

ARIZONA STATE SENATE

RESEARCH STAFF



HANNAH WILLES
ASSISTANT RESEARCH ANALYST

TO: MEMBERS OF THE SENATE
APPROPRIATIONS COMMITTEE

ZACK DEAN
LEGISLATIVE RESEARCH ANALYST
JUDICIARY COMMITTEE
Telephone: (602) 926-3171

DATE: March 25, 2022

SUBJECT: Strike everything amendment to H.B. 2583, relating to DUI; data collection; study committee

Purpose

Establishes the Driving Under the Influence Data Collection Study Committee (Committee), outlines Committee membership requirements and responsibilities.

Background

It is unlawful for a person to drive or be in physical control of a vehicle in Arizona if the person: 1) is under the influence of intoxicating liquor, any drug or a vapor releasing substance containing a toxic substance if the person is impaired to the slightest degree; 2) has an alcohol concentration of at least 0.08 within two hours of driving or being in control of the vehicle; 3) has any statutorily defined drug or its metabolite in the person's body; or 4) has an alcohol concentration of at least 0.04 and the vehicle is a commercial motor vehicle that requires a person to obtain a commercial driver license ([A.R.S. § 28-1381](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Establishes the Committee and assigns the following members:
 - a) the Director of the Governor's Office of Highway Safety;
 - b) the Director of the Department of Public Safety (DPS) or the Director's designee;
 - c) the Superintendent of the DPS's crime laboratory;
 - d) the President of the Arizona Association of Chiefs of Police (AACP) or the President's designee;
 - e) the first Vice President of the AACP or the first Vice President's designee;
 - f) the President of the Arizona Sheriff's Association or the President's designee;
 - g) the Executive Director of the Arizona Prosecuting Attorneys' Advisory Council (APAAC) or the executive director's designee;
 - h) the Chairperson of APAAC or the Chairperson's designee;
 - i) two driving under the influence awareness advocates, one of whom is appointed by the President of the Senate and one of whom is appointed by the Speaker of the House of Representatives;
 - j) the Executive Director of the Arizona Criminal Justice Commission or the Executive Director's designee;
 - k) the Administrative Director of the Arizona Administrative Office of the Courts or the Administrative Director's designee;

- l) one member of the House of Representatives, appointed by the Speaker of the House of Representatives; and
 - m) one member of the Senate who is appointed by the President of the Senate.
2. States that Committee members are not eligible to receive compensation.
 3. Requires the Committee to:
 - a) select a chairperson;
 - b) meet as often as the Chairperson deems necessary;
 - c) gather information to understand current driving under the influence related data collection processes among the various law enforcement agencies, crime labs, prosecutorial offices and courts in Arizona;
 - d) recommend data collection processes and systems and the necessary funding to centralize driving under the influence related data reporting and collection to guide the Legislature, law enforcement agencies, crime labs, prosecutorial offices and the courts in Arizona when developing policies to better enforce driving under the influence laws, reduce the number and impact of impaired drivers and educate the public on the consequences of driving while impaired; and
 - e) submit a report, on or before December 16, 2022, regarding the Committee's activities and recommendations for administrative or legislative action to the Governor, the President of the Senate and the Speaker of the House of Representatives.
 4. Requires the Legislature to staff Committee meetings.
 5. Repeals the Committee October 1, 2023.
 6. Becomes effective on the general effective date.