

My name is Don Miner, from Suffield. I am here today to ask your support of HB 6132, AN ACT CONCERNING EVIDENCE OF DRUNKEN DRIVING.

Today there exists a loophole in drunk driving laws which allows an intoxicated driver involved in an accident to escape responsibility by going to the hospital, thus avoiding a field sobriety test and the possibility of a subsequent, more definitive breathalyzer test at the police station.

Even if the accident is very minor and the injuries are not apparent, police and EMS personnel must always act with an abundance of caution and concern for the patient in this situation.

If the injuries are minor, the hospital may have no medical reason to draw blood, and if the patient refuses to allow that procedure, there will be no evidence that he was intoxicated. If blood is drawn, the police must get a search warrant for the medical records to prove intoxication.

This bill would allow police, having probable cause to believe the driver is intoxicated, to send an order to the hospital requesting that hospital personnel draw blood and preserve it pending a search warrant.

In order to be valid, the blood must be drawn within two hours. A search warrant cannot be prepared and signed within that time limit.

The current law already provides that a person who drives a vehicle has implicitly given consent to submit to drug or alcohol testing and establishes administrative license suspension procedures for drivers who refuse to submit to a test. This proposal simply insures that an intoxicated driver does not escape responsibility by using the health care system to avoid the test.

As a 22-year emergency medical technician, I have personally witnessed dozens of obviously intoxicated drivers avoid being held accountable for their actions in this manner. I believe it's time to take a step to reduce the carnage on our roads and close this loophole.

Thank you for your time this morning. I'd be pleased to answer any questions.