



**STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION**



Public Hearing – March 16, 2009
Judiciary Committee

Testimony Submitted by Commissioner Gina McCarthy
Department of Environmental Protection

**Committee Bill No. 6160 - AN ACT CONCERNING RECIPROCAL AND
CONCURRENT SANCTIONS FOR OPERATING A MOTOR VEHICLE OR A VESSEL
UNDER THE INFLUENCE OF INTOXICATING LIQUOR OR ANY DRUG**

Thank you for the opportunity to present testimony regarding proposed Committee Bill No. 6160 - AN ACT CONCERNING RECIPROCAL AND CONCURRENT SANCTIONS FOR OPERATING A MOTOR VEHICLE OR A VESSEL UNDER THE INFLUENCE OF INTOXICATING LIQUOR OR ANY DRUG. While the Department of Environmental Protection (DEP) supports the concept of the bill, we have concerns with some important omissions to the bill and with the financial and IT requirements for implementation of the bill. Implementation of this bill has the potential to overwhelm DEP staff resources at a time when such resources are being frozen or reduced due to the current economic crisis. Therefore, DEP cannot support this bill in its current form.

Currently, DEP suspends the boating privileges of approximately 10 people per year through our administrative suspension process, and each has a cost to the State in time and materials. Under Department of Motor Vehicles' Per Se Hearing process and by court convictions, DMV suspends about twelve thousand five hundred (12,500) operator's licenses per year for Driving Under the Influence (DUI), many of which would require simultaneous suspension of boating rights. This bill will increase the number of suspensions of boating certificates that the DEP is required to administer by a factor of a thousand, something the DEP is not currently prepared to handle from a technological and staffing perspective. The electronic data transfer and processing resources that would make this process manageable have not yet been designed or procured.

The bill omits the more serious Boating Under the Influence (BUI) statutes, General Statute Sections (CGS) Sec. 15-140l and 15-140n, invoked when death, serious injury, or property damage exceeds \$2,000 or the life, limb or property of another is endangered. It is consistent with the intent of this bill to include CGS Secs.15-140l and 15-140n in addition to CGS Sec. 15-133.

The DEP supports the idea of linking alcohol and drug related offenses under driving and boating law, but we are concerned that more time is needed to digest the nuances contained in the proposed bill and to ensure that there are no unintended consequences. DEP would like to confer with Department of Motor Vehicles to see how such transfers could take place with minimal costs. It may be that the Safe Boating Certificate or Certificate of Personal Watercraft Operation could be an endorsement on the driver's license, a concept supported by marine law enforcement officers. Once DMV and DEP work out the processes for attaining the goal of increasing the consequence of drinking and boating or driving, we can better craft the language of the bill for the next legislative session.

We thank you for the opportunity to present the Department's views on Proposed Committee Bill 6160. If you require any additional information, please contact Robert LaFrance, DEP legislative Liaison at 424-3401.