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## **PROPOSED LEGISLATION INCREASES PENALTIES FOR DUI OFFENSES**

BISMARCK, ND – Gov. Jack Dalrymple, Attorney General Wayne Stenehjem and Rep. Kim Koppelman today announced draft legislation that will strengthen North Dakota's law against drunk driving and enhance traffic safety across the state.

"We cannot allow more and more lives to be lost or irreparably harmed by drunk drivers," Gov. Jack Dalrymple said. "This proposal is enforceable and a more effective deterrent for those who would consider driving while under the influence (DUI) of alcohol or drugs."

The proposal calls for upgraded offense classifications and tougher mandatory sentences for first-time and repeat DUI offenders. The proposal extends the time period in which previous DUI convictions are included for penalty enhancements for repeat offenders. It would also require all DUI offenders to serve probation and participate in a mandatory sobriety monitoring program.

"For years, we have been telling people that if they continue to drink and drive, we're going to stop them from driving. That has not been effective enough. Too many offenders have their driving privileges suspended but drive anyway. What we need to tell people is, 'if you continue to drink and drive, we're going to stop you from drinking.' That, coupled with tougher penalties, is what is needed to deter this problem," said Attorney General Stenehjem.

"This legislation takes a tough, balanced approach to reform our laws to help curb drinking and driving in our state. Tragedies such as the one, which took the young lives of the Deutscher family, make it clear that we have a problem with the culture of drinking and driving in North Dakota. Penalties can be tougher, and this legislation will do that. But changing a culture which tolerates drinking and driving, but then is outraged when drinking and driving kills people, is a responsibility we all bear," said Representative Koppelman.

Key provisions in the DUI proposal are:

- Enhanced penalties:
  - First Offense: Class B Misdemeanor. Minimum 10 days in jail (of which four days cannot be suspended) and \$750 fine.
  - Second Offense in 10 Years: Class A Misdemeanor. At least 60 days in jail (10 days cannot be suspended) and \$1500 fine.
  - Third Offense in 10 Years: Class C Felony. At least one year and one day in jail (60 days cannot be suspended) and \$2,000 fine.

- Four or more offenses in any time period: Class C Felony. At least one year and one day in jail and a \$2,000 fine. One year of custody cannot be suspended.
- Refusal to submit to a blood or breath test is made a criminal offense equivalent to a DUI.
- Sentence for a DUI resulting in serious bodily injury must be served without benefit of parole.
- Sobriety monitoring through the 24/7 program is required as a condition of probation for all DUI offenses.
- A mandatory probation period of six months for first DUI offense; 12 months for second and third offenses and two years' probation for four offenses or more.

The percentage of accidents involving alcohol remains considerably higher in North Dakota than the national average of about 31 percent. Last year, 148 people died on North Dakota roadways and alcohol was involved in 47 percent of the accidents. So far this year, 158 people have died in North Dakota traffic accidents and alcohol was involved in about 53 percent of the fatal crashes.

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