

SB 848 STAFF MEASURE SUMMARY

Senate Committee On Judiciary

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Sub-Referral To: Joint Committee On Ways and Means

Meeting Dates: 2/11

WHAT THE MEASURE DOES:

The measure creates the DUII Task Force and directs it to review and make recommendations on Oregon's driving while under the influence of intoxicants (DUII) screening and treatment system, oversight system, drug and alcohol screening specialist regulation, drug and alcohol treatment best practices, and conflicts between court proceedings for DUII and federal privacy laws. The measure allows Intoxicated Driver Fund moneys to be used to pay for screenings and DUII education programs for indigent defendants. The measure adds non-residents of Oregon to those participants in a DUII diversion agreement who, instead of completing a treatment program in Oregon, may participate in a comparable treatment program conducted by or authorized by a government in another jurisdiction.

Detailed Summary

Creates a DUII Task Force with eight members:

- Seven members, appointed by the Governor, who have knowledge of the criminal system or the drug and alcohol treatment system relating to DUII defendants:
 - An Oregon Health Authority representative;
 - A community corrections program representative;
 - A prosecutor;
 - A defense attorney;
 - A substance use treatment provider;
 - An alcohol and drug screening specialist; and
 - A Department of Transportation representative; and
- One judge appointed by the Chief Justice of the Oregon Supreme Court.

Directs the DUII Task Force to review and make recommendations concerning:

- Oregon's DUII screening and treatment system;
- Oregon's DUII system oversight agency or agencies;
- Which agency or agencies is best suited to oversee Oregon's alcohol and drug screening specialists and other elements of the DUII system in the future;
- Standards, regulations, and requirements that should apply to alcohol and drug screening specialists;
- Evidence-based practices that should be required or included in drug and alcohol treatment for DUII defendants; and
- How to address conflicts between court proceedings for DUII and federal health information privacy laws.

Requires the DUII Task Force to submit a report to an interim committee of the Legislative Assembly related to the judiciary no later than June 30, 2026. Requires the Oregon Health Authority to staff the DUII Task Force.

Permits Intoxicated Driver Fund moneys to be used to pay for screenings and DUII education programs for indigent defendants. Adds non-residents of Oregon to those participants in a DUII diversion agreement who, instead of completing a treatment program in Oregon, may participate in a comparable treatment program conducted by or authorized by a government in another jurisdiction.

Sunsets the DUII Task Force on December 31, 2026.

This summary has not been adopted or officially endorsed by action of the committee.

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Takes effect on 91st day following adjournment sine die.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

According to a [2024 report](#) by TRIP, a national transportation research nonprofit, Oregon has seen an 88 percent increase in the total number of traffic fatalities between 2013 and 2023 (a 70 percent increase in the number of fatalities per 100 million vehicle miles of travel). In comparison, total U.S. traffic fatalities have increased by only 25 percent in the same period (a 15 percent increase in the number of fatalities per 100 million vehicle miles of travel). Of the 24,585 [crashes reported](#) by the Oregon Department of Transportation for 2022, around 3,000 involved drugs, alcohol, or both. Of those 3,000, nearly 400 crashes involved a fatality out of a total of 554 crashes involving a fatality that year.

It is a crime in Oregon, under ORS 813.010 and 813.011, to drive under the influence of intoxicants (DUI). DUI can be a Class A misdemeanor or a Class C felony depending on the circumstances. Under ORS 813.020, when a court convicts a person of DUI, the court must require the person to complete a screening interview and a treatment program. The standards for the screening interview and are set by the Oregon Health Authority, who also approves treatment programs. The Oregon Health Authority's regulations for DUI screenings, drug rehabilitation programs, and Alcohol and Drug Evaluation and Screening Specialists are located in [OAR 415-054](#).