

H B

5 5

BILL CONTACT/ACTION

DATE	CONTACT/ACTION
5/6	NOTIFIED COLLINS OF TODAY'S MILEAGE
	7/29/2028
	NO ANSWER COLLINS

STATE OF ALASKA
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY

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JUNEAU, ALASKA 99811
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May, 1986

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS date base CM 14. In order to save space copies of minutes have not been left in the files.

Jeanie Henry

House Judiciary Committee 4/13/1985, 9:00 am

Offered: 4/15/85
Referred: Finance

Original sponsors: Collins, Uehling
and Gruenberg

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2

CS FOR HOUSE BILL NO. 55 (Judiciary)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act relating to liquor licensees' duty to contact
7 taxis for patrons and to display alcohol warning
8 signs."

9

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10

* Section 1. AS 04.21 is amended by adding new sections to read:

11

Sec. 04.21.035. DUTY TO CONTACT TAXI. A licensee or a licens-
12 ee's agent or employee shall make reasonable efforts to procure a
13 taxi, where regular taxi service is available, for any person in the
14 premises who requests a taxi. The licensee is not responsible for
15 paying the cost of the taxi.

16

Sec. 04.21.036. DISPLAY OF ALCOHOL WARNING SIGNS. (a) A li-
17 censee, except a common carrier licensee, shall conspicuously display
18 at each public entrance and exit of premises where alcohol is sold at
19 retail, a sign that reads "Drunk Drivers Go To Jail, Pay Fines and
20 Lose Their Licenses - Why Risk It - Call A Taxi." The sign shall
21 include a prohibitory symbol. The sign must be at least 18 inches
22 wide and six inches high, with lettering at least one and one-fourth
23 inches high.

24

ST. J. Hilda
(b) The Department of Revenue shall furnish, without cost, signs
25 required under this section to any licensee requesting them.

State of Alaska

COMMITTEES

HOUSE HEALTH, EDUCATION
AND SOCIAL SERVICES
(Co-Chairman)
HOUSE JUDICIARY
HOUSE COMMUNITY AND
REGIONAL AFFAIRS



POUCH V
JUNEAU, ALASKA 99811
(907) 465-4968

914 CLAY COURT
ANCHORAGE, ALASKA 99503
(907) 275-6844

Representative Max F. Gruenberg, Jr.
District 11
Spenard, Upper Midtown Anchorage

April 22, 1985

Representative Al Adams
Chairman, House Finance Committee
Pouch V
Juneau, AK 99811

Dear Mr. Chairman:

We respectfully request that the House Finance Committee schedule a hearing on CSHB 55 (Jud); "An Act relating to liquor licensees duty to contact taxis for patrons and to display alcohol warning signs" as quickly as possible for the following reasons:

-The bill has a zero fiscal note.

-The \$3,000 cost for signs would be absorbed by the Department of Health and Social Services Office of Alcoholism and Drug Abuse. The funds will come from the operating budget and require no additional appropriations.

-This represents a bipartisan effort to deal with the problem using a positive approach at minimal cost to the state. This is a priority for both of us.

Thank you for your attention to this matter.

Sincerely,

Max F. Gruenberg
Representative Max Gruenberg

Virginia Collins
Representative Virginia Collins

Attachment

HOUSE JOURNAL SUPPLEMENT

April 15, 1985

No. 48

HB
55

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: CSHB 55(JUD)
 Title: An Act relating to licensees' contract taxi & display signs
 Sponsor: Collins
 Requestor: House Judiciary
 Date of Request: 4/13/85

FISCAL DETAIL

Agency affected: Dept. of Health & Social Services
 Program Category Affected: Office of Alcoholism & Drug Abuse
 BRU, Program or Subprogram(s) Affected: _____

duty to

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 89	FY 90
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

	FY 83	FY 84	FY 85	FY 86	FY 89	FY 90
FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

According to testimony before the Judiciary Committee by the Department of Health & Social Services, Office of Alcoholism and Drug Abuse, that because this bill represents a positive approach to problems caused by alcohol abuse, the department is willing to fund the cost of the required signs up to the amount cited in the original fiscal note. The funds will come from the operating budget and require no additional appropriation.

Prepared By: Rayden Kaden, Counsel *HK* Phone: 465-4990
 Division: House Judiciary Committee Date: 4/15/85
 Approved by Commissioner: [Signature]
 Agency: Legislature

HB0055 -POO DOCUMENT= 3 OF 5 PAGE = 1 OF 1

BILL = HB0055
CHAMBER = H
DATE = 01/18/85
PAGE = 00088
YEAR = 85

BILL HB0055
PAGE 00088
DATE 01/18/85

CHAMBER HOUSE

EXT Representative Uehling asked that his name be added as a co-sponsor to HOUSE BILL NO. 55 (relating to licensed premises).

END OF DOCUMENT

HB0055 -POO DOCUMENT= 4 OF 5 PAGE = 1 OF 1

BILL = HB0055
CHAMBER = H
DATE = 01/21/85
PAGE = 00096
YEAR = 85

BILL HB0055
PAGE 00096
DATE 01/21/85

CHAMBER HOUSE

EXT Representative Navarre moved and asked unanimous consent that the Labor & Commerce Committee referral on HOUSE BILL NO. 55 (licensed premises) be waived. There being no objection, it was so ordered.

HB 55 was removed from the Labor & Commerce Committee and sent to the Judiciary Committee with a further referral to the Finance Committee.

END OF DOCUMENT

HB0055 -POO DOCUMENT= 5 OF 5 PAGE = 1 OF 2

BILL = HB0055
CHAMBER = H
DATE = 04/15/85
PAGE = 00918
YEAR = 85

BILL HB0055
PAGE 00918
DATE 04/15/85

CHAMBER HOUSE

EXT The Judiciary Committee has considered HOUSE BILL NO. 55 (relating to licensed premises), recommends it be replaced with COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 55 (Judiciary):

"An Act relating to liquor licensees' duty to contact taxis for patrons and to display alcohol warning signs."

and reports it back as follows: M.M. Miller (Chairman), Gruenberg, Phillips, Clocksin, Taylor and Sund recommend do pass. A zero fiscal note with analysis was attached.

HB 55 was referred to the Finance Committee.

HB0055 -POO DOCUMENT= 5 OF 5 PAGE = 2 OF 2

The zero fiscal note with analysis appears in House Journal Supplement No. 48.

601 * END OF DOCUMENTS IN LIST - ENTER RETURN OR ANOTHER COMMAND.

IN THE HOUSE

By Gruenberg

Committee Substitute for House Bill 55

For an Act entitled: "An Act relating to Liquor Licensees' duty to contact Taxis for patrons and to display alcohol warning signs."

BE IN ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

*Section 1. AS 04.21 is amended by adding new sections to read:

Sec. 04.21.035. DUTY TO CONTACT TAXI. A licensee or a licensee's agent or employee shall make reasonable efforts to procure a taxi, where regular taxi service is available, for any person in the premises who requests a taxi. The licensee shall not be responsible for paying the cost of the taxi.

Sec. 04.21.036. DISPLAY OF ALCOHOL WARNING SIGNS. (a) A licensee shall conspicuously display at each entrance and exit of premises where alcohol is sold at retail, a sign that reads "Drunk Drivers Go To Jail, Pay a Fines and Lose Their Licenses - Why Risk It - Call A Taxi". The sign shall include a prohibitory symbol containing a stylized automobile and cocktail glass. It must be at least 18 inches wide and six inches high, with lettering at least one and one-fourth inches high.

The Department of Revenue shall furnish, without cost, signs required under this section to any licensee requesting them.

Alaska State Legislature

P. O. BOX V
JUNEAU, ALASKA 99811
(907) 465-2828

DISTRICT 10
2600 Denali, Suite 501
ANCHORAGE, ALASKA 99503
(907) 276-7943



MEMBER
Labor and Commerce
State Affairs
Special Committee on
Telecommunications
Finance Sub-Committee

Minority Whip

Representative Virginia M. Collins

DATE: April 30, 1986

TO: Senator Pat Rodey, Chairman
Senate Judiciary

FROM: Representative Virginia Collins *VM*

RE: HB 55

Thank you for taking the time out of your busy schedule to meet with me on April 1 regarding HB 55. At that time, you indicated that HB 55 would be scheduled and heard in Senate Judiciary toward the end of session. The purpose of this memo is to follow up on our meeting regarding HB 55.

Please notify my office regarding the scheduling date that HB 55 will be heard in Senate Judiciary.

Again, Pat, thank you for your consideration and attention to this matter.

State of Alaska

COMMITTEES

HOUSE HEALTH, EDUCATION
AND SOCIAL SERVICES
(Co-Chairman)
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Representative Max F. Gruenberg, Jr.
District 11
Spennard, Upper Midtown Anchorage

PRESS RELEASE

For Immediate Use

BY: Representative Virginia Collins
Representative Max Gruenberg
DATE: April 15, 1985
RE: HB 55 "DWI" warning signs and taxi rides

An act relating to liquor licensees' duty to contact taxis for patrons and to display alcohol "DWI" warning signs passed the House Judiciary Committee this weekend. House Bill 55 was introduced by Representatives Virginia Collins (R. Anch.) and Max Gruenberg (D. Anch.).

If enacted, the measure would require employees of licensed establishments to, "make reasonable efforts to procure a taxi, where regular taxi service is available, for any person in the premises who requests a taxi".

The bill also requires that all licensed liquor dispensers, including retail package liquor stores, conspicuously display at each public entrance and exit a sign that reads, "Drunk drivers go to jail, pay a fine and lose their licenses - why risk it? Call a taxi." The 18 inch sign would also include the international prohibitive symbol for drinking and driving

Sponsor Virginia Collins commented, "This legislation has been a joint effort by Representative Gruenberg and myself -- a clear indication of the bi-partisan effort in the House of Representatives to fight drunk driving."

According to co-sponsor Max Gruenberg, "The bill has passed two House committees and will now be referred to the House Finance Committee. Hopefully, it will reach the House floor before the end of the session. HB 55 is a good example of the kinds of creative, low-cost ideas the state can pursue in combating drunk driving".

Representative Collins continued, "During the past ten years, Alaska has enacted some of the nation's strictest laws against drunk driving. Despite all of these efforts, drinking and driving continue to be a significant problem for the citizens of our State. The prominent display of DWI warning signs in establishments that sell alcohol will affect consumer behavior in a positive manner, because repeated exposure to the warning reinforces its effect and eventually leads to subliminal changes in behavior which influences consumers of alcoholic beverages to act responsibly -- not necessarily for the good of others, but for themselves. To increase the effectiveness of our current efforts, the public must know the laws and penalties leading to an increased fear of apprehension and correction."

CHAR (Cabaret, Hotel and Restaurant Association), representing the liquor industry, has endorsed House Bill 55.

Staff Contacts: Rep. Collins: Kevin Farrell 465-2828

Rep. Gruenberg: Dave Donley 465-4968

HOUSE BILL 55

TESTIMONY BEFORE THE HOUSE JUDICIARY COMMITTEE

April 8, 1985

Purpose. One of the priority issues identified by the Governor's Task Force on Drunk Driving was State funding for directing and funding public awareness programs on alcohol and drug use and responsible motor vehicle operation. House Bill 55 is an attempt to respond to this concern. HB 55 is designed to improve public awareness and information at the sites where alcoholic beverages are purchased or consumed.

Statement of the Problem: In the last few years there has been an increased public interest in the problem of drinking and driving. In response to this rising concern, the State of Alaska in recent years has enacted legislation aimed at removing the drunk driver from our streets and thus reducing alcohol-related accidents and fatalities. These statutes provide for the following:

1. Raised legal drinking age of twenty-one.
2. An implied consent statute
3. Preliminary breath testing on the roadway
4. Administrative license revocation upon arrest
5. Breath test refusal penalties same as DWI conviction
6. Citizen reporting, i.e., REDDI
7. Definition of Breath Alcohol level at .10 illegal per se
8. Mandatory sentencing
9. Mandatory fines
10. Victim compensation
11. Driver licensing information
12. Rehabilitation education
13. Compliance with conditions of court order
14. Mandatory liability insurance
15. Four new judges in the Anchorage area
16. Decrease in time between arrest and sentencing

Despite all of these efforts, drinking and driving continues to be a significant problem for the citizens of our state.

Recent newspaper headlines attest to the increasing public interest in the drunk-driving problem. Much of this increase results from campaigns conducted by such citizen groups as MADD (Mothers Against Drunk Driving). Organizations like MADD have been very effective in enlisting public and official support for more severe penalties for drunk drivers. In the past, efforts to strengthen drunk-driving laws have generally focused on increasing penalties.

One justification frequently cited for this approach is the apparent success of drunk-driving laws carrying strict penalties and ensuring that such penalties are actually carried out. Unfortunately, in the past it generally has been the experience that public concern has been temporary, and when the interest of the moment has passed, the intensity of the effort to overcome the drinking-driving problem tends to fade. If current efforts are to have a long-term effect, it is important that public awareness accompany all current and future legislation to stem the tide of drunk driving.

The passage of stricter drunk-driving laws alone will not reduce alcohol-related accidents or the incidents of drunk driving. For stricter laws to be effective, the public must know the laws and penalties and have an increased fear of apprehension and conviction.

To have an impact on the rate of accidents caused by drunk drivers, laws must not only be enacted but also well publicized and enforced. In some cases, it appears that current DWI laws and their penalties are not as highly publicized throughout Alaska as they could be.

A review of the research on the scope of the problem as it exists in other states as well as in Alaska is well documented. It is clear from reviewing the information that drinking and driving is a very complex problem which requires a combination or a variety of approaches. Although it appears from reviewing the literature that enactment of stronger drunk-driving laws has been successful in stemming the tide, it has not been entirely successful in eliminating the problem.

To be effective, enforcement programs must be accompanied by public information activities which ensure that there is a perception of increased probability of detection. A review of the research further indicates there is a strong connection between public awareness and the effectiveness of drunk-driving laws. Public awareness and accurate knowledge of the law, along with thorough enforcement procedures and stiff penalties are the major components, which will have a lasting impact on the large numbers of persons drinking and driving in Alaska, particularly in the case of social drinkers. Although this approach may not be as effective with problem drinkers, research indicates that the passage of stricter drunk-driving laws alone does not reduce alcohol-related accidents or the incidence of drunk driving. To increase the effectiveness of our efforts, the public must know the laws and the penalties and have an increased fear of apprehension and conviction.

The sale of alcohol is one of society's most highly regulated industries. There is good reason for this; it is a potentially dangerous substance posing extreme hazards to the health and welfare of consumers and motor vehicle operators on our public roads.

In the past decade, the vast majority of Americans have been concerned over public safety. This concern has risen steadily since 1971. In a recent Harris survey, 87% of the adult Americans polled blamed consumers themselves for injury resulting from misuse of products. Of the consumers surveyed, 73% believed that product safety objectives should be accomplished through publicity on product risks and dangers or by health warnings such as those required for cigarettes and over-the-counter drugs.

If a product has a hidden hazard, an unknowing consumer may be denied the valuable information necessary in deciding whether or not to risk using the product in the first place or how abuse of the product could impact his future welfare. Often, hazards in the use of alcohol are not visible to a consumer, and thus the consumer may not have a full appreciation for the severity of the decision to expose himself to that hazard. The probability of a hazard actually occurring, therefore, is of prime consideration in the consumer's behavior. Following this line of reasoning, an educated product consumer of alcoholic beverages is likely to be a more responsible consumer.

RECOMMENDATIONS:

The approaches for dealing with the drunk-driving problem are many, which include punitive, educational, rehabilitation, and behavioral. The value of placing warning signs in establishments where alcohol is sold and/or consumed should be effective because the message is subliminal. Research has shown that subliminal advertising has a greater long-term effect in influencing behavior than any other form of advertising. The prominent display of DWI warning signs in establishments that sell alcohol would, over a period of time, effect consumer behavior in a positive manner. Subliminal messages are conveyed to the unconscious rather than to the conscious level. Once having established the message on the unconscious level, repeated exposure to the message reinforces its effect and eventually will lead to changes in behavior which will influence consumers of alcoholic beverages to act responsibly, not necessarily for the good of others, but for themselves.

HB 55 REPRESENTS GOOD LEGISLATION; IT MAXIMIZES THE EFFECT OF CURRENT LAW AT MINIMAL EXPENSE TO THE PUBLIC TREASURY. HB 55 CARRIES A FISCAL NOTE OF APPROXIMATELY \$3,000.00; A SMALL PRICE FOR A BIG PROBLEM.

THANK YOU FOR THE OPPORTUNITY TO TESTIFY. ON BEHALF OF MYSELF AND
ALL THOSE WHO WILL BENEFIT FROM THIS BILL, I REQUEST YOUR SUPPORT IN PASSING
HB 55 OUT OF COMMITTEE.

I AM AVAILABLE FOR ANY QUESTIONS YOU MAY HAVE.

TIMELINE SUMMARY OF SIGNIFICANT LEGISLATION
REGARDING CONTROL OF DRUNK DRIVERS

MUNICIPALITY OF ANCHORAGE

ALASKA STATE STATUTE

January, 1977

Established Mandatory

Minimum Sentence:

1st offense	24 hours
2nd offense	3 days
3rd & subsequent	10 days

Illegal to operate motor
vehicle with BAC .10% or
higher (Per Se law)
(AO 267-76)

January, 1978

Adopted procedure whereby in-
voluntary blood test was made
in medical setting upon refu-
sal of breathalyzer test.
(Administrative Procedure)

Established mandatory judicial re-
ferral for alcohol screening/reha-
bilitation
(ch. 152 SLA 1978)

Established mandatory jail sentence
of 10 days for DWLS.

Disallowed limited license on second
offense for serious traffic misde-
meanors
(ch. 178 SLA 1978)

November, 1978
(11/28/78)

Increased Mandatory Minimum
sentence:

1st offense	3 consecutive days
2nd & subsequent	10 consecutive days

(AO 78-230S)

November, 1979

Adopted breath as well as
blood standard for measurement
of BAC
(AO 79-194)

1980

(September)

Adopted mandatory minimum jail sentence:

1st offense 3 consecutive days
2nd offense 10 consecutive days

Illegal to operate motor vehicle with BAC .10% or higher

Adopted breath alcohol measurement standard

Established admissibility of refusal under implied consent law as evidence in prosecution
(ch. 129 SLA 1980)

(August)

Adopted state statute
(AO 80-122)

1981

Assumes validity of chemical test if taken within four hours of arrest
(AO 81-75)

[Reduction in hours of legal sale of alcohol]

1982

(September)

Established refusal under implied consent laws as misdemeanor offense with same sentence as DWI offense

Allowed for application of DWI law to airplanes and watercraft

Allowed forceable blood test for EAC in fatalities, injuries or cases where defendant is incapable of refusing

Required use of limited license for at least 60 days (rather than only 30 days)

Revised mandatory minimum sentence
1st offense 72 consecutive hours
2nd offense 10 consecutive days
20 days if subsequent offense
within one year
(ch. 117 SLA 1982)

Adopted state statute but leaves
in validity of chemical test if
taken within four hours of arrest
(AO 82-126)

November, 1982

Allows forfeiture of motor
vehicle to Municipality on
2nd or subsequent offense
within 5 years of first
offense

Permit impoundment (temporary
seizure) of vehicle to Munici-
pality for 30 days for 1st and
2nd offense, 60 days for 3rd
offense and 90 days on 4th or
subsequent offense.
(AO 82-205)

June, 1983
Effective 10/17/83

Revised mandatory minimum sentence
1st offense 72 hours (unchanged)
2nd offense w/in 10 years 20 days
3rd offense w/in 10 years 30 days

Established mandatory minimum fines
1st offense \$250
2nd offense \$500
3rd offense \$1000

Established administrative revoca-
tion of driver's license by law
enforcement officer if BAC is .10%
or higher or driver refuses breath
test. Driver receives 7-day tem-
porary license; driver has seven
days to appeal.

Revises terms of license revocation under administrative or court authority - provides minimums:

- 1st offense 90 days (last 60 days may be limited)
- 2nd offense 1 year
- 3rd offense 10 years

Court revocation may be either concurrent or consecutive with administrative action.

Revises procedure to recover valid license: driver must post SR22, pay fee and pass written and road test.

Revises penalty for driving with license revoked. If revocation was for 1st DWI conviction, mandatory minimum 30 days in jail. If revoked for 2nd or subsequent DWI, mandatory jail sentence of 90 days to serve.

Allows for impoundment or forfeiture of vehicle on 3rd & subsequent offense.

Suspended imposition of sentence is no longer permitted for DWI, Breath Test Refusal, or Driving with License Revoked.

[Minimum legal age to purchase/consume increased from 19 to 21 -- over three year period, effective January, 1984.]

[State tax on alcohol increased (last increase was 1962).]

Introduced: 1/15/85
Referred: Labor & Commerce,
Judiciary and Finance

1 IN THE HOUSE

BY COLLINS

2

HOUSE BILL NO. 55

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to licensed premises."

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 * Section 1. AS 04.21 is amended by adding new sections to read:

9 Sec. 04.21.035. DUTY TO CONTACT TAXI. A licensee or a licens-
10 ee's agent or employee shall make reasonable efforts to procure a
11 taxi, where taxi service is available, for any person in the premises
12 who requests a taxi.

13 Sec. 04.21.036. DISPLAY OF ALCOHOL WARNING SIGNS. (2) A li-
14 censee shall conspicuously display at each entrance and exit of prem-
15 ises where alcohol is sold at retail, a sign that reads "Intoxicated
16 Drivers Go To Jail, Pay a Fine and Lose Their License - Why Risk It? -
17 Call a Taxi" and that includes a prohibitory symbol containing a
18 stylized automobile and cocktail glass.

19 (b) The sign required by (a) of this section must be at least 18
20 inches wide and six inches high, with lettering at least one and
21 one-fourth inches high.

22 (c) The Department of Revenue shall furnish signs required under
23 this section to a licensee who requests them.

Introduced: 1/16/85
Referred: Labor & Commerce,
Judiciary and Finance

IN THE HOUSE

ADAMENDMENT
BY COLLINS

HOUSE BILL NO. 55

IN THE LEGISLATURE OF THE STATE OF ALASKA
FOURTEENTH LEGISLATURE - FIRST SESSION

A BILL

For an Act entitled: "An Act relating to licensed premises."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

* Section 1. AS 04.21 is amended by adding new sections to read:

Sec. 04.21.035. DUTY TO CONTACT TAXI. A licensee or a licensee's agent or employee shall make reasonable efforts to procure a taxi, where regular taxi service is available, for any person in the premises who requests a taxi.

Sec. 04.21.036. DISPLAY OF ALCOHOL WARNING SIGNS. (a) A licensee shall conspicuously display at each entrance and exit of premises where alcohol is sold at retail, a sign that reads "drunk Drivers go to Jail, Pay a Fine and Lose Their License - Why Risk It? - Call a Taxi" and that includes a prohibitory symbol containing a stylized automobile and cocktail glass.

(b) The sign required by (a) of this section must be at least 18 inches wide and six inches high, with lettering at least one and one-fourth inches high.

(c) The Department of Revenue shall furnish signs required under this section to a licensee who requests them.

April 11, 1985

TO: Kevin

FROM: Annette

Here is the information you requested regarding other states which may have laws similar to HR 9.

The National Conference of State Legislators research person whom I spoke with took HR 9 from its two separate features: warning signs and requiring taxis to be called if requested. There are no laws presently on the books that she is aware of regarding either of these measures. She will make a few more calls tomorrow to verify this, and will call me back.

However, the following state legislatures have bills introduced which are similar to Rep. Collins's:

-Alabama: SB 303 would require warning signs to be posted in liquor stores warning that drinking of alcoholic beverages is harmful for pregnant women. This bill is in second reading.

- New York: SB 2004 affects off-premise retailers except grocery stores and bars (that narrows it to liquor stores) also requiring posting of signs warning that drinking of alcoholic beverages is harmful to pregnant women.

- Texas: HB 215 requires all permittees to post DWI warning signs in a prominent place on the premises. The bill doesn't specify who would pay for the signs. This bill is still in committee.

- Washington: HB 1017 requires any establishment that sells liquor to post at least one warning sign regarding DWI, pregnancy/liquor, and liquor/prescription drugs. Signs provided by the state Liquor Control Board. Signs will be 11x14 or larger. Still in committee. All information is on one sign.

There are two other bills that the researcher was aware of that have to do with warnings in advertising of liquor.

On the subject of taxis:

She is not aware of any states that require this since it is usually a "common sense" measure. She will finalize this today.

She said however, that states are trying lots of creative ways to cut down on drunk driving. Several states have REGULATIONS which ban happy hours. The most extreme case seems to be Rhode Island where a bill presently before the Legislature would require that patrons of bars surrender their keys and drivers' licenses before they could be served

alcohol. Patrons would have to pass a sobriety test administered ostensibly by the bartender before they could get their property back. Non-driving drinkers would have to sign a statement saying they were not going to be driving. The motivating factor for the bar owners: absence of liability and lower insurance rates.

HOUSE BILL NO. 1017

State of Washington 49th Legislature 1985 Regular Session
by Representatives Tilly, Locke, Patrick and Ballard.

Read first time 2/8/85 and referred to Committee on Judiciary.
Referred to Committee on Commerce & Labor 2/11/85.

1 AN ACT Relating to alcoholic beverages; and adding a new section
2 to chapter 66.28 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. Sec. 1. A new section is added to chapter 66.28
5 RCW to read as follows:

6 (1) Any place where alcoholic beverages are sold for off-premises
7 consumption shall post at least one warning sign as provided in
8 subsection (2) of this section regarding the dangers of drinking and
9 driving, fetal alcohol syndrome, and drinking while taking other
10 medication.

11 (2) The liquor control board shall prepare and make available
12 warning signs to be posted in places selling alcoholic beverages for
13 off-premises consumption. These signs shall be eleven inches by
14 fourteen inches or larger, with print large enough to be read
15 clearly.

STATE OF NEW YORK

2004

1985-1986 Regular Sessions

IN SENATE

February 5, 1985

Introduced by Sen. PADOVANI -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations, Taxation and Government Operations

AN ACT to amend the alcoholic beverage control law, in relation to warnings regarding alcoholic beverages

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

- 1 Section 1. Section one hundred four-a of the alcoholic beverage control law is amended by adding a new subdivision five to read as follows:
2
3 5. All retailers who sell alcoholic beverages for off-premises consumption, excluding grocery stores, and all retailers who sell alcoholic beverages for on-premises consumption, shall have posted, in a conspicuous place, a sign which clearly reads: "Warning: Drinking alcoholic beverages during pregnancy can cause birth defects."
4
5
6
7
8 § 2. Section one hundred thirty of such law is amended by adding a new subdivision six to read as follows:
9
10 6. Notwithstanding any other provision of this section, a violation of the provisions of subdivision five of section one hundred four-a of this chapter shall not be a crime, but the violator shall be liable for a civil penalty of not more than one hundred dollars. Each day that the said provisions are not complied with shall constitute a separate violation.
11
12
13
14
15
16 § 3. This act shall take effect on the first day of January next succeeding the date on which it shall have become a law.
17

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [] is old law to be omitted.

LBD05984-01-5

1 LRS 85-459:2/6/85

2

3

4 S. 303
5 By Senator Parsons
6 RFD - GA
7 Rd 1 - 2-12-85

7

8

9 SYNOPSIS: This bill requires all persons who are licensed to
10 sell or serve, on-premises or off-premises,
11 alcoholic beverages to post warning signs that the
12 drinking of alcoholic beverages may be harmful to
13 the health of pregnant women. It authorizes the
14 Alcoholic Beverage Control Board to issue rules and
15 regulations for the enforcement of the provisions
16 of this act.

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A B I L L
T O B E E N T I T L E D
A N A C T

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To prescribe that any person who is licensed to
sell or serve, on-premises or off-premises, alcoholic
beverages to post warning signs that the drinking of
alcoholic beverages may be harmful to the health of pregnant
women; to authorize that the Alcoholic Beverage Control Board
may issue and enforce reasonable rules and regulations
necessary to enforce the provisions of this act.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Any person who is licensed to sell or
serve alcoholic beverages, on-premises or off-premises, shall
post a warning sign that the drinking of alcoholic beverages
may be harmful to the health of pregnant women. Such sign
shall be prominently displayed in letters large enough to

1 read at a distance of fifty feet.

2 Section 2. The Alcoholic Beverage Control Board
3 may formulate, issue and enforce reasonable rules and
4 regulations necessary to implement the provisions of this
5 act. Such rules and regulations shall be made pursuant to
6 the Administrative Procedure Act.

7 Section 3. The provisions of this act are
8 severable. If any part of the act is declared invalid or
9 unconstitutional, such declaration shall not affect the part
10 which remains.

11 Section 4. All laws or parts of laws which
12 conflict with this act are hereby repealed.

13 Section 5. This act shall become effective
14 immediately upon its passage and approval by the Governor, or
15 upon its otherwise becoming a law.

M A D D

MAILING ADDRESS:
711 H Street, Box 108
Anchorage, Alaska 99501

(907) 279-MADD

BUSINESS ADDRESS
733 West 4th Avenue
Anchorage, Alaska 99501

MARCH, 1985 MADD NEWSLETTER
EDITOR - J.L. "Larry" Henderson Jr.
READING DIRECTIONS TO FEBRUARY ISSUE

Beginning on page 4 of the Feb. Newsletter, some Blithe Spirit scrambled and excluded portions of the Newsletter. To restore some semblance of orderly meaning, these two columns of paragraph captions will show:

How It Should Have Been	How It Was
COURT MONITOR: REPORTS; EVALUTES...	RECENT ADDITIONS; POLITICAL ACTIVIST
MEDIA SAYS WHAT IT PLEASES	"TOWN CLOSED TO ATTEND TRIAL"
ANCIENT JUDICIAL TYPES: FAIR; ...	VIOLATIONS
RECENT ADDITIONS; POLITICAL ACTIVIST..	JM180879.RAB
"TOWN CLOSED TO ATTEND TRIAL"	COURT MONITOR: REPORTS; EVALUATES...
VIOLATIONS	ANCIENT JUDICIAL TYPES: FAIR...
JM180879.RAB...	Omitted - MEDIA SAYS WHAT IT PLEASES

COURT MONITORS NEEDED --- YOU'RE OUR EYES AND EARS

Unfortunately all of us do not have sufficient time to attend all the trials and yet still do everything else that we need to. Yet if we had a sufficient number of monitors to attend all the trials, these monitors by reporting their factual findings and impressions, have expanded our awareness far beyond what any one person could have sensed in person. We all share in common, an intense interest in knowing the TRUTH of what occurs in the courtroom. We also have a developing sensitivity to the myriad factors that affect, adversely and otherwise, CRIME AND PUNISHMENT and whether any deficiencies in the system are adequately reported. to the concerned citizenry. Such motivation and sensitivity enables our Court Monitors to record impressions and actions likely to be completely overlooked by the media. Therefore, when you're asked to be a Court Monitor, (as you are right now), don't exclaim, "But I'm not a newspaper reporter." I'd merely breathe a fervent, "Thank Goodness." Give us a call. We need you. So does mankind.

MEDIA SAYS WHAT IT PLEASES

The flip-side of Freedom Of The Press is that the media is not legally obligated to report anything. They can, and do, boycott events. The resulting news blackouts may serve their purposes, but not necessarily those of the readers. Two Examples:

TEXT COMPLAINT BOYCOTT Recently I questioned the use of a textbook in the Palmer Jr. High School because of numerous biased half-truths, evasions, omissions and outright falsities scattered throughout the book which repeatedly slighted the Western Democracies in general and the U.S. in particular, and in marked contrast, falsely enhanced and glorified the Communist nations in general and Red China in particular. Believing this to be newsworthy, I blanketed local and State media, including newspapers, radio and TV, with press releases. To the best of my knowledge - none of the media outlets said one word about it.

BOYCOTT OF JUDGES' POPULARITY POLL Following the recent State and National elections, the Anchorage Chapter President, Katherine Bigler noticed that the results of the Approve/Disapprove vote on the Judges had not been published by the media. President Bigler's inquiry prompted this lame excuse, "We didn't think anyone would be interested."

Use The Media ! Work With It ! But Don't Rely Upon It !

MADD SUPPORTS THE FOLLOWING 1985 LEGISLATIVE BILLS

Dram Shop Revision

Last year, the Governor's Task Force on Drunk Driving recommended:

(1) Increasing the civil liability of liquor licensees for damages caused by serving alcohol illegally from "criminal negligence" to "civil negligence", and; (2) Expanding the civil liability to "social hosts". The purpose is to deter the serving of alcoholic beverages to persons that are already drunk. The Governor has promised to introduce this legislation, but has failed to do so, by the time of this writing. COMMENT: Failure to introduce it earlier precludes passage this session.

House Bill No.3

Provides an additional situation when the Officer may administer a breath test when the driver was driving with an open container of an alcoholic beverage in the car. This Bill was passed by the House and was before the Senate State Affairs Committee on 3/28. SB 71 is similar and in the same Committee.

House Bill No.34

Requires that restaurants having an alcoholic beverage license, must show that 50% of their proceeds are received from the sale of food, which must continue while liquor is being sold. This Bill was before the House Judiciary Committee on 3/28.

House Bill No.55

Requires the bar owner to obtain a taxi for one who requests it. The bar owner must also display an alcohol warning sign that reads, "Intoxicated Drivers Go To Jail, Pay A Fine and Lose Their License - Why Risk It?" This measure was in the House Judiciary Committee on 3/28.

Senate Bill No.69

Makes various administrative changes in licensing and regulation of the sale and distribution of alcoholic beverages and defines an "established village" as having 25 or more permanent residents or is within a 5 mile radius circle centered on a post office or other designated point. This measure was in the Senate Community and Regional Affairs Committee on 3/28.

Senate Bill No.73

Requires that one arrested for DWI must be photographed and fingerprinted before being released from custody. This measure was in the Senate Judiciary Committee on 3/28.

Senate Bill No.74

Provides that DWI includes any influence that results from a combination of intoxicating liquor and a controlled substance "that acts as a central nervous system depressant, hallucinogen or stimulant." This bill was in the Senate Finance Committee on 3/28.

Senate Bill No.75

Adds the phrase, "or the privilege to obtain a license" to cover the situations where the Defendant was driving with out a current driver's license. This Bill passed the Senate and was going to the House Finance Committee on 3/28.

Senate Bill No.76

Provides that the Defendant shall have the right to call his attorney etc. only "after law enforcement officers have conducted any tests necessary to preserve dissipating physical evidence of intoxication," This amends Rule 5(b) of the Alaska Rules of Criminal Procedure which allows the Defendant to stall the taking of the test (which tends to lessen its validity) until after he had called and carried on at length with his attorney. This ploy enabled a skilled practitioner to considerably weaken the physical evidence of intoxication. This Bill was in the Senate Judiciary Committee on 3/28.

MADD SUPPORTS THE FOLLOWING 1985 LEGISLATIVE BILLS (Cont.)

Senate Bill No.136

Increased the membership of the ABC Board from 5 to 7 and requires that one member shall be the coordinator of the office of alcoholism and drug abuse. This Bill was in the Senate Health, Education and Social Services Committee on 3/28.

Senate Bill No.138

Prohibits "Happy Hour" and certain other discounting or free dispensing of drinks. This Bill was in the Senate State Affairs Committee on 3/28.

TELL YOUR LEGISLATOR(S) HOW TO VOTE

WHAT A DEAL ! ABSOLUTELY FREE ! Collect Calls accepted. Just call your Legislative Information Office: Anchorage...278-3668; Wasilla...376-3704; Soldotna...262-9364; Tell them you'd like to send a Public Opinion Message (POM) to the Legislators that you specify, one or all. POMs have a 50 word limit. Office personnel will tell you what committee a particular bill is in when you call. Tell her that you'd like to send a POM to the members of that Committee urging passage of the Bill. She will then prepare the POM to be sent under your name to those Legislators. A Bill will probably be sent to more than one Committee. Therefore, keep track of its whereabouts at every step of the way while its being considered. Continue to urge its passage, by those particular Legislators who are in the specific Committee that is considering it at that time, . It doesn't become law unless it's approved at all stages of its gestation period.

VIOLATIONS CHARGED

GA010183.MEO 5 MAY 83 DWI charges were filed against Mark E. Owens, a serviceman driving a car with Texas plates, before Judge Glen Anderson. Defendant was found slumped over the steering wheel of his car that was stopped partly on the roadway with the engine running. The brake was not on. The arresting officer smelled intoxicants. Defendant flunked all field sobriety tests. His breathalyzer reading was .21. Defendant represented himself and claimed that he was waiting for his friend inside the house with a girl. Defendant found guilty; Fined \$350; Sentenced to 90 days in jail with 70 suspended; Alcohol screening; License revoked for three years; No traffic violation for three years. (CASE NO.83-5CR) Reporters: Lois Sudkamp, Anchorage; Selma Schmidt (Mrs. H.A.) Anchorage; Wilma Larsen, Anchorage.

JH010183.DKB 10 MAY 83 David Keith Bowers pled Not Guilty before Judge James Hornaday to indecent exposure. Priors included: Case #814097; 812209; 818049; 801816. Defendant said he had seizure and did this after drinking but no alcohol was observed on breath. Found guilty upon testimony of liquor store clerk and manager. Reporter, Linda Racenia, Anchorage. COMMENT: Disposition not known.

XG030183.DEM 6 JAN 84 David E. Nerbs pled Nolo Contendere to DWI before Judge Greene. Defendant's breathalyzer reading was .21 taken one hour and 15 minutes after arrest. Defendant was found guilty, Fined \$1,000 which was suspended; sentenced 45 days in jail with all but 96 hours suspended, no similar or criminal violation for one year, alcohol screening; license revoked for 60 days. Reporter Sam McClain, Anchorage.

WF060183.PXG 15 AUG 83 19 year old Patricia Golden pled Not Guilty DWI before Judge William Fuld. At about 02:13 AM, Defendant had entered into, but not thru the intersection, on a red light. THE Officer reported Defendant had a strong odor of alcohol, poor balance, an open can of beer in the car and a breathalyzer reading of .15 (which was not introduced into evidence). On video her face appeared flushed and she said she had started drinking about 2100 PM and had had about 5 bottles of beer. At the trial she denied drinking at the time of the arrest. Defendant was found Not Guilty. Reporter Wanda Wheeler.

MEMBERSHIP: As a member, you will be entitled to any and all services MADD has to offer, including newsletters, current legislation and drunk driving information.

\$20 Individual \$40 Family \$150 or more Organization Affiliate

I would like to make a contribution of \$_____ in support of MADD.

I would like to volunteer my time, please call me.

I am a victim.

I am a concerned citizen.

NAME: _____ ADDRESS: _____

CITY, STATE AND ZIP: _____ PHONE: () _____

PLEASE SEND THIS MEMBERSHIP FORM TO:

MADD

MOTHERS AGAINST DRUNK DRIVERS
MAILING ADDRESS:
711 H Street, Box 108
Anchorage, AK 99501

NON-PROFIT ORG
U. S. Postage
PAID
ANCHORAGE, AK
PERMIT #485

Represtatative Collins
Alaska State Legisalture
Pouch V (MS 3100)
Juneau, Alaska 99811

FILED JAN 3 1965

By C. Jones

3. No. 215

A BILL TO BE ENTITLED

AN ACT

1
2 relating to warning signs to be posted by alcoholic beverage
3 retailers.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Chapter 11, Alcoholic Beverage Code, is amended
6 by adding Section 11.11 to read as follows:

7 Sec. 11.11. WARNING SIGN REQUIRED. (a) Each holder of a
8 permis that authorizes the holder to sell alcoholic beverages to
9 consumers at retail shall display in a prominent place on his
10 premises a sign at least 17 inches high and 8 inches wide, stating
11 in letters easily legible: .

12 D W I

13 DID YOU KNOW?

14 PENALTIES:

15 1st Offense--Jail: 3 days to 2 years

16 Fine: max. \$2,000

17 License: possible suspension

18 2nd Offense--Jail: 15 days to 2 years

19 Fine: max. \$2,000

20 License: max. suspension of 2 years

21 3rd Offense--Penitentiary: max. of 5 years

22 Fine: max. \$2,000

23 License: max. suspension of 2 years

24 IT'S NOT WORTH IT!

1 (b) A permittee who fails to comply with this section
2 commits a misdemeanor punishable by a fine of not more than \$25.

3 SECTION 2. Section 61.11, Alcoholic Beverage Code, is
4 amended to read as follows:

5 Sec. 61.11. WARNING SIGNS [SIGN] REQUIRED. (a) Each holder
6 of a license shall display in a prominent place on his premises a
7 sign, at least 6 inches high and 14 inches wide, stating: FELONY.
8 STATE LAW PRESCRIBES A MAXIMUM PENALTY OF TEN YEARS' IMPRISONMENT
9 AND A FINE NOT TO EXCEED \$5,000 FOR CARRYING WEAPONS WHERE
10 ALCOHOLIC BEVERAGES ARE SOLD, SERVED, OR CONSUMED.

11 (b) Each holder of a license that authorizes the holder to
12 sell alcoholic beverages to consumers at retail shall display in a
13 prominent place on his premises a sign at least 17 inches high and
14 8 inches wide, stating in letters easily legible:

15 D W I

16 DID YOU KNOW?

17 PENALTIES:

18 1st Offense--Jail: 3 days to 2 years

19 Fine: max. \$2,000

20 License: possible suspension

21 2nd Offense--Jail: 15 days to 2 years

22 Fine: max. \$2,000

23 License: max. suspension of 2 years

24 3rd Offense--Penitentiary: max. of 5 years

25 Fine: max. \$2,000

26 License: max. suspension of 2 years

27 IT'S NOT WORTH IT!

1 (c) [(b)] A licensee who violates this section commits a
2 misdemeanor punishable by a fine of not more than \$25.

3 SECTION 3. This Act takes effect September 1, 1985.

4 SECTION 4. The importance of this legislation and the
5 crowded condition of the calendars in both houses create an
6 emergency and an imperative public necessity that the
7 constitutional rule requiring bills to be read on three several
8 days in each house be suspended, and this rule is hereby suspended.

State of Alaska

COMMITTEES

HOUSE HEALTH, EDUCATION
AND SOCIAL SERVICES
(Co-Chairman)
HOUSE JUDICIARY
HOUSE COMMUNITY AND
REGIONAL AFFAIRS



POUCH V
JUNEAU, ALASKA 99811
(907) 465-4968

914 CLAY COURT
ANCHORAGE, ALASKA 99503
(907) 276-6844

Representative Max F. Gruenberg, Jr.
District 11
Spenard, Upper Midtown Anchorage

PRESS RELEASE

For Immediate Use

BY: Representative Virginia Collins
Representative Max Gruenberg
DATE: April 15, 1985
RE: HB 55 "DWI" warning signs and taxi rides

An act relating to liquor licensees' duty to contact taxis for patrons and to display alcohol "DWI" warning signs passed the House Judiciary Committee this weekend. House Bill 55 was introduced by Representatives Virginia Collins (R. Anch.) and Max Gruenberg (D. Anch.).

If enacted, the measure would require employees of licensed establishments to, "make reasonable efforts to procure a taxi, where regular taxi service is available, for any person in the premises who requests a taxi".

The bill also requires that all licensed liquor dispensers, including retail package liquor stores, conspicuously display at each public entrance and exit a sign that reads, "Drunk drivers go to jail, pay a fine and lose their licenses - why risk it? Call a taxi." The 18 inch sign would also include the international prohibitive symbol for drinking and driving

Sponsor Virginia Collins commented, "This legislation has been a joint effort by Representative Gruenberg and myself -- a clear indication of the bi-partisan effort in the House of Representatives to fight drunk driving."

According to co-sponsor Max Gruenberg, "The bill has passed two House committees and will now be referred to the House Finance Committee. Hopefully, it will reach the House floor before the end of the session. HB 55 is a good example of the kinds of creative, low-cost ideas the state can pursue in combating drunk driving".

Representative Collins continued, "During the past ten years, Alaska has enacted some of the nation's strictest laws against drunk driving. Despite all of these efforts, drinking and driving continue to be a significant problem for the citizens of our State. The prominent display of DWI warning signs in establishments that sell alcohol will affect consumer behavior in a positive manner, because repeated exposure to the warning reinforces its effect and eventually leads to subliminal changes in behavior which influences consumers of alcoholic beverages to act responsibly -- not necessarily for the good of others, but for themselves. To increase the effectiveness of our current efforts, the public must know the laws and penalties leading to an increased fear of apprehension and correction."

CHAR (Cabaret, Hotel and Restaurant Association), representing the liquor industry, has endorsed House Bill 55.

Staff Contacts: Rep. Collins: Kevin Farrell 465-2828

Rep. Gruenberg: Dave Donley 465-4968

HOUSE BILL 55
TESTIMONY BEFORE THE HOUSE JUDICIARY COMMITTEE
April 8, 1985

Purpose. One of the priority issues identified by the Governor's Task Force on Drunk Driving was State funding for directing and funding public awareness programs on alcohol and drug use and responsible motor vehicle operation. House Bill 55 is an attempt to respond to this concern. HB 55 is designed to improve public awareness and information at the sites where alcoholic beverages are purchased or consumed.

Statement of the Problem: In the last few years there has been an increased public interest in the problem of drinking and driving. In response to this rising concern, the State of Alaska in recent years has enacted legislation aimed at removing the drunk driver from our streets and thus reducing alcohol-related accidents and fatalities. These statutes provide for the following:

1. Raised legal drinking age of twenty-one.
2. An implied consent statute
3. Preliminary breath testing on the roadway
4. Administrative license revocation upon arrest
5. Breath test refusal penalties same as DWI conviction
6. Citizen reporting, i.e., REDDI
7. Definition of Breath Alcohol level at .10 illegal per se
8. Mandatory sentencing
9. Mandatory fines
10. Victim compensation
11. Driver licensing information
12. Rehabilitation education
13. Compliance with conditions of court order
14. Mandatory liability insurance
15. Four new judges in the Anchorage area
16. Decrease in time between arrest and sentencing

Despite all of these efforts, drinking and driving continues to be a significant problem for the citizens of our state.

Recent newspaper headlines attest to the increasing public interest in the drunk-driving problem. Much of this increase results from campaigns conducted by such citizen groups as MADD (Mothers Against Drunk Driving). Organizations like MADD have been very effective in enlisting public and official support for more severe penalties for drunk drivers. In the past, efforts to strengthen drunk-driving laws have generally focused on increasing penalties.

One justification frequently cited for this approach is the apparent success of drunk-driving laws carrying strict penalties and ensuring that such penalties are actually carried out. Unfortunately, in the past it generally has been the experience that public concern has been temporary, and when the interest of the moment has passed, the intensity of the effort to overcome the drinking-driving problem tends to fade. If current efforts are to have a long-term effect, it is important that public awareness accompany all current and future legislation to stem the tide of drunk driving.

The passage of stricter drunk-driving laws alone will not reduce alcohol-related accidents or the incidents of drunk driving. For stricter laws to be effective, the public must know the laws and penalties and have an increased fear of apprehension and conviction.

To have an impact on the rate of accidents caused by drunk drivers, laws must not only be enacted but also well publicized and enforced. In some cases, it appears that current DWI laws and their penalties are not as highly publicized throughout Alaska as they could be.

A review of the research on the scope of the problem as it exists in other states as well as in Alaska is well documented. It is clear from reviewing the information that drinking and driving is a very complex problem which requires a combination or a variety of approaches. Although it appears from reviewing the literature that enactment of stronger drunk-driving laws has been successful in stemming the tide, it has not been entirely successful in eliminating the problem.

To be effective, enforcement programs must be accompanied by public information activities which ensure that there is a perception of increased probability of detection. A review of the research further indicates there is a strong connection between public awareness and the effectiveness of drunk-driving laws. Public awareness and accurate knowledge of the law, along with thorough enforcement procedures and stiff penalties are the major components, which will have a lasting impact on the large numbers of persons drinking and driving in Alaska, particularly in the case of social drinkers. Although this approach may not be as effective with problem drinkers, research indicates that the passage of stricter drunk-driving laws alone does not reduce alcohol-related accidents or the incidence of drunk driving. To increase the effectiveness of our efforts, the public must know the laws and the penalties and have an increased fear of apprehension and conviction.

The sale of alcohol is one of society's most highly regulated industries. There is good reason for this; it is a potentially dangerous substance posing extreme hazards to the health and welfare of consumers and motor vehicle operators on our public roads.

In the past decade, the vast majority of Americans have been concerned over public safety. This concern has risen steadily since 1971. In a recent Harris survey, 87% of the adult Americans polled blamed consumers themselves for injury resulting from misuse of products. Of the consumers surveyed, 73% believed that product safety objectives should be accomplished through publicity on product risks and dangers or by health warnings such as those required for cigarettes and over-the-counter drugs.

If a product has a hidden hazard, an unknowing consumer may be denied the valuable information necessary in deciding whether or not to risk using the product in the first place or how abuse of the product could impact his future welfare. Often, hazards in the use of alcohol are not visible to a consumer, and thus the consumer may not have a full appreciation for the severity of the decision to expose himself to that hazard. The probability of a hazard actually occurring, therefore, is of prime consideration in the consumer's behavior. Following this line of reasoning, an educated product consumer of alcoholic beverages is likely to be a more responsible consumer.

RECOMMENDATIONS:

The approaches for dealing with the drunk-driving problem are many, which include punitive, educational, rehabilitation, and behavioral. The value of placing warning signs in establishments where alcohol is sold and/or consumed should be effective because the message is subliminal. Research has shown that subliminal advertising has a greater long-term effect in influencing behavior than any other form of advertising. The prominent display of DWI warning signs in establishments that sell alcohol would, over a period of time, effect consumer behavior in a positive manner. Subliminal messages are conveyed to the unconscious rather than to the conscious level. Once having established the message on the unconscious level, repeated exposure to the message reinforces its effect and eventually will lead to changes in behavior which will influence consumers of alcoholic beverages to act responsibly, not necessarily for the good of others, but for themselves.

HB 55 REPRESENTS GOOD LEGISLATION; IT MAXIMIZES THE EFFECT OF CURRENT LAW AT MINIMAL EXPENSE TO THE PUBLIC TREASURY. HB 55 CARRIES A FISCAL NOTE OF APPROXIMATELY \$3,000.00; A SMALL PRICE FOR A BIG PROBLEM.

THANK YOU FOR THE OPPORTUNITY TO TESTIFY. ON BEHALF OF MYSELF AND
ALL THOSE WHO WILL BENEFIT FROM THIS BILL, I REQUEST YOUR SUPPORT IN PASSING
HB 55 OUT OF COMMITTEE.

I AM AVAILABLE FOR ANY QUESTIONS YOU MAY HAVE.

TIMELINE SUMMARY OF SIGNIFICANT LEGISLATION
REGARDING CONTROL OF DRUNK DRIVERS

MUNICIPALITY OF ANCHORAGE

ALASKA STATE STATUTE

January, 1977

Established Mandatory

Minimum Sentence:

1st offense 24 hours
2nd offense 3 days
3rd & subsequent 10 days

Illegal to operate motor
vehicle with BAC .10% or
higher (Per Se law)
(AO 267-76)

January, 1978

[Adopted procedure whereby in-
voluntary blood test was made
in medical setting upon refu-
sal of breathalyzer test.
(Administrative Procedure)]

Established mandatory judicial re-
ferral for alcohol screening/reha-
bilitation
(ch. 152 SLA 1978)

Established mandatory jail sentence
of 10 days for DWLS.

Disallowed limited license on second
offense for serious traffic misde-
meanors
(ch. 178 SLA 1978)

November, 1978
(11/23/78)

Increased Mandatory Minimum
sentence:

1st offense 3 consecutive days
2nd & subsequent 10 consecutive days
(AO 78-2305)

November, 1979

Adopted breath as well as
blood standard for measurement
of BAC
(AO 79-194)

1980

(September)

Adopted mandatory minimum jail sentence:

1st offense 3 consecutive days
2nd offense 10 consecutive days

Illegal to operate motor vehicle with BAC .10% or higher

Adopted breath alcohol measurement standard

Established admissibility of refusal under implied consent law as evidence in prosecution
(ch. 129 SLA 1980)

(August)

Adopted state statute
(AO 80-122)

1981

Assumes validity of chemical test if taken within four hours of arrest
(AO 81-75)

[Reduction in hours of legal sale of alcohol]

1982

(September)

Established refusal under implied consent laws as misdemeanor offense with same sentence as DWI offense

Allowed for application of DWI law to airplanes and watercraft

Allowed forceable blood test for EAC in fatalities, injuries or cases where defendant is incapable of refusing

Required use of limited license for at least 60 days (rather than only 30 days)

Revised mandatory minimum sentence
1st offense 72 consecutive hours
2nd offense 10 consecutive days
20 days if subsequent offense
within one year
(ch. 117 SLA 1982)

Adopted state statute but leaves
in validity of chemical test if
taken within four hours of arrest
(AO 82-126)

November, 1982

Allows forfeiture of motor
vehicle to Municipality on
2nd or subsequent offense
within 5 years of first
offense

Permit impoundment (temporary
seizure) of vehicle to Muni-
cipality for 30 days for 1st and
2nd offense, 60 days for 3rd
offense and 90 days on 4th or
subsequent offense.
(AO 82-205)

June, 1983
Effective 10/17/83

Revised mandatory minimum sentence
1st offense 72 hours (unchanged)
2nd offense w/in 10 years 20 days
3rd offense w/in 10 years 30 days

Established mandatory minimum fines
1st offense \$250
2nd offense \$500
3rd offense \$1000

Established administrative revoca-
tion of driver's license by law
enforcement officer if BAC is .10%
or higher or driver refuses breath
test. Driver receives 7-day tem-
porary license; driver has seven
days to appeal.

Revises terms of license revocation under administrative or court authority - provides minimums:

- 1st offense 90 days (last 60 days may be limited)
- 2nd offense 1 year
- 3rd offense 10 years

Court revocation may be either concurrent or consecutive with administrative action.

Revises procedure to recover valid license: driver must post SR22, pay fee and pass written and road test.

Revises penalty for driving with license revoked. If revocation was for 1st DWI conviction, mandatory minimum 30 days in jail. If revoked for 2nd or subsequent DWI, mandatory jail sentence of 90 days to serve.

Allows for impoundment or forfeiture of vehicle on 3rd & subsequent offense.

Suspended imposition of sentence is no longer permitted for DWI, Breath Test Refusal, or Driving with License Revoked.

[Minimum legal age to purchase/ consume increased from 19 to 21 -- over three year period, effective January, 1984.]

[State tax on alcohol increased (last increase was 1962).]

Introduced: 1/16/85
Referred: Labor & Commerce,
Judiciary and Finance

1 IN THE HOUSE

BY COLLINS

2

HOUSE BILL NO. 55

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to licensed premises."

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 * Section 1. AS 04.21 is amended by adding new sections to read:

9 Sec. 04.21.035. DUTY TO CONTACT TAXI. A licensee or a licens-
10 ee's agent or employee shall make reasonable efforts to procure a
11 taxi, where taxi service is available, for any person in the premises
12 who requests a taxi.

13 Sec. 04.21.036. DISPLAY OF ALCOHOL WARNING SIGNS. (a) A li-
14 censee shall conspicuously display at each entrance and exit of prem-
15 ises where alcohol is sold at retail, a sign that reads "Intoxicated
16 Drivers Go To Jail, Pay a Fine and Lose Their License - Why Risk It? -
17 Call a Taxi" and that includes a prohibitory symbol containing a
18 stylized automobile and cocktail

19 (b) The sign required by (a) of this section must be at least 18
20 inches wide and six inches high, with lettering at least one and
21 one-fourth inches high.

22 (c) The Dep. t of Revenue shall furnish signs required under
23 this section to a licensee who requests them.

Introduced: 1/16/85
Referred: Labor & Commerce,
Judiciary and Finance

IN THE HOUSE

ADAMENDMENT
BY COLLINS

HOUSE BILL NO. 55

IN THE LEGISLATURE OF THE STATE OF ALASKA
FOURTEENTH LEGISLATURE - FIRST SESSION

A BILL

For an Act entitled: "An Act relating to licensed premises."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

* Section 1. AS 04.21 is amended by adding new sections to read:

Sec. 04.21.035. DUTY TO CONTACT TAXI. A licensee or a licensee's agent or employee shall make reasonable efforts to procure a taxi, where regular taxi service is available, for any person in the premises who requests a taxi.

Sec. 04.21.036. DISPLAY OF ALCOHOL WARNING SIGNS. (a) A licensee shall conspicuously display at each entrance and exit of premises where alcohol is sold at retail, a sign that reads " drunk Drivers go to Jail, Pay a Fine and Lose Their License - Why Risk It? - Call a Taxi" and that includes a prohibitory symbol containing a stylized automobile and cocktail glass.

(b) The sign required by (a) of this section must be at least 18 inches wide and six inches high, with lettering at least one and one-fourth inches high.

(c) The Department of Revenue shall furnish signs required under this section to a licensee who requests them.