



Office of The Attorney General
State of Connecticut

*TESTIMONY OF
ATTORNEY GENERAL RICHARD BLUMENTHAL
BEFORE THE TRANSPORTATION COMMITTEE
MARCH 4, 2009*

I appreciate the opportunity to support House Bill 6601, An Act Concerning the Administrative Per Se Program.

This proposal makes more efficient and effective the administrative process to determine driver's license suspension upon an arrest for drunk driving. The process was originally intended to create a simplified process as the administrative hearing officer would determine whether the person was driving drunk based on a chemical analysis of the driver's blood, urine or breath.

This simplified process has created a battleground for lawyers bent on finding technical problems or loopholes to avoid license suspensions. They prolong these hearings for weeks.

House Bill 6601 reflects some of the recommendations of a task force of legislators, law enforcement, and state agencies but needs further improvements. A fully simplified process should include: (1) providing three business days for police to mail a copy of the drunk driving test to the driver, rather than 24 hours; (2) applying the same penalties for third and subsequent convictions regardless of when such convictions occur; (3) allowing for the second chemical drunk driving test to be administered 10 minutes from the first test rather than 30 minutes; and (4) restricting the use of the rebuttable presumption of drunk driving if the two chemical tests .10 or higher, a level .02 higher than the per se standard of drunk driving.

Drunk driving fatalities are rising in Connecticut, after a decade of declining and then stable rates. More certain and expeditious driver's license suspensions will enhance the deterrent effect of our laws. House Bill 6601 eliminates loopholes and trip wires for law enforcement while protecting due process.

I urge the committee's favorable consideration of House Bill 6601 with the suggested improvements.