

HB

10



ALASKA STATE LEGISLATURE

PLEASE ENTER INTO THE RECORD MY TESTIMONY TO THE H. JUD. COMM.
 COMMITTEE ON CS HB 10 (STA) DATED MARCH 31, 1995
COMMITTEE NAME
BILL/SUBJECT

I AM TESTIFYING ON BEHALF OF MADD IN FAVOR OF SUBJECT BILL.

PEOPLE WHO ABUSE ALCOHOL AND CAUSE CAR CRASHES SHOULD PAY THE PRICE, NOT THE GENERAL PUBLIC. ONE INCIDENT CAN COST THOUSANDS OF DOLLARS IN EMERGENCY RESPONSE TIME AND EQUIPMENT.

THE CITY OF FAIRBANKS PASSED AN ORDINANCE SIMILAR TO HB 10 SOME YEARS BACK. I JUST CHECKED WITH THE CITY ATTY'S OFFICE AND THEY REPORT OVER \$40,000 HAS BEEN COLLECTED SINCE PASSAGE OF THE ORDINANCE AND PAYMENTS CONTINUE TO COME IN. I HOPE YOU PASS THIS BILL.

SIGNED Glenn Hagisney (GLENN HAGISNEY)
 TESTIFIER

MADD
 REPRESENTING (OPTIONAL)

HOME ADDRESS: 1136 SUNSET DR.
 ADDRESS/PHONE NUMBER FAIRBANKS, ALASKA 99709
474-0610

No problem -
except possibly -
DWI offender will
probably pay more
in venue than other
for same
service -

9-LS0060NF

CS FOR HOUSE BILL NO. 10(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE STATE AFFAIRS COMMITTEE

Offered: 3/22/95

Referred: Judiciary, Finance

Sponsor(s): REPRESENTATIVES DAVIES, Green

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to payment for emergency services responding to certain motor
2 vehicle accidents."

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

4 * Section 1. AS 28.35 030 ^{DWI Statute} is amended by adding a new subsection to read:

5 (n) If the act for which a person is convicted under this section contributes to
6 a motor vehicle accident, the court shall order the person to pay the reasonable cost
7 of any emergency services that responded to the accident, if the convicted person or
8 the convicted person's insurer has not already paid the cost of the emergency services.
9 If payment is required under this subsection, the payment shall be made directly to the
10 emergency service and shall be equal to the actual cost of responding to the accident
11 or the previous year's annual average cost of responding to a motor vehicle accident,
12 whichever is higher. In this subsection, "emergency service" includes a peace officer,
13 fire department, ambulance service, or emergency medical technician.

This is type type of restitution

Alaska State Legislature

While in Fairbanks
119 N. Cushman Street Suite 207
Fairbanks, Alaska 99701
(907) 456-8172
FAX (907) 451-9293



While in Session
State Capitol
Juneau, Alaska 99801-1182
(907) 465-4457
FAX (907) 465-3519

Representative John Davies
District 29

HB 10 SPONSOR STATEMENT

HB 10 is an act that requires DWI offenders convicted of causing a motor vehicle accident to pay for the costs of emergency services that respond to the accident.

The problems and associated costs of driving while intoxicated are clear. According to national statistics, approximately one-half of all fatal motor vehicle accidents involve alcohol. According to the Department of Public Safety 40% of all DWI arrests involve repeat offenders. Furthermore, alcohol related injuries and fatalities cost Alaskans an estimated \$68 million per year (Department of Health and Social Service, 1985).

HB 10 attempts to address these problems in two manners. First, as a deterrent to those who drive while intoxicated by raising the financial penalty for doing so. By raising the financial burden to those breaking the law, HB 10 emphasizes the seriousness of the crime. Second, this bill shifts the financial responsibility of the emergency services that respond to alcohol-related accidents from law abiding, tax paying citizens to the convicted DWI offender.

Three states, California, Indiana, and Kansas have similar reimbursement laws.

B

CORRECTED

HOUSE COMMITTEE REPORT

3/20/95

(7) Date Referred: ~~March 21~~, 1995

FURTHER REFERRALS:

Judiciary
Finance

Date of Committee Action: March 18

The STATE AFFAIRS Committee considered:

HB 10

HOUSE BILL NO. 10

PAYMENT OF COSTS OF DWI ACCIDENTS

"An Act relating to payment for emergency services responding to certain motor vehicle accidents."

recommends it be replaced with the following committee substitute CS HB 10 (STA) the same title a new title

additional referral to _____ Committee
 attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) _____ APPROVES PREVIOUS: (Dept/Date) _____
 fiscal note(s) _____ fiscal note(s) _____

zero fiscal note(s) _____ zero fiscal note(s) CEO, LAW
3/20/95

SIGNING WITH RECOMMENDATIONS		DP	DNP	NR	AM
<u>Brian D. Porter</u>	Porter			✓	
<u>Joseph Green</u>	Green	✓			
<u>Twan James</u>	TWAN	✓			
<u>Jeanette James</u>	James	✓			
<u>Jaren Robinson</u>	ROBINSON	✓			
		(4)		(1)	

CHAIR'S SIGNATURE Jeanette James
James

HOUSE COMMITTEE REPORT

3/20/95

(7)

Date Referred: January 16, 1995

FURTHER REFERRALS:

Judiciary
Finance

Date of Committee Action: March 18

The STATE AFFAIRS Committee considered:

HB 10

HOUSE BILL NO. 10

PAYMENT OF COSTS OF DWI ACCIDENTS

"An Act relating to payment for emergency services responding to certain motor vehicle accidents."

recommends it be replaced with the following committee substitute _____ [] the same title [] a new title

[] additional referral to _____ Committee
[] attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) _____

APPROVES PREVIOUS: (Dept/Date) _____

[] fiscal note(s) _____

[] fiscal note(s) _____

(2) [x] zero fiscal note(s) CEID
law

[] zero fiscal note(s) _____

SIGNING WITH RECOMMENDATIONS		DP	DNP	NR	AM
<i>Jeannette James</i>	James	✓			
<i>Joseph Green</i>	Green	✓			
<i>Tuan Robinson</i>	TUAN	✓			
<i>Caran Robinson</i>	ROBINSON	✓			
		(4)			

CHAIR'S SIGNATURE Jeannette James

FISCAL NOTE

No. 2
 ill Version: HB 10
 (H) Publish Date: 3/20/95

STATE OF ALASKA
 1995 LEGISLATIVE SESSION

Revision Date: _____
 Title: Payment of Costs of DWI Accidents
 Sponsor: Representative DeVies
 Requestor: _____

Department: Commerce and Economic Development
 BRU: Insurance
 Component: Operations

COMPONENT SERIAL NO. _____ #354

Expenditures/Revenues

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

CHANGE IN REVENUES						
---------------------------	--	--	--	--	--	--

FUND SOURCE

(Thousands of Dollars)

FUND SOURCE	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
1002 Federal Receipts						
1003 GF Match						
1004 General Fund						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY 95) cost: \$ _____ 0.0

POSITIONS

POSITIONS	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
FULL-TIME	0	0	0	0	0	0
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)
 No fiscal impact.

Prepared by: Joan Brown, Administrative Officer
 Division: Insurance
 Approved by Commissioner: William L. Hensley
 Agency: Commerce and Economic Development

Phone: 465-2507
 Date: 2/16/95
 Date: 2/23/95

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COMMITTEE COPY

FISCAL NOTE

No. 1
 Bill Version: HB 10
 (H) Publish Date: 3/20/95

**STATE OF ALASKA
 1995 LEGISLATIVE SESSION**

Revision Date: _____ Dept. Affected: Department of Law
 Title: "An Act relating to payment for emergency services responding to certain motor vehicle accidents." BRU: Legal Services
 Sponsor: Representative Davies Component: Operations
 Requester: Representative Davies COMPONENT SERIAL NO. 0093

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY95) cost: \$ 0.0

POSITIONS

FULL-TIME	0.0	0.0	0.0	0.0	0.0	0.0
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

This bill amends AS 28.35 to provide that a person convicted of driving while intoxicated, who contributes to a motor vehicle accident, be required to pay the cost of any emergency services that responded to the accident. Currently, courts have the discretionary power to order reimbursement under these circumstances, when a convicted DWI defendant is sentenced. This bill would make reimbursement of emergency responders mandatory. There will not be a fiscal impact for the Department of Law, because this is a sentencing provision that does not directly involve the department.

Richard T. Pegues

Prepared by: Richard T. Pegues, Director
 Division: Administrative Services Division
 Approved by Commissioner: Bruce M. Botelho, Attorney General
 Agency: Department of Law

Phone: 465-3672
 Date: 2/15/95
 Date: 2/15/95

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FISCAL NOTE

STATE OF ALASKA

BILL NO: HB 10

1995 LEGISLATIVE SESSION

Revision Date: _____ Dept. Affected: Public Safety
 Title: "An act relating to payment for emergency services respond... to motor vehicle accidents." Alaska State Troopers
 Component: Detachments
 Sponsor: Representative Davies
 Requestor: _____ COMPONENT SERIAL NO. 0799

EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)

OPERATING	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL EXPENDITURES	-0-	-0-	-0-	-0-	-0-	-0-
CHANGE IN REVENUES ()	-0-	-0-	-0-	-0-	-0-	-0-
<small>Revenue Code</small>						

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

Estimate of current year (FY 95) impact: \$ -0-

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary.)
 No significant impact on the Alaska State Troopers

Prepared By: Francis C. Allan Phone: 289-5691
 Division: Alaska State Troopers Date: 01/24/95
 Approved by Commissioner: *Ronald L. Otte* Date: 2/9/95
 Agency: Ronald L. Otte, Dept. of Public Safety

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Alaska Fire Chief's Association

P.O. Box 8508 • Nikiski, Alaska 99635 • (907) 283-4202 • FAX 283-8404

Billy W. Harris
President

TIMOTHY J. BIGGANE
1st Vice President
(907) 488-3400
North Pole

Resolution 95-04

MICHAEL G. MCGOWAN
2nd Vice President
(907) 474-7916
Fairbanks

THE ALASKA FIRE CHIEF'S ASSOCIATION SUPPORTS HOUSE BILL 10.

TERI CARTER
Secretary / Treasurer
(907) 283-4388
Nikiski

WHEREAS, persons driving while intoxicated impact the emergency services by increasing call volumes which results in increased risk to responders and equipment, hence higher operating costs and;

DEWEY WHETSELL
Director
(907) 424-6117
Cordova

WHEREAS, the Alaska Fire Chief's Association sees the general law abiding citizen paying for these costs and;

GREG BARCLAY
Director
(907) 262-4792
Soldotna

WHEREAS, the Alaska Fire Chief's Association is dedicated to reducing loss of life and property,

MIKE HOLZMUELLER
Director
(907) 474-7721
Fairbanks

NOW THEREFORE BE IT RESOLVED THAT,

**THE ALASKA FIRE CHIEF'S ASSOCIATION STRONGLY
SUPPORTS THE PASSING OF HOUSE BILL 10.**

MIKE DOLPH
Director
(907) 486-8040
Kodiak

ADOPTED, THIS 20th DAY OF MARCH, 1995.

JOHN P. KRILL
Director
(907) 373-8800
Wasilla

Billy W. Harris

Billy W. Harris
President, AFCA

ANDREW POSTISHBK
Past President
(907) 265-8794
Wasilla

ATTEST: *Disanne Yonina for Teri Carter*
Secretary



217 Second Street, Suite 200 • Juneau, Alaska 99801 • Tel (907) 586-1325 Fax (907) 463-5480

March 16, 1995

TO: Representative John Davies

FROM: Kevin C. Ritchie
Kevin Ritchie
Executive Director

RE: House Bill 10 - Payment for emergency services responding to certain motor vehicle accidents

The Alaska Municipal League is writing in support of HB 10, which would require a person convicted of driving while intoxicated and contributes to an accident to pay the costs of any emergency services connected with that accident.

While we do not have a specific statement addressing this subject in our policy statement, municipalities support legislation that would encourage people to refrain from driving under the influence and putting innocent people in danger. If an unfortunate accident is the result of this type of behavior, we agree that the convicted person should pay the cost of emergency services.

If you have any questions, please feel free to call me at 586-1325.

MADD

Mothers Against Drunk Driving
P. O. Box 71167 Fairbanks, AK 99701 (907) 456-3964

DRUNK DRIVING IS NOT AN ACCIDENT, IT IS A VIOLENT CRIME.

In 1993, 17,461 people were killed in the United States in alcohol-related traffic crashes. It is estimated that 950,000 people were injured in crashes where alcohol was present.

Direct costs of alcohol-related crashes are estimated to be \$44 billion yearly including \$6 billion in medical costs. An additional \$90 billion is lost in quality of life due to these crashes.

THE MISSION OF MOTHERS AGAINST DRUNK DRIVING IS TO STOP DRUNK DRIVING AND TO SUPPORT VICTIMS OF THIS VIOLENT CRIME.

Rep. John Davies
Alaska State Legislature
State Capitol
Juneau, AK 99801-1182
FAX (907) 465-3519

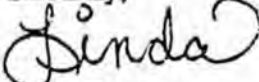
Re: HB No. 10

Dear Representative Davies,

The Fairbanks Chapter of Mothers Against Drunk Driving would like to voice it's support for HB No. 10. As I'm sure you're aware, the cost of drunk driving to the State is phenomenal. While one can never put a dollar amount on the loss of life or injury to a victim, drunk drivers must take responsibility for their actions. HB 10 will act as a deterrent to the potential drunk driver. We commend you for your efforts.

If I can provide you with further information, please contact me.

Sincerely,



Linda Ferree
Chapter President

1993

Table 72
Persons Killed or Injured in Alcohol-Related Crashes, by Person Type and Injury Severity

Person Type	Persons Killed	Persons Injured by Injury Severity			Total Injured
		Incapacitating	Nonincapacitating	Other	
Vehicle Occupants					
Driver	10,369	48,000	86,000	68,000	180,000
Passenger	3,994	23,000	28,000	44,000	95,000
Subtotal**	14,395	69,000	95,000	111,000	275,000
Nonmotorists					
Pedestrian	2,736	3,000	3,000	3,000	10,000
Pedalcyclist	298	1,000	2,000	1,000	3,000
Other	34	****	1,000	****	1,000
Subtotal	3,066	4,000	6,000	5,000	14,000
Total***	17,461	73,000	100,000	116,000	289,000

* Blood alcohol concentration (BAC) of 0.01 grams per deciliter (g/dl) or greater in the crash.
 ** Police-reported alcohol involvement in the crash.
 *** Includes 32 unknown occupants that were killed.
 **** Less than 500.

USA.

Total Fatalities = 40,115

Fatalities in Alcohol Related Crashes = 17,461

Percent = 43.5 %



U.S. Department
of Transportation

**National Highway
Traffic Safety
Administration**

THE ECONOMIC COST OF MOTOR VEHICLE CRASHES 1990

1. Report No. DOT HS 807 876		2. Government Accession No.		3. Recipient's Catalog No.	
4. Title and Subtitle The Economic Cost of Motor Vehicle Crashes, 1990				5. Report Date September 1992	
				6. Performing Organization Code	
7. Author(s) Lawrence J. Blincoe and Barbara M. Faigin				8. Performing Organization Report No.	
9. Performing Organization Name and Address Plans and Policy National Highway Traffic Safety Administration Washington, DC 20590				10. Work Unit No. (TRAIS)	
				11. Contract or Grant No.	
12. Sponsoring Agency Name and Address U.S. Department of Transportation National Highway Traffic Safety Administration Washington, DC 20590				13. Type of Report and Period Covered NHTSA Technical Report	
				14. Sponsoring Agency Code	
15. Supplementary Notes We acknowledge the assistance of Linda Burnett, Office of Plans and Policy, NHTSA; Judy Hilton and other staff, National Center for Statistics and Analysis, NHTSA; and Ted R. Miller of the Urban Institute.					
16. Abstract This report presents the results of an analysis of total motor vehicle crash costs for 1990 and the costs of alcohol-related crashes. The total economic cost of motor vehicle crashes and injuries that occurred in 1990 was \$137.5 billion. This total represents the present value of lifetime costs for 44,531 fatalities, 5.4 million non-fatal injuries, and 28 million damaged vehicles, in both police reported and unreported crashes. Property damage costs of \$45.7 billion accounted for the largest share of total motor vehicle crash costs. Lifetime losses in marketplace production due to deaths and injuries of \$39.8 billion represented the second largest portion of total cost. Medical expenses were the third highest cost category, totaling \$13.9 billion. Each fatality resulted in a discounted lifetime economic cost of \$702,000. Alcohol-related crashes resulted in economic costs of \$46.1 billion, 33.5 percent of 1990 costs. Eighty-one percent of all alcohol-related costs occurred in crashes where a driver or pedestrian was legally impaired (> = .10% BAC).					
17. Key Words Economic costs Motor vehicle crashes Motor vehicle fatalities, injuries Alcohol			18. Distribution Statement Document is available to the U.S. public through the National Technical Information Service, Springfield, VA 22161		
19. Security Classif. (of this report)		20. Security Classif. (of this page)		21. No. of Pages	22. Price