATE CAPITOL
JUNEAU, ALASKA
99801-1182

(907) 465-3744
FAX (907) 465-2273

Sponsor Statement

HB 217

Reducing the BAC Level for Second DUI Offenses

[HB 217](#) proposes to lower the blood alcohol content for repeat DUI offenders. This bill is a priority of Mothers Against Drunk Drivers and it is an important piece of the criminal justice system's approach to prosecuting drunk drivers and keeping our roads safe. However, this is a small step, which will not overburden the courts or jails with a significant influx of new arrests. The benefit of this legislation is that the police departments will have a mechanism in place that buffets the prosecutor's case against 2nd DUI offenders. Right now, if a police officer has probable cause to pull an erratic driver over and the driver blows a .08 in the field, he is arrested. At the station, another reading, which is used by the prosecution, is taken. If that BAC is borderline, then the driver may not be prosecuted and justice may not served. The resources of the state's prosecutor's office are limited by financial constraints and a case that is borderline may not be prosecuted. Thus, by adopting a lower BAC for the second offence, the legislature supports the efforts of our police and prosecutors in dealing with the terrible scourge of drinking drivers.

Contact: Linda Sylvester
465-3744

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