

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 964

H.P. 713 House of Representatives, March 26, 1987
Reference to the Committee on Legal Affairs suggested and
ordered printed.

EDWIN H. PERT, Clerk
Presented by Representative MAYO of Thomaston.
Cosponsored by Representatives MELENDY of Rockland,
KILKELLY of Wiscasset and Senator BUSTIN of Kennebec.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SEVEN

1 **Resolve, to Establish a Study to Set Standards**
2 **for Driving when Under the Influence**
3 **of Drugs Other than Alcohol.**
4

5 **Study of impairment levels. Resolved:** That the
6 Alcohol and Drug Abuse Planning Committee shall study
7 the effect of the use of drugs other than alcohol on
8 driving ability. The planning committee may use the
9 resources of other state agencies, as well as re-
10 sources available from other states and federal agen-
11 cies. The planning committee shall examine the most
12 recent information on impairment levels for drugs
13 other than alcohol and the feasibility of any systems
14 already in effect; and be it further

15 **Report to Legislature. Resolved:** That the plan-
16 ning committee shall report to the Second Regular
17 Session of the 113th Legislature no later than March

1 1, 1988, with recommendations concerning impairment
2 levels for drugs other than alcohol to be included in
3 the laws regarding operating under the influence.

4 STATEMENT OF FACT

5 The purpose of this resolve is to help fill a
6 loophole in Maine's operating under the influence
7 laws. Current law sets the blood-alcohol concentra-
8 tion level at which point a person is considered un-
9 der the influence of alcohol. There is no such level
10 for any other drug, even though the law prohibits op-
11 erating a motor vehicle under the influence of any
12 intoxicating drug. Without such a standard, enforce-
13 ment of the law and subsequent prosecutions are very
14 difficult, which means that persons operating under
15 the influence of other drugs are creating serious
16 hazards on our roads.

17 This resolve requires the Alcohol and Drug Abuse
18 Planning Committee to study impairment levels for
19 drugs other than alcohol. It is intended that other
20 state agencies in Maine cooperate and help in this
21 study as much as possible. Other states and the Fed-
22 eral Government are also studying this issue and
23 Maine should make use of such research to the great-
24 est extent possible.

25 The Alcohol and Drug Abuse Planning Committee
26 must report back to the 113th Legislature in the Sec-
27 ond Regular Session no later than March 1, 1988.
28 This report will contain recommendations for stan-
29 dards for operating under the influence of drugs oth-
30 er than alcohol.

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