

A House Joint Resolution concerning

Drugged Driving – Testing Program

FOR the purpose of requesting the Governor to direct appropriate State agencies and officials to design, develop, and propose a comprehensive program for testing for drug use by drivers in Maryland.

WHEREAS, While it is illegal under Maryland law to operate a motor vehicle under the influence of a controlled dangerous substance, there is no statutory authorization for testing a driver for drug use; and

WHEREAS, A recent survey conducted by the Maryland Institute for Emergency Medical Services (Shock Trauma) regarding admitted trauma patients revealed that among automobile drivers, approximately a third tested positive for recent marijuana use; and

WHEREAS, These and similar studies conducted throughout the nation indicate that an alarming number of drivers are operating vehicles under the influence of drugs; and

WHEREAS, Arrest statistics do not reflect the widespread use of drugs by drivers, as arrests for driving under the influence of drugs represent a small fraction of arrests for driving under the influence of alcohol; and

WHEREAS, One reason for this discrepancy is that the absence of a test indicating the presence of drugs in a driver's body greatly impairs the ability of the State to prosecute for drugged driving; and

WHEREAS, The development of a comprehensive program for testing for drugged driving is crucial to the prosecution of offenders and to addressing this serious societal problem; and

WHEREAS, Many important questions must be considered before any drugged driving testing program can be established in this State; now, therefore, be it

RESOLVED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Governor is requested to direct appropriate State agencies and officials to design, develop, and propose a comprehensive program for testing for drug use by drivers in Maryland; and be it further

RESOLVED, That the proposed program should address issues such as the appropriate unit of State government that should be responsible for that drug testing program, procedures for training and screening, recommendations for instrumentation, proposed operating and capital budgets, legislative changes that may be necessary, and any other relevant concerns; and be it further

RESOLVED, That the recommendations regarding a comprehensive drug testing program for drivers in Maryland be submitted to the Task Force on Drunk and Drugged Driving for consideration before the 1990 Session of the General Assembly; and be it further