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TOUGH NEW MARYLAND DUI LAW GOES INTO EFFECT THIS WEEK

“NOAH’S LAW” WILL REQUIRE IGNITION INTERLOCKS FOR ALL DUI OFFENDERS

Annapolis, MD, Sept. 26 – Effective this week (Saturday, October 1), all persons convicted of driving under the influence (DUI) of alcohol in Maryland will be mandated to equip their vehicle with an in-car breathalyzer otherwise known as an ignition interlock device.

Signed into law by Maryland Governor Larry Hogan (R) on May 19, 2016, “Noah’s Law” ([Senate Bill 945](#), Senator Jamie Raskin, D-Montgomery County) – and named after late Montgomery County, Maryland Department of Police Officer Noah Leotta who was struck by a drunk driver while on patrol last December and later succumbed to his injuries – mandates ignition interlock devices for a minimum of six months for all persons convicted of DUI in Maryland. The state currently mandates such devices (which prevent a vehicle from starting when it detects a certain level of alcohol on the driver’s breath) for persons convicted of DUI ([21-902\[a\]](#)) with a blood alcohol concentration (BAC) of .15 or higher, are under the age of 21 or had a child in the car at the time of offense.

“The timing of Maryland’s newest DUI law could not be more apt as federal data shows that Maryland posted a more than 22-percent increase in drunk driving deaths last year,” said Kurt Gregory Erickson, President of the Maryland nonprofit Washington Regional Alcohol Program, registered Maryland lobbyist and proponent of Senate Bill 945.

Data released last month by the [National Highway Traffic Safety Administration](#) shows that while alcohol-impaired-driving fatalities (involving a driver or motorcycle operator with a BAC of .08 g/dL or greater) increased by 3.2 percent in the U.S. last year, such highway deaths increased in Maryland by 22.3-percent in 2015. In fact, Maryland recorded the eighth largest jump in DUI deaths amongst all U.S. states last year according to NHTSA figures.

“Noah’s Law” passed both Maryland’s House of Delegates and Senate on [unanimous votes](#) earlier this year.

Upon enactment this Saturday, Maryland’s new “all offender” DUI law has the state join [27](#) other U.S. states in requiring ignition interlocks for all persons convicted of drunk driving. (Following

Congressional review, the District of Columbia is anticipated to additionally follow suit this fall. In addition, a pilot interlock program in California currently mandates the devices for DUI offenders in four counties.)

The sanction of ignition interlocks for all persons convicted of DUI (rather than just subgroups like “high-BAC” offenders) has yielded the lifesaving dividends of not only a 67-percent drop in DUI recidivism (U.S. Centers for Disease Control) but also a marked reduction in alcohol-impaired traffic fatalities with states like West Virginia and New Mexico posting 50 and 37-percent declines in such highway deaths in part to laws mandating interlocks for all convicted drunk drivers (WV since 2008 all-offender enactment; NM since 2005 all-offender enactment; NHTSA data).

Also going into effect this Saturday in Maryland are new laws which:

- increase maximum jail sentences from five to 15 years and fines up to \$ 15,000 for persons convicted in Maryland of vehicular manslaughter and who have previously been convicted of driving under the influence or while impaired by alcohol or drugs (House Bill 157, Valentino-Smith, D-Prince George’s County and Senate Bill 160, Cassilly, R-Harford County);
- allow law enforcement to testify in the stead of a “qualified medical person” re. impaired driving blood draws (stemming from the 2009 U.S. Supreme Court case *Melendez-Diaz v. Massachusetts*) (House Bill 773, Valentino-Smith, D-Prince George’s County);
- and increase the maximum fines as well as adding the option for imprisonment for persons (including parents providing to other persons’ kids) convicted of allowing underage persons to unlawfully possess or consume alcohol in the adult’s residence if proven that the parent/adult knew that the drinking teen was going to drive and that said teen's subsequent driving resulted in serious physical injury or death (House Bill 409, Fraser-Hidalgo, D-Montgomery County).

Founded in 1982, the nonprofit [501(c)(3)] Washington Regional Alcohol Program (WRAP) is a coalition of diverse interests using effective education, innovative programs and targeted advocacy to end alcohol-impaired driving and underage drinking in the Washington, DC metro area. Through public education, innovative health education programs and advocacy, WRAP is credited with keeping the metro-Washington area’s alcohol-related traffic deaths historically lower than the national average. WRAP, however, may best be known to area residents via the organization’s popular free cab ride service for would-be drunk drivers, SoberRide®.

For more information, visit WRAP’s web site at www.wrap.org. For more information on “Noah’s Law” and Maryland’s Ignition Interlock Program, visit the Maryland Motor Vehicle Administration’s web page at <http://www.mva.maryland.gov/safety/mhso/program-impaired-driving-prevention.htm>.

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