

2025 -- S 0954

LC002204

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

A N A C T

RELATING TO ALCOHOLIC BEVERAGES -- LICENSES GENERALLY

Introduced By: Senators Euer, Sosnowski, Britto, Appollonio, McKenney, Thompson, Burke, Valverde, Kallman, and Lauria

Date Introduced: April 04, 2025

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 3-5-20 of the General Laws in Chapter 3-5 entitled "Licenses
2 Generally" is hereby amended to read as follows:

3 **3-5-20. Rules and regulations — Notice and procedure.**

4 All licenses issued shall be in any form prescribed by the department of business regulation
5 and the license shall be held under any rules and regulations as the department shall impose,
6 establish, and authorize and the department is authorized to establish rules and regulations and to
7 authorize the making of any rules and regulations by the licensing authority of the several towns
8 and cities as in their discretions in the public interest seem proper to be made. ~~Notwithstanding any
9 of the foregoing provisions of this section, the adoption or authorization of rules and regulations
10 by the department and the modification or repeal of any rules and regulations previously adopted
11 shall be by written order of the department and adopted in accordance with the provisions of chapter
12 35 of title 42.~~

13 SECTION 2. Chapter 3-5 of the General Laws entitled "Licenses Generally" is hereby
14 amended by adding thereto the following section:

15 **3-5-30. SafeRide program information -- License fees and violations -- Surcharges.**

16 (a) The department shall prepare and provide an informational booklet to each licensee
17 licensed under this title which explains the rules and regulations governing the SafeRide program
18 described in § 3-7-30 and the licensee's participation in the SafeRide program. Said booklet shall
19 be provided to all new licensees and upon license renewal following the effective date of this

1 section.

2 (b) All fees or fines paid for licenses or violations under this chapter shall be subject to a
3 surcharge equal to ten percent (10%) of the cost of the fee or fine, which shall be deposited into a
4 restricted fund for use by the department to fund the SafeRide program.

5 SECTION 3. Chapter 3-6 of the General Laws entitled "Manufacturing and Wholesale
6 Licenses" is hereby amended by adding thereto the following section:

7 **3-6-19. License and certificate fees and violations -- Surcharges.**

8 All fees or fines paid for licenses, certificates or violations under this section shall be
9 subject to a surcharge equal to ten percent (10%) of the cost of the fee or fine, which shall be
10 deposited into a restricted fund for use by the department to fund the SafeRide program.

11 SECTION 4. Chapter 3-7 of the General Laws entitled "Retail Licenses" is hereby amended
12 by adding thereto the following sections:

13 **3-7-30. SafeRide program.**

14 (a) The primary legislative purpose of this section is to prevent intoxication-related injuries
15 and deaths, to reduce the prevalence of DUIs among Rhode Island's population, and to encourage
16 all servers of alcohol to exercise responsible serving practices.

17 (b) The SafeRide program will provide transportation, free of charge, to persons suspected
18 of having a prohibited alcohol concentration, as defined in § 31-27-2, from any premises licensed
19 under this chapter to sell alcoholic beverages to the person's place of residence. Requests for
20 transportation through the SafeRide program shall be made by the owner or employees of the
21 establishment furnishing alcoholic beverages.

22 (c) The department of business regulation, pursuant to its authority under § 3-5-20, shall
23 have full power and authority to promulgate rules and regulations to implement the SafeRide
24 program.

25 (d) The SafeRide program shall be funded pursuant to revenues collected via surcharges
26 on licenses and fines pursuant to this title, and pursuant to revenues collected via surcharges
27 assessed by the court for violations of § 31-27-2.

28 **3-7-31. License fees and violations -- Surcharges.**

29 All fees or fines paid for licenses and violations under this section shall be subject to a
30 surcharge equal to ten percent (10%) of the cost of the fee or fine, which shall be deposited into a
31 restricted fund for use by the department to fund the SafeRide program.

32 SECTION 5. Section 31-27-2 of the General Laws in Chapter 31-27 entitled "Motor
33 Vehicle Offenses" is hereby amended to read as follows:

34 **31-27-2. Driving under influence of liquor or drugs. [Effective July 1, 2025.]**

1 (a) Whoever drives or otherwise operates any vehicle in the state while under the influence
2 of any intoxicating liquor, drugs, toluene, or any controlled substance as defined in chapter 28 of
3 title 21, or any combination of these, shall be guilty of a misdemeanor, except as provided in
4 subsection (d)(3), and shall be punished as provided in subsection (d) of this section.

5 (b)(1) Any person charged under subsection (a), whose blood alcohol concentration is eight
6 one-hundredths of one percent (.08%) or more by weight, as shown by a chemical analysis of a
7 blood, breath, or urine sample, shall be guilty of violating subsection (a). This provision shall not
8 preclude a conviction based on other admissible evidence, including the testimony of a drug
9 recognition expert or evaluator, certified pursuant to training approved by the Rhode Island
10 department of transportation office on highway safety. Proof of guilt under this section may also
11 be based on evidence that the person charged was under the influence of intoxicating liquor, drugs,
12 toluene, or any controlled substance defined in chapter 28 of title 21, or any combination of these,
13 to a degree that rendered the person incapable of safely operating a vehicle. The fact that any person
14 charged with violating this section is, or has been, legally entitled to use alcohol or a drug shall not
15 constitute a defense against any charge of violating this section.

16 (2) [Deleted by P.L. 2021, ch. 170, § 1 and P.L. 2021, ch. 171, § 1.]

17 (c) In any criminal prosecution for a violation of subsection (a), evidence as to the amount
18 of intoxicating liquor, toluene, or any controlled substance as defined in chapter 28 of title 21, or
19 any combination of these, in the defendant's blood at the time alleged as shown by a chemical
20 analysis of the defendant's breath, blood, saliva or urine or other bodily substance, shall be
21 admissible and competent, provided that evidence is presented that the following conditions have
22 been complied with:

23 (1) The defendant has consented to the taking of the test upon which the analysis is made.
24 Evidence that the defendant had refused to submit to the test shall not be admissible unless the
25 defendant elects to testify.

26 (2) A true copy of the report of the test result was hand delivered at the location of the test
27 or mailed within seventy-two (72) hours of the taking of the test to the person submitting to a breath
28 test.

29 (3) Any person submitting to a chemical test of blood, urine, saliva or other body fluids
30 shall have a true copy of the report of the test result mailed to him or her within thirty (30) days
31 following the taking of the test.

32 (4) The test was performed according to methods and with equipment approved by the
33 director of the department of health of the state of Rhode Island and by an authorized individual.

34 (5) Equipment used for the conduct of the tests by means of breath analysis had been tested

1 for accuracy within thirty (30) days preceding the test by personnel qualified as hereinbefore
2 provided, and breathalyzer operators shall be qualified and certified by the department of health
3 within three hundred sixty-five (365) days of the test.

4 (6) The person arrested and charged with operating a motor vehicle while under the
5 influence of intoxicating liquor, toluene, or any controlled substance as defined in chapter 28 of
6 title 21 or any combination of these in violation of subsection (a), was afforded the opportunity to
7 have an additional chemical test. The officer arresting or so charging the person shall have informed
8 the person of this right and afforded him or her a reasonable opportunity to exercise this right, and
9 a notation to this effect is made in the official records of the case in the police department. Refusal
10 to permit an additional chemical test shall render incompetent and inadmissible in evidence the
11 original report.

12 (d)(1)(i) Every person found to have violated subsection (b)(1) shall be sentenced as
13 follows: for a first violation whose blood alcohol concentration is eight one-hundredths of one
14 percent (.08%), but less than one-tenth of one percent (.1%), by weight, or who has a blood presence
15 of any scheduled controlled substance as defined in chapter 28 of title 21, shall be subject to a fine
16 of not less than one hundred dollars (\$100), nor more than three hundred dollars (\$300); shall be
17 required to perform ten (10) to sixty (60) hours of public community restitution, and/or shall be
18 imprisoned for up to one year. The sentence may be served in any unit of the adult correctional
19 institutions in the discretion of the sentencing judge and/or shall be required to attend a special
20 course on driving while intoxicated or under the influence of a controlled substance; provided,
21 however, that the court may permit a servicemember or veteran to complete any court-approved
22 counseling program administered or approved by the Veterans' Administration, and his or her
23 driver's license shall be suspended for thirty (30) days up to one hundred eighty (180) days. The
24 sentencing judge or magistrate may prohibit that person from operating a motor vehicle, pursuant
25 to subsection (d)(9) or (d)(10) of this section, that is not equipped with an ignition interlock system
26 and/or blood and urine testing as provided in § 31-27-2.8.

27 (ii) Every person convicted of a first violation whose blood alcohol concentration is one-
28 tenth of one percent (.1%) by weight or above, but less than fifteen hundredths of one percent
29 (.15%), or whose blood alcohol concentration is unknown, shall be subject to a fine of not less than
30 one hundred (\$100) dollars, nor more than four hundred dollars (\$400), and shall be required to
31 perform ten (10) to sixty (60) hours of public community restitution and/or shall be imprisoned for
32 up to one year. The sentence may be served in any unit of the adult correctional institutions in the
33 discretion of the sentencing judge. The person's driving license shall be suspended for a period of
34 three (3) months to twelve (12) months. The sentencing judge shall require attendance at a special

1 course on driving while intoxicated or under the influence of a controlled substance and/or
2 alcoholic or drug treatment for the individual; provided, however, that the court may permit a
3 servicemember or veteran to complete any court-approved counseling program administered or
4 approved by the Veterans' Administration. The sentencing judge or magistrate may prohibit that
5 person from operating a motor vehicle that is not equipped with an ignition interlock system as
6 provided in § 31-27-2.8.

7 (iii) Every person convicted of a first offense whose blood alcohol concentration is fifteen
8 hundredths of one percent (.15%) or above, or who is under the influence of a drug, toluene, or any
9 controlled substance as defined in subsection (b)(1), shall be subject to a fine of five hundred dollars
10 (\$500) and shall be required to perform twenty (20) to sixty (60) hours of public community
11 restitution and/or shall be imprisoned for up to one year. The sentence may be served in any unit
12 of the adult correctional institutions in the discretion of the sentencing judge. The person's driving
13 license shall be suspended for a period of three (3) months to eighteen (18) months. The sentencing
14 judge shall require attendance at a special course on driving while intoxicated or under the influence
15 of a controlled substance and/or alcohol or drug treatment for the individual; provided, however,
16 that the court may permit a servicemember or veteran to complete any court-approved counseling
17 program administered or approved by the Veterans' Administration. The sentencing judge or
18 magistrate shall prohibit that person from operating a motor vehicle, pursuant to subsection (d)(9)
19 or (d)(10) of this section, that is not equipped with an ignition interlock system and/or blood and
20 urine testing as provided in § 31-27-2.8.

21 (2)(i) Every person convicted of a second violation within a ten-year (10) period with a
22 blood alcohol concentration of eight one-hundredths of one percent (.08%) or above, but less than
23 fifteen hundredths of one percent (.15%), or whose blood alcohol concentration is unknown, or
24 who has a blood presence of any controlled substance as defined in chapter 28 of title 21, and every
25 person convicted of a second violation within a ten-year (10) period, regardless of whether the prior
26 violation and subsequent conviction was a violation and subsequent conviction under this statute
27 or under the driving under the influence of liquor or drugs statute of any other state, shall be subject
28 to a mandatory fine of four hundred dollars (\$400). The person's driving license shall be suspended
29 for a period of one year to two (2) years, and the individual shall be sentenced to not less than ten
30 (10) days, nor more than one year, in jail. The sentence may be served in any unit of the adult
31 correctional institutions in the discretion of the sentencing judge; however, not less than forty-eight
32 (48) hours of imprisonment shall be served consecutively. The sentencing judge shall require
33 alcohol or drug treatment for the individual; provided, however, that the court may permit a
34 servicemember or veteran to complete any court-approved counseling program administered or

1 approved by the Veterans' Administration and shall prohibit that person from operating a motor
2 vehicle, pursuant to subsection (d)(9) or (d)(10) of this section, that is not equipped with an ignition
3 interlock system and/or blood and urine testing as provided in § 31-27-2.8.

4 (ii) Every person convicted of a second violation within a ten-year (10) period whose blood
5 alcohol concentration is fifteen hundredths of one percent (.15%) or above, by weight as shown by
6 a chemical analysis of a blood, breath, or urine sample, or who is under the influence of a drug,
7 toluene, or any controlled substance as defined in subsection (b)(1), shall be subject to mandatory
8 imprisonment of not less than six (6) months, nor more than one year; a mandatory fine of not less
9 than one thousand dollars (\$1,000); and a mandatory license suspension for a period of two (2)
10 years from the date of completion of the sentence imposed under this subsection. The sentencing
11 judge shall require alcohol or drug treatment for the individual; provided, however, that the court
12 may permit a servicemember or veteran to complete any court approved counseling program
13 administered or approved by the Veterans' Administration. The sentencing judge or magistrate
14 shall prohibit that person from operating a motor vehicle, pursuant to subsection (d)(9) or (d)(10)
15 of this section, that is not equipped with an ignition interlock system and/or blood and urine testing
16 as provided in § 31-27-2.8.

17 (3)(i) Every person convicted of a third or subsequent violation within a ten-year (10)
18 period with a blood alcohol concentration of eight one-hundredths of one percent (.08%) or above,
19 but less than fifteen hundredths of one percent (.15%), or whose blood alcohol concentration is
20 unknown or who has a blood presence of any scheduled controlled substance as defined in chapter
21 28 of title 21, regardless of whether any prior violation and subsequent conviction was a violation
22 and subsequent conviction under this statute or under the driving under the influence of liquor or
23 drugs statute of any other state, shall be guilty of a felony and be subject to a mandatory fine of
24 four hundred (\$400) dollars. The person's driving license shall be suspended for a period of two
25 (2) years to three (3) years, and the individual shall be sentenced to not less than one year and not
26 more than three (3) years in jail. The sentence may be served in any unit of the adult correctional
27 institutions in the discretion of the sentencing judge; however, not less than forty-eight (48) hours
28 of imprisonment shall be served consecutively. The sentencing judge shall require alcohol or drug
29 treatment for the individual; provided, however, that the court may permit a servicemember or
30 veteran to complete any court-approved counseling program administered or approved by the
31 Veterans' Administration, and shall prohibit that person from operating a motor vehicle, pursuant
32 to subsection (d)(9) or (d)(10) of this section, that is not equipped with an ignition interlock system
33 and/or blood and urine testing as provided in § 31-27-2.8.

34 (ii) Every person convicted of a third or subsequent violation within a ten-year (10) period

1 whose blood alcohol concentration is fifteen hundredths of one percent (.15%) above by weight as
2 shown by a chemical analysis of a blood, breath, or urine sample, or who is under the influence of
3 a drug, toluene, or any controlled substance as defined in subsection (b)(1), shall be subject to
4 mandatory imprisonment of not less than three (3) years, nor more than five (5) years; a mandatory
5 fine of not less than one thousand dollars (\$1,000), nor more than five thousand dollars (\$5,000);
6 and a mandatory license suspension for a period of three (3) years from the date of completion of
7 the sentence imposed under this subsection. The sentencing judge shall require alcohol or drug
8 treatment for the individual. The sentencing judge or magistrate shall prohibit that person from
9 operating a motor vehicle, pursuant to subsection (d)(9) or (d)(10) of this section, that is not
10 equipped with an ignition interlock system and/or blood and urine testing as provided in § 31-27-
11 2.8.

12 (iii) In addition to the foregoing penalties, every person convicted of a third or subsequent
13 violation within a ten-year (10) period, regardless of whether any prior violation and subsequent
14 conviction was a violation and subsequent conviction under this statute or under the driving under
15 the influence of liquor or drugs statute of any other state, shall be subject, in the discretion of the
16 sentencing judge, to having the vehicle owned and operated by the violator seized and sold by the
17 state of Rhode Island, with all funds obtained by the sale to be transferred to the general fund.

18 (4) Whoever drives or otherwise operates any vehicle in the state while under the influence
19 of any intoxicating liquor, drugs, toluene, or any controlled substance as defined in chapter 28 of
20 title 21, or any combination of these, when his or her license to operate is suspended, revoked, or
21 cancelled for operating under the influence of a narcotic drug or intoxicating liquor, shall be guilty
22 of a felony punishable by imprisonment for not more than three (3) years and by a fine of not more
23 than three thousand dollars (\$3,000). The court shall require alcohol and/or drug treatment for the
24 individual; provided, the penalties provided for in this subsection (d)(4) shall not apply to an
25 individual who has surrendered his or her license and served the court-ordered period of suspension,
26 but who, for any reason, has not had his or her license reinstated after the period of suspension,
27 revocation, or suspension has expired; provided, further, the individual shall be subject to the
28 provisions of subsection (d)(2)(i), (d)(2)(ii), (d)(3)(i), (d)(3)(ii), or (d)(3)(iii) regarding subsequent
29 offenses, and any other applicable provision of this section.

30 (5)(i) For purposes of determining the period of license suspension, a prior violation shall
31 constitute any charge brought and sustained under the provisions of this section or § 31-27-2.1.

32 (ii) Any person over the age of eighteen (18) who is convicted under this section for
33 operating a motor vehicle while under the influence of alcohol, other drugs, or a combination of
34 these, while a child under the age of thirteen (13) years was present as a passenger in the motor

1 vehicle when the offense was committed shall be subject to immediate license suspension pending
2 prosecution. Any person convicted of violating this section shall be guilty of a misdemeanor for a
3 first offense and may be sentenced to a term of imprisonment of not more than one year and a fine
4 not to exceed one thousand dollars (\$1,000). Any person convicted of a second or subsequent
5 offense shall be guilty of a felony offense and may be sentenced to a term of imprisonment of not
6 more than five (5) years and a fine not to exceed five thousand dollars (\$5,000). The sentencing
7 judge shall also order a license suspension of up to two (2) years, require attendance at a special
8 course on driving while intoxicated or under the influence of a controlled substance, and alcohol
9 or drug education and/or treatment. The individual may also be required to pay a highway
10 assessment fee of no more than five hundred dollars (\$500) and the assessment shall be deposited
11 in the general fund.

12 (6)(i) Any person convicted of a violation under this section shall pay a highway
13 assessment fine of five hundred dollars (\$500) that shall be deposited into the general fund. The
14 assessment provided for by this subsection shall be collected from a violator before any other fines
15 authorized by this section.

16 (ii) Any person convicted of a violation under this section shall be assessed a fee of eighty-
17 six dollars (\$86).

18 (7)(i) If the person convicted of violating this section is under the age of eighteen (18)
19 years, for the first violation he or she shall be required to perform ten (10) to sixty (60) hours of
20 public community restitution and the juvenile's driving license shall be suspended for a period of
21 six (6) months, and may be suspended for a period up to eighteen (18) months. The sentencing
22 judge shall also require attendance at a special course on driving while intoxicated or under the
23 influence of a controlled substance and alcohol or drug education and/or treatment for the juvenile.
24 The juvenile may also be required to pay a highway assessment fine of no more than five hundred
25 dollars (\$500) and the assessment imposed shall be deposited into the general fund.

26 (ii) If the person convicted of violating this section is under the age of eighteen (18) years,
27 for a second or subsequent violation regardless of whether any prior violation and subsequent
28 conviction was a violation and subsequent conviction under this statute or under the driving under
29 the influence of liquor or drugs statute of any other state, he or she shall be subject to a mandatory
30 suspension of his or her driving license until such time as he or she is twenty-one (21) years of age
31 and may, in the discretion of the sentencing judge, also be sentenced to the Rhode Island training
32 school for a period of not more than one year and/or a fine of not more than five hundred dollars
33 (\$500).

34 (8) Any person convicted of a violation under this section may undergo a clinical

1 assessment at the community college of Rhode Island's center for workforce and community
2 education. Should this clinical assessment determine problems of alcohol, drug abuse, or
3 psychological problems associated with alcoholic or drug abuse, this person shall be referred to an
4 appropriate facility, licensed or approved by the department of behavioral healthcare,
5 developmental disabilities and hospitals, for treatment placement, case management, and
6 monitoring. In the case of a servicemember or veteran, the court may order that the person be
7 evaluated through the Veterans' Administration. Should the clinical assessment determine
8 problems of alcohol, drug abuse, or psychological problems associated with alcohol or drug abuse,
9 the person may have their treatment, case management, and monitoring administered or approved
10 by the Veterans' Administration.

11 (9) Notwithstanding any other sentencing and disposition provisions contained in this
12 chapter, if the judge or magistrate makes a finding beyond a reasonable doubt that a motorist was
13 operating a vehicle in the state while under the influence of drugs, toluene, or any controlled
14 substance as evidenced by the presence of controlled substances on or about the person or vehicle,
15 or other reliable indicia or articulable conditions thereof, but not intoxicating liquor based on a
16 preliminary breath test, results from a breathalyzer that indicates no blood alcohol concentration,
17 or both, the judge or magistrate may exercise his or her discretion and eliminate the requirement of
18 an ignition interlock system; provided, that blood and/or urine testing is mandated as a condition
19 to operating a motor vehicle as provided in § 31-27-2.8.

20 (10) Notwithstanding any other sentencing and disposition provisions contained in this
21 chapter, if the judge or magistrate makes a finding beyond a reasonable doubt that a motorist was
22 operating a vehicle in the state while under the influence of drugs, toluene, or any controlled
23 substance as evidenced by the presence of controlled substances on or about the person or vehicle,
24 or other reliable indicia or articulable conditions thereof and intoxicating liquor based on a
25 preliminary breath test, results from a breathalyzer that indicates blood alcohol concentration, or
26 both, the judge or magistrate may require an ignition interlock system in addition to blood and/or
27 urine testing as a condition to operating a motor vehicle as provided in § 31-27-2.8.

28 (e) Percent by weight of alcohol in the blood shall be based upon milligrams of alcohol per
29 one hundred cubic centimeters (100 cc) of blood.

30 (f)(1) There is established an alcohol and drug safety unit within the division of motor
31 vehicles to administer an alcohol safety action program. The program shall provide for placement
32 and follow-up for persons who are required to pay the highway safety assessment. The alcohol and
33 drug safety action program will be administered in conjunction with alcohol and drug programs
34 licensed by the department of behavioral healthcare, developmental disabilities and hospitals.

1 (2) Persons convicted under the provisions of this chapter shall be required to attend a
2 special course on driving while intoxicated or under the influence of a controlled substance, and/or
3 participate in an alcohol or drug treatment program, which course and programs must meet the
4 standards established by the Rhode Island department of behavioral healthcare, developmental
5 disabilities and hospitals; provided, however, that the court may permit a servicemember or veteran
6 to complete any court-approved counseling program administered or approved by the Veterans'
7 Administration. The course shall take into consideration any language barrier that may exist as to
8 any person ordered to attend, and shall provide for instruction reasonably calculated to
9 communicate the purposes of the course in accordance with the requirements of the subsection.
10 Any costs reasonably incurred in connection with the provision of this accommodation shall be
11 borne by the person being retrained. A copy of any violation under this section shall be forwarded
12 by the court to the alcohol and drug safety unit. In the event that persons convicted under the
13 provisions of this chapter fail to attend and complete the above course or treatment program, as
14 ordered by the judge, then the person may be brought before the court, and after a hearing as to
15 why the order of the court was not followed, may be sentenced to jail for a period not exceeding
16 one year.

17 (3) The alcohol and drug safety action program within the division of motor vehicles shall
18 be funded by general revenue appropriations.

19 (g) The director of the department of health is empowered to make and file with the
20 secretary of state regulations that prescribe the techniques and methods of chemical analysis of the
21 person's body fluids or breath and the qualifications and certification of individuals authorized to
22 administer this testing and analysis.

23 (h) Jurisdiction for misdemeanor violations of this section shall be with the district court
24 for persons eighteen (18) years of age or older and to the family court for persons under the age of
25 eighteen (18) years. The courts shall have full authority to impose any sentence authorized and to
26 order the suspension of any license for violations of this section. Trials in superior court are not
27 required to be scheduled within thirty (30) days of the arraignment date.

28 (i) No fines, suspensions, assessments, alcohol or drug treatment programs, course on
29 driving while intoxicated or under the influence of a controlled substance, public community
30 restitution, or jail provided for under this section can be suspended.

31 (j) An order to attend a special course on driving while intoxicated, that shall be
32 administered in cooperation with a college or university accredited by the state, shall include a
33 provision to pay a reasonable tuition for the course in an amount not less than twenty-five dollars
34 (\$25.00), and a fee of one hundred seventy-five dollars (\$175), which fee shall be deposited into

1 the general fund.

2 (k) For the purposes of this section, any test of a sample of blood, breath, or urine for the
3 presence of alcohol that relies in whole or in part upon the principle of infrared light absorption is
4 considered a chemical test.

5 (l) If any provision of this section, or the application of any provision, shall for any reason
6 be judged invalid, such a judgment shall not affect, impair, or invalidate the remainder of the
7 section, but shall be confined in this effect to the provision or application directly involved in the
8 controversy giving rise to the judgment.

9 (m) For the purposes of this section, “servicemember” means a person who is presently
10 serving in the armed forces of the United States, including the Coast Guard, a reserve component
11 thereof, or the National Guard. “Veteran” means a person who has served in the armed forces,
12 including the Coast Guard of the United States, a reserve component thereof, or the National Guard,
13 and has been discharged under other than dishonorable conditions.

14 (n) In addition to any and all fines or costs for a violation pursuant to this section, the court
15 shall charge a surcharge of fifty dollars (\$50.00) per violation to fund the SafeRIde program.

16 SECTION 6. This act shall take effect on July 1, 2025.

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LC002204
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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO ALCOHOLIC BEVERAGES -- LICENSES GENERALLY

1 This act would establish and fund the SafeRide program, which would provide
2 transportation, free of charge, to persons suspected of having a blood alcohol concentration that
3 would prohibit legal operation of a vehicle.

4 This act would take effect on July 1, 2025.

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