MADD
Activism | Victim Services | Education™

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Date 2-16-05
No SB 407

SB 407
Minor in Possession

Senate Judiciary Committee:

Good morning, Mr. Chairman and members of the Committee. For the record my name is Bill Muhs, from Bozeman, where I am currently Public Policy Liaison for Mothers Against Drunk Driving - Gallatin County. I was also a member of the Governor's Task Force on Alcohol, Tobacco, and Other Drugs. Two and one half years ago, the Task Force made approximately 66 strategic recommendations based upon its research. Many of these recommendations dealt with a major problem we have in Montana – Underage Drinking. The 2003 Legislature passed Senate Bill 362 which was a landmark piece of legislation. This bill dealt with Minors in Possession and has by most accounts been extremely successful. Even the vast majority of parents who attend the Alcohol and Drug Information Courses with their teenagers are in strong support of the program.

Unfortunately, the 2003 Legislation stripped out the recommended sanctions for those aged 18-20. SB 407 simply puts back the original sanctions for this age group. The 18-20 year olds must not continue to fall thru the cracks! The primary argument that I recall for not sanctioning the over 18 group went something like "since they are old enough to get killed in the Army, should be old enough to drink a beer."

This is not about individual responsibility! It is a public health issue! First, the brain is not fully developed until age 21 and research clearly shows the harm alcohol can cause in the brain. Second, even if a kid is born with the genetic predisposition towards alcohol, a fact unknown to them, the longer alcohol use is delayed the fewer alcohol problems in adulthood.

While this bill would increase the consequences of MIP for 18-20 year olds, its purpose is not to just punish the offenders. This bill provides clear consequences for activities that are a proven danger to minors and to society. The real intent of this bill is prevention! A key provision of this bill makes it mandatory to complete a chemical dependency assessment and treatment, if recommended, after the 2nd MIP - just like the current law for those under the age of 18. Other sanctions are quite reasonable, especially when compared to other states. California mandates a one-year driver's license suspension for the first MIP. In Washington, the state can suspend a youth's driver's license for up to two years on a 2nd MIP.

We appreciate Senator Grimes bringing this bill forward and urge your support. Thank you.

Wm Muhs

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