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Senator, District 16

THE MAINE SENATE
132nd Legislature

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LD 1815, "An Act to Require a Blood Test for Drugs for Drivers Involved in a Motor Vehicle Accident that Results in Serious Bodily Injury or Death."

Joint Standing Committee on Criminal Justice and Public Safety

Public Hearing

Monday, May 5, 2025

9:30am

Senator Beebe-Center, Representative Hasenfus and Esteemed Members of the Joint Standing Committee on Criminal Justice and Public Safety:

I am Senator Scott Cyrway; I represent District 16, which includes Albion, Fairfield, Oakland, Waterville, and Winslow. I am happy to sponsor LD 1815 "An Act to Require a Blood Test for Drugs for Drivers Involved in a Motor Vehicle Accident that Results in Serious Bodily Injury or Death."

According to the Maine DOT, Maine sees between 1300 and 1400 crashes involving people whose apparent condition is under the influence of drugs or alcohol.¹ While not all these crashes are serious or fatal, many are.

We also know that many drivers who are under the influence of alcohol are under the influence of other drugs as well. In fact, a study conducted by the State of Minnesota found that 90 percent of drivers who tested positive for alcohol also tested positive for another drug.²

In the case of fatal car crashes, this committee learned on another bill that the Maine Bureau of Highway Safety found that 54% of fatal and near fatal crashes involve drivers who tested negative for alcohol and positive for drugs.

¹ <https://www.maine.gov/mdot/safety/docs/2024/Crash%20and%20Highway%20Facts.pdf>

² Minnesota Department of Public Safety, Legislative Report, February 21, 2025, page 8.

Blood tests, the gold standard for drug testing, will help us understand the number of drivers who have drugs in their system when involved in a fatal car crash. In understanding the problem of drugged driving, we can better understand what needs to be done to improve safety on our roads and better enforce our laws.

This legislation requires blood testing for those involved in a serious or fatal car crash and police have probable cause to believe are under the influence of drugs. We need to understand the full picture of the causes of accidents on Maine roads. In testing for these drugs, we can also better enforce the laws by gathering concrete evidence of whether a drug is in a driver's system at the time of the crash and better enforce our law that prohibits driving under the influence of intoxicants.

The blood test helps build better understanding of what caused the accident. If the driver was showing erratic behavior and the blood test came back with a detectable level of various drugs in their blood, one can use this as evidence to help prove the driver was under the influence at the time of the accident.

I encourage you to support this reasonable legislation aimed at promoting public safety and improving law enforcement.

Thank you and I am happy to take any questions.

Percentage of Cases	2020	2021	2022	2023**
Pulled Over & Charged with OUI/DUID				
(+ BAC & + Drugs)	21.5%	29.5%	28.9%	35.3%
(- BAC & + Drugs)	59.7%	50.0%	55.7%	44.7%
(+ BAC & - Drugs)	7.4%	10.8%	11.9%	10.6%
(- BAC & - Drugs)	11.4%	9.7%	3.5%	9.4%

Fatal/Near Fatal MVC (Antemortem)*				
(+ BAC & + Drugs)	11.4%	18.8%	18.9%	15.2%
(- BAC & + Drugs)	34.3%	38.5%	40.6%	54.5%
(+ BAC & - Drugs)	5.7%	3.1%	5.7%	3.0%
(- BAC & - Drugs)	51.4%	36.5%	34.0%	27.3%