

HB

10

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

Memorandum

Date: February 15, 1995
To: Representative Jeannette James
Chair, State Affairs Committee
From: Representative John Davies
Re: Hearing for HB 10

A handwritten signature in cursive script that reads "John Davies".

I respectfully request a hearing for HB 10 at your earliest convenience. HB 10 is a good law and order bill, requiring DWI offenders convicted of causing motor vehicle accidents to pay for the costs of emergency services that respond to the accident.

Attached is my sponsor statement, a copy of the bill, a fiscal note from the Department of Public Safety, and information from the U.S. Department of Transportation on alcohol-related motor vehicle crashes, both rates and costs.

Thank you, please contact Shannon at my office if you have any questions concerning this bill.

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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 accidents nation-wide result in economic costs of \$46.1 billion per year (US Dept. of Transportation, 1990).

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.

HOUSE BILL NO. 10
IN THE LEGISLATURE OF THE STATE OF ALASKA
NINETEENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE DAVIES

Introduced:

Referred:

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 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 a
6 motor vehicle accident, the court shall order the person to pay the cost of any emergency
7 services that responded to the accident. Payment required under this subsection shall be
8 made directly to the emergency service and shall be equal to actual costs of responding
9 to the accident or the previous year's annual average cost of responding to a motor vehicle
10 accident, whichever is higher. In this subsection, "emergency service" includes a peace
11 officer, fire department, ambulance service, or emergency medical technician.

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	10,389	48,000	66,000	66,000	180,000
Passenger	3,994	23,000	28,000	44,000	95,000
Subtotal**	14,385	69,000	95,000	111,000	275,000
Nonmotorists					
Pedestrian	2,738	3,000	3,000	3,000	10,000
Pedalcyclist	286	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 %

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

9-LS0060F✓

Ford

3/15/95

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:

Referred:

Sponsor(s): REPRESENTATIVE DAVIES

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 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 cost of any
7 emergency services that responded to the accident, if the convicted person or the
8 convicted person's insurer has not already paid the cost of the emergency services. If
9 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.

FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. HB 10

Revision Date: _____
 Title: Payment of Costs of DWI Accidents

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

Sponsor: Representative Davies
 Requestor: _____

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						
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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: 465-2597
 Date: 2/16/95
 Date: 2/23/95

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FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. HB 10

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
 Component: Operations
 Sponsor: Representative Davies
 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						
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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.

Prepared by: Richard I. Peques, Director Phone: 465-3672
 Division: Administrative Services Division Date: 2/15/95
 Approved by Commissioner: Bruce M. Botelho, Attorney General Date: 2/15/95
 Agency: Department of Law

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FISCAL NOTE

STATE OF ALASKA

BILL NO: HB 2

1995 LEGISLATIVE SESSION

Revision Date: _____ Dept. Affected: Public Safety
 Title: "An act allowing courts to require certain
offenders...to complete a boot camp program..." Component: Alaska State Troopers
 Sponsor: Representative Willis Detachments
 Requestor: Representative Willis 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 Cols</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: 269-5691
 Division: Alaska State Troopers Date: 01/24/95
 Approved by Commissioner: *Ronald L. Otte* Date: 2-2-95
 Agency: Ronald L. Otte, Dept. of Public Safety

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FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. HB 5

Revision Date: _____ Dept. Affected: Department of Revenue
 Title: Eligibility for PFD and Longevity Bonus BRU: Permanent Fund Dividend Division
 Component: Permanent Fund Dividend Division
 Sponsor: Representative DAVIES
 Requester: House State Affairs COMPONENT SERIAL NO. 981

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						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

Section 1 of this legislation would add two allowable absences effective for the 1996 dividend.

If enacted, the Department would add these allowable absences to the 1996 application and instructions. The department does not anticipate any additional processing costs associated with adding these two absences.

The effect on the amount of the 1996 and subsequent dividends depends on the additional number of individuals who will qualify for a dividend as a result of these allowable absences. If the number of Alaska residents absent for these reasons is small, the effect on the dividend will be negligible.

Prepared by: Thomas C. Williams, Director Phone: 465-2323
 Division: Permanent Fund Dividend Division Date: 2/7/95
 Approved by Commissioner: _____ Date: 2/7/95
 Agency: Department of Revenue

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FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. HB 6

Revision Date: _____ Dept. Affected: Department of Revenue
 Title: Eligibility for PFD BRU: Permanent Fund Dividend Division
 Component: Permanent Fund Dividend Division
 Sponsor: Representative DAVIES
 Requester: House State Affairs COMPONENT SERIAL NO. 981

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						
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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						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

Section 1 of this legislation would allow an Alaska resident as well as a resident's child who has been absent from the United States for two consecutive years during the four calendar year period immediately before the dividend year, to remain eligible for a dividend if he or she came home to Alaska during that four year period. All other residents would still be required to return home to Alaska during the two calendar years immediately before the dividend year.

If enacted, the Department would modify the 1996 application and instructions. The department does not anticipate any additional processing costs associated these amendments.

The effect on the amount of the 1996 and subsequent dividends depends on the additional number of individuals who will qualify for a dividend as a result of these amendments. If the number of affected Alaska residents is small, the effect on the dividend will be negligible.

Prepared by: Thomas C. Williams, Director Phone: 465-2323
 Division: Permanent Fund Dividend Division Date: 2/7/95
 Approved by Commissioner: [Signature] Date: 2/7/95
 Agency: Department of Revenue

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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

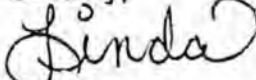
Re: HB No. 10

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