

2018 -- H 7506

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2018

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A N A C T

RELATING TO MOTOR AND OTHER VEHICLES - ADJUDICATION OF TRAFFIC
OFFENSES

Introduced By: Representatives McEntee, Craven, McKiernan, Lombardi, and Coughlin

Date Introduced: February 08, 2018

Referred To: House Judiciary

(Attorney General)

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 31-41.1-11 of the General Laws in Chapter 31-41.1 entitled
2 "Adjudication of Traffic Offenses" is hereby amended to read as follows:

3 **31-41.1-11. Jurisdiction.**

4 (a) The traffic tribunal shall have exclusive original jurisdiction over the adjudication of
5 charges under subdivision 31-27-2.1(b)(1) (Refusal to submit to chemical test first violation).

6 (b) The district court shall have exclusive original jurisdiction over the adjudication of
7 charges under ~~subdivisions §§~~ 31-27-2.1(b)(2) and (3) (Refusal to submit to chemical test, second
8 violation and third and subsequent violations); except that the traffic tribunal shall have exclusive
9 jurisdiction over the adjudication of charges under §§ 31-27-2.1(b)(2) and (3) (refusal to submit
10 to a chemical test, second violation, third and subsequent violations) in cases involving a request
11 to submit to a blood test.

12 (c) Nothing in subsections (a) and (b) of this section shall be deemed to abrogate the
13 jurisdiction of any municipal court under the provisions of chapter 18 of title 8 of the general
14 laws.

15 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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- 1 This act would provide that the traffic tribunal would have exclusive jurisdiction for
- 2 second and subsequent violations of blood test refusals related to a suspected DUI.
- 3 This act would take effect upon passage.

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