

1 A JOINT MEMORIAL

2 REQUESTING THE TRAFFIC SAFETY BUREAU OF THE DEPARTMENT OF  
3 TRANSPORTATION TO CONVENE A TASK FORCE TO STUDY THE CURRENT  
4 EFFECTIVENESS OF IGNITION INTERLOCK REQUIREMENTS, IDENTIFY  
5 ANY AMBIGUITY IN THE LAW AND MAKE RECOMMENDATIONS TO  
6 STRENGTHEN THE REQUIREMENTS AND INDUCE POSITIVE BEHAVIOR  
7 CHANGE IN OFFENDERS.

8  
9 WHEREAS, New Mexico has had a progressive history of  
10 promoting the use of ignition interlock devices to reduce the  
11 incidence of driving while intoxicated; and

12 WHEREAS, the first ignition interlock law was passed in  
13 1999 and gave judges the option to sentence second- and  
14 third-time offenders to use of an ignition interlock; and

15 WHEREAS, in 2002, the use of an ignition interlock was  
16 made mandatory for all subsequent and aggravated convictions  
17 of driving while intoxicated; and

18 WHEREAS, in 2003, an ignition interlock license law was  
19 enacted providing an alternative after revocation of a  
20 person's driver's license by allowing offenders to drive as  
21 long as they drive a car equipped with an ignition interlock;  
22 and

23 WHEREAS, in June 2005, New Mexico became the first place  
24 in the world to require everyone convicted of driving while  
25 intoxicated to install an ignition interlock for at least one

1 year; and

2 WHEREAS, ignition interlock use has resulted in more  
3 ignition interlock installations than anywhere in the  
4 country, more publicity regarding driving while intoxicated,  
5 more prevention and treatment and more enforcement of driving  
6 while intoxicated laws; and

7 WHEREAS, research shows that ignition interlocks reduce  
8 recidivism by forty to ninety percent among both first-time  
9 and repeat offenders; and

10 WHEREAS, in New Mexico, the percentage of drivers who  
11 are rearrested within one year of a driving-while-intoxicated  
12 conviction was reduced from fourteen percent in 1993 to less  
13 than six percent in 2006; and

14 WHEREAS, alcohol-involved crashes were reduced by  
15 thirty-one percent between 2002 and 2007, resulting in a  
16 thirty-nine percent decrease in the number of people injured  
17 in those events; and

18 WHEREAS, there have been thirty-seven percent fewer  
19 fatalities due to alcohol-involved accidents since 2002, and  
20 fatalities are projected to continue to decrease; and

21 WHEREAS, despite the great success of the ignition  
22 interlock license law, there may still be areas where the law  
23 could be strengthened; and

24 WHEREAS, a significant disparity exists between the  
25 number of convictions for driving while intoxicated and the

1 number of ignition interlocks installed, suggesting that  
2 there is a lack of compliance with the law; and

3 WHEREAS, ignition interlock devices alone may not result  
4 in desired behavior changes, but, when combined with  
5 treatment and other sanctions, can instill sober driving  
6 habits; and

7 WHEREAS, continued progress toward the safety of New  
8 Mexico roads and the protection of all New Mexico drivers and  
9 passengers remain important goals;

10 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE  
11 STATE OF NEW MEXICO that the traffic safety bureau of the  
12 department of transportation be requested to convene a task  
13 force to study the current effectiveness of ignition  
14 interlock requirements, identify any ambiguity in the law and  
15 make recommendations to strengthen the requirements of the  
16 law and induce positive behavior change in offenders; and

17 BE IT FURTHER RESOLVED that the task force include  
18 representation from the motor vehicle division of the  
19 taxation and revenue department, the ignition interlock  
20 vendor industry, the New Mexico DWI czar, mothers against  
21 drunk driving, the office of the attorney general, the New  
22 Mexico sheriffs' and police association and the adult  
23 probation and parole division of the corrections department,  
24 the New Mexico district attorney's association, the New  
25 Mexico criminal defense lawyers association; a metropolitan

1 court judge and a magistrate judge; and a member of the  
2 senate and a member of the house of representatives,  
3 appointed by the New Mexico legislative council; and

4 BE IT FURTHER RESOLVED that the study explore the  
5 potential for improvements in such areas as data collection  
6 and accessibility of information to the courts, offender  
7 monitoring, affordability of ignition interlocks for the poor  
8 and indigent and adequacy of behavior modification  
9 approaches; and

10 BE IT FURTHER RESOLVED that the study consider ways to  
11 enforce the law with offenders who claim they do not have  
12 access to a car but who are later found to be driving without  
13 an ignition interlock; and

14 BE IT FURTHER RESOLVED that the study identify reasons  
15 for the differences in implementation and enforcement between  
16 counties; and

17 BE IT FURTHER RESOLVED that a report of the findings and  
18 recommendations of the task force be presented to the  
19 appropriate interim legislative committee by October 1, 2009;  
20 and

21 BE IT FURTHER RESOLVED that a copy of this memorial be  
22 transmitted to the traffic safety bureau of the department of  
23 transportation.

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