

SENATE RESOLUTION NO. 103

BY SENATOR GATTI

A RESOLUTION

To urge and request the Governor's Task Force on DWI to study issues related to enforcement actions by a drug recognition expert relative to the operation of a motor vehicle when impaired by drugs.

WHEREAS, the Governor's Task Force on DWI was reestablished by Executive Order JBE 18-03 to address the high incidence of driving while intoxicated or under the influence of drugs, data collection and analysis on DWI conviction rates, the prevalence of drivers refusing to submit to tests as directed by law enforcement and strategies to reduce such incidences, and the frequency of arrest, prosecution, and conviction of drug-impaired drivers; and

WHEREAS, the Governor's Task Force on DWI was reestablished to help identify and implement effective countermeasures and strategies to reduce incidences of driving while intoxicated or under the influence of drugs; and

WHEREAS, use of a drug recognition expert to perform a drug recognition examination may provide another tool to law enforcement; however, performance of a drug recognition examination presents multiple issues related to existing Louisiana laws governing enforcement actions, including the suspension of a driver's license, implied consent, constitutional protections available to the driver, and administrative and judicial review of enforcement actions.

THEREFORE, BE IT RESOLVED that the Senate of the Legislature of Louisiana does hereby request the Governor's Task Force on DWI to study issues related to enforcement actions by a drug recognition expert relative to the operation of a motor vehicle when impaired by drugs.

BE IT FURTHER RESOLVED that the Governor's Task Force on DWI prepare recommended legislation for presentation at the 2020 Regular Session of the Louisiana Legislature.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to  
Chaunda Allen Mitchell, PhD, contact person for the Governor's Task Force on DWI.

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PRESIDENT OF THE SENATE