



"The regular session of the VA General Assembly came to an end Saturday, but the work will continue."

-WDBJ-TV (CBS), 3-12-22

2022 Virginia Highway Safety Summit
Legislative Update Panel | May 4, 2022
Kurt Erickson | Washington Regional Alcohol
Program (WRAP)



"New political reality in Virginia's divided Capitol"

- The Washington Post

Mixed bag of results:

- fortunately failed to advance legislation which sought to eliminate enhanced sanctions for both high-blood alcohol concentration (BAC) drunk drivers as well as for those repeatedly convicted of DUI in the commonwealth;
- sent to Virginia's Governor a weakened driver education bill;
- and never even voted on this year's introduced "primary seatbelt" bill.



'The senate defeated a bill to eliminate almost all mandatory minimum sentence's"

-Richmond Times-Dispatch (3-12-22)

- Senate Bills 104 (Morrissey, D-Richmond) and 252 (Edwards, D-Roanoke) proposed the elimination of the state's mandatory minimum sentences included those applying to the most egregious, convicted drunk drivers.
- SB 104 and SB 252 proposed not only the elimination of enhanced sanctions for persons driving at two or more times the legal BAC limit as well as those repeatedly convicted of drunk driving in the Commonwealth but so, too, for third offense felony drunk drivers, commercial licensed drunk drivers and persons convicted of DUI whilst also transporting a minor.

THE SENATE OF VIRGINIA

S.B. 104. (Morrissey) pg 2

Mandatory minimum sentences; elimination, modification of sentence to mandat...

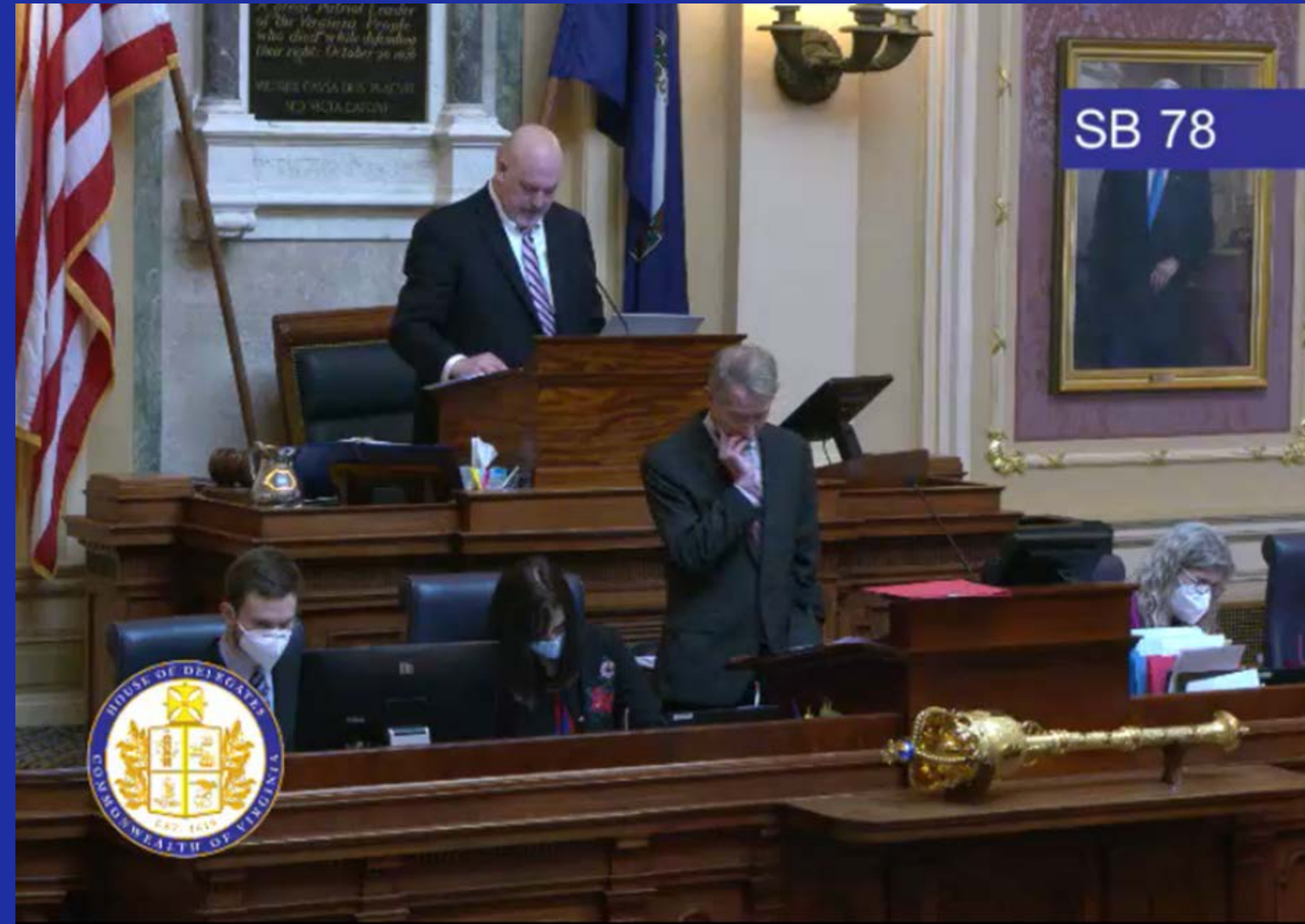
YEAS: 17 **NAYS: 23** **R36: 0**

YEA	Barker	YEA	Favola	YEA	Mason	NAY	Pillion
YEA	Bell	NAY	Hackworth	YEA	McClellan	NAY	Reeves
YEA	Boysko	NAY	Hanger	NAY	McDougle	NAY	Ruff
NAY	Chase	YEA	Hashmi	NAY	McPike	YEA	Saslaw
NAY	Cosgrove	NAY	Howell	YEA	Morrissey	YEA	Spruill
YEA	Deeds	NAY	Kiggans	NAY	Newman	NAY	Stanley
NAY	DeSteph	NAY	Lewis	NAY	Norment	NAY	Stuart
NAY	Dunnivant	YEA	Locke	NAY	Obenshain	NAY	Suetterlein
YEA	Ebbin	YEA	Lucas	NAY	Peake	NAY	Surovell
YEA	Edwards	YEA	Marsden	YEA	Petersen	NAY	Vogel

- Senate Bill 718 (Reeves, R-Fredericksburg) and House Senate Bill 1222 (Durant, R-Fredericksburg) proposed the lessening of penalties for certain repeatedly convicted drunk drivers in the Commonwealth.
- SB 718 and HB 1222 sought to circumvent administrative driver's license sanctions (suspension) for persons participating in specialty dockets in Virginia.



- Senate Bill 78 (Norment, R-Williamsburg) originally sought to expand Northern Virginia's student AND PARENT driver education requirement statewide.
- However and in the latter days of this year's sessions-and with Virginia's House and Senate disagreeing on versions of the bill passed by each chamber- SB 78 advanced to Virginia's Governor's desk following a conference committee compromise in a weakened form with said parental involvement, traffic safety effort now making Northern Virginia's additional minimum 90-minute parent/student driver education component something to be "encouraged" but not specifically "required" throughout the state.



- In addition and stemming from the Virginia Alcoholic Beverage Control Authority's "Cocktails to-Go" workgroup / study on which WRAP served, House Bill 426 (Bulova, D-Fairfax Station) and Senate Bill 254 (Bell, D-Broadlands) proposed statutory modifications to license third party alcohol delivery entities in the Commonwealth.
- HB 426 and SB 254 continue Virginia's cocktails to-go privilege for an additional two years, collecting compliance and other data during that period and mandates greater stringency in the types of containers that may be used including "tamper evident" containers.

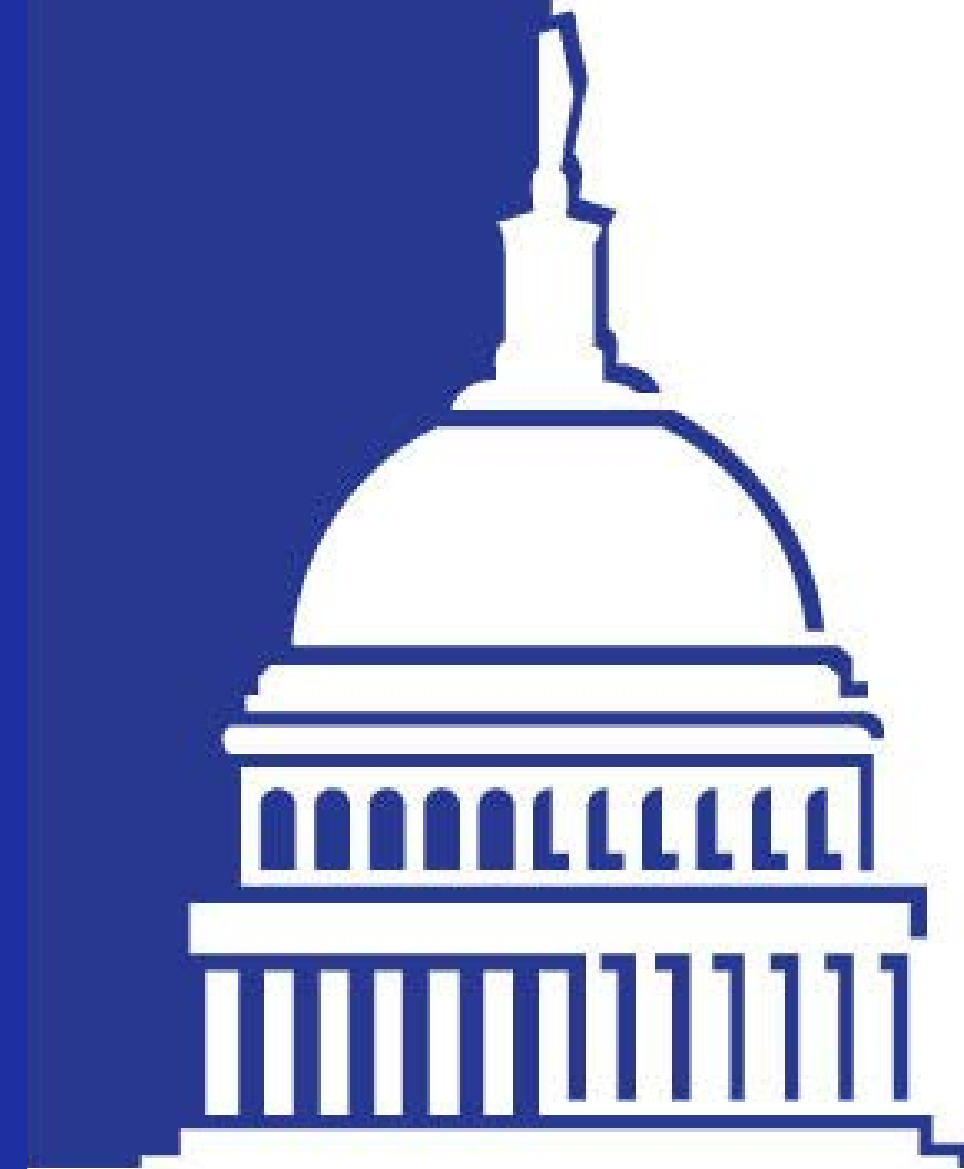


- Finally and in addition to this year's bill (House Bill 1018, Kory, D-Falls Church) looking to mandate seatbelt use by all persons in a motor vehicle and allowing primary enforcement of such never making it out of committee this year (before being struck by the bill's sponsor), other legislation dying in Richmond this year include that proposing to:
 - reverse the actions of Virginia's 2020 Special Session I relative to then making a number of primary traffic offenses secondary (inc. window tinting, inoperable taillights, etc.) (HB 122, HB 759 and HB 960)
 - disallow the admissibility of BAC breath tests if an arresting police officer fails to "advise the person of his rights" (SB 642):
 - create a cause of action against establishments who sell alcohol to an underage and or intoxicated person who is subsequently involved in a crash (dram shop) (HB 984, SB 230 and SB 555)
 - and (related to the aforementioned "secondary to primary offense" bills) codify the disallowance of marijuana pretext police stops and give such "retroactive and prospective effect" (SB 105).

Kurt Erickson | President & CEO
Washington Regional Alcohol
Program (WRAP)

7900 Westpark Drive | Suite
A550 | Tysons, Virginia
22102

703.893.0461 |
kurt@wrap.org |
www.wrap.org



WRAP

**Washington Regional
Alcohol Program**

wrap.org