

PENNSYLVANIA  FEDERATION

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October 13, 1992

The Honorable Joseph A. Petrarca, Chairman
Pennsylvania House of Representatives
Transportation Committee
Room 202, South Office Building
Harrisburg, PA 17120

Re: House Transportation Committee Public Hearing Regarding House
Bill 1942, P.N. 2342

Dear Representative Petrarca:

The Pennsylvania AAA Federation hereby submits the attached research regarding the above-referenced issue. As Richard Gmerek, the Federation's governmental representative, indicated to you and your staff, we would appreciate it if this letter and the attached research would be included as a matter of record for the above-referenced public hearing on October 13, 1992.

The stated policy of the Federation supports administrative suspension revocation of licenses when probable cause exists that driving under the influence of alcohol or other drugs has occurred. AAA endorses administrative license suspension laws allowing police officers to physically take possession of motorists' driver's licenses for probable cause and to replace them with limited, temporary permits and notices of suspension, providing that due process is assured through prompt administrative hearings and appeals to the courts on the merits of the charge. In addition, the Federation respectfully urges this Committee and the General Assembly to adopt an administrative suspension law which maintains statutory language that assures that motorists with substance abuse problems receive proper evaluation and referral to authorized drug and alcohol treatment programs.

We trust that this research which we are providing and the stated policy of the Federation will be of assistance to you and your Committee at the Public Hearing on October 13. At the same time, if there is any other information that is needed or if there are any questions regarding the Federation's policy on the

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issue of administrative suspension or the research which we have provided, please do not hesitate to contact me at (717) 238-7192 or Richard Gmerek at (717) 238-2900.

Sincerely,



Elaine Farrell, CAE
Executive Director

EF/llp

Enclosures

cc: Paul Parsells, Executive Director
House Transportation Committee
Richard Gmerek, Tucker Arensberg, P.C.

**THE
CENTURY
COUNCIL**

**STATEMENT OF
AMBASSADOR JOHN GAVIN
CHAIRMAN
THE CENTURY COUNCIL**

**SUBMITTED TO
THE HEARING OF THE SELECT SUBCOMMITTEE OF
THE TRANSPORTATION COMMITTEE
OF THE
PENNSYLVANIA HOUSE OF REPRESENTATIVES
HARRISBURG, PENNSYLVANIA**

OCTOBER 13, 1992

Chairman Petrarca, distinguished members of the Transportation Committee:

My name is John Gavin. I am Chairman of The Century Council, a nonprofit organization dedicated to reducing alcohol abuse and misuse across the United States.

I am pleased to add the strong support of The Century Council for the Pennsylvania House of Representative's efforts to adopt administrative license revocation (ALR) legislation as provided in House Bill 1942.

Publicly announced in May, 1991, the Council is funded by more than 400 concerned distillers, vintners, brewers and licensed beverage wholesalers who are dedicated to combatting the abuse of their products.

We at the Council have chosen to commit our resources to the two areas of abuse that are of greatest concern to the American public: drunken driving and underage drinking problems.

Materials describing The Century Council and its programs appear as an attachment to my testimony. Not all licensed beverage companies support us. A list of those who do is included.

Pennsylvania was one of the first states in the nation to place our "Front Lines" retail point-of-sale materials in its state liquor stores to help prevent attempted purchase of alcohol by minors. Samples of these materials, which we are making available free-of-charge to retailers, are attached.

Nationally, more than 100,000 concerned wholesalers and retailers have ordered more than 1.5 million pieces of these materials -- including posters, buttons, employee pledge forms and the like -- and we are receiving highly favorable comments about their effectiveness.

In addition to helping prevent underage access to alcohol at the point of sale, The Century Council is also combatting drunken driving by supporting passage of ALR laws in the 19 states that do not have them. We are adding our efforts to those of concerned citizens, insurers, government officials and others across the country to urge the adoption of tough uniform ALR laws. Thirty-one states and the District of Columbia already have ALR on their books. We were pleased to be involved in coalitions this year that helped enact ALR in Nebraska and New Hampshire. I respectfully urge that Pennsylvania waste no time in becoming the 32nd member of this club.

I doubt I am the first person to make this point, but it is so vitally important and bears repeating: across the country highway safety experts report that ALR is the single most effective step that state governments can take to attack the problem of drunken driving.

Research shows that ALR is a highly effective deterrent to drunken driving because it imposes stiff, swift and sure sanctions against DUI offenders. It gives the police increased motivation to enforce DUI laws because they know that the arrest will stick. It helps relieve court congestion by removing incentives to manipulate the system.

Arguments have been raised against ALR laws, but in our view, they do not hold up to close scrutiny.

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Opponents of ALR have suggested, for example, that it is inconsistent with due process of law. However, ALR has consistently survived judicial review and was ruled constitutional by the U.S. Supreme Court. Courts have ruled that due process is protected by the assurance of a speedy administrative hearing that allows individuals to contest the facts of the arrest.

Opponents also claim that by depriving working men and women of their licenses, ALR can cost people their jobs. But in fact, research in several states has shown that ALR rarely leads to job loss. Moreover, by reducing the consequences of job loss and incapacitation that result from drunken driving accidents, ALR makes a net positive economic contribution.

I am aware of few anti-drunken driving laws that have been so thoroughly researched and scrutinized as has ALR over the past decade. And, to repeat, study after study reinforces the fundamental fact the ALR WORKS.

That is why The Century Council is committed to see ALR become law across the land.

The Century Council today respectfully adds its voice to those who call on Pennsylvania to adopt an effective administrative license revocation law. ALR is one important way to help put a halt to the drunken-driving tragedies that imperil your state's roads.

Thank you for the opportunity to share the views of The Century Council on this important issue.