

EXECUTIVE ORDER

BJ 08-70

State Employee Drug Testing Policy

WHEREAS, currently, Louisiana ranks twenty-fifth in the United States in population, but ranks fifth in the nation in alcohol-related fatalities and sixteenth in the nation in fatal crashes;

WHEREAS, early forty-eight percent of Louisiana's traffic fatalities are alcohol-related, as compared to the national average of forty-one percent;

WHEREAS, Louisiana automobile owners pay high premiums for public liability insurance. Our state ranks fourth in the nation in costs for insurance, with an average premium of \$1230.44; and

WHEREAS, there is a possible correlation between Louisiana's unusually high percentage of alcohol-related traffic fatalities and the unusually high insurance premiums paid by Louisiana motorists;

NOW THEREFORE, I, BOBBY JINDAL, Governor of the state of Louisiana, by virtue of the authority vested by the Constitution and the laws of the state of Louisiana, do hereby order and direct as follows:

SECTION 1: The Governor's Task Force on DWI-Vehicular Homicide (hereafter "Task Force") is reestablished within the executive department, Office of the Governor.

SECTION 2: The duties and functions of the Task Force shall include, but are not limited to, the following:

A. Addressing problems in the following areas:

1. Unusually high incidence of drunk or drugged driving;
2. Difficulty in proving identification of multiple DWI offenders for the purposes of enhanced penalties;
3. Refusing to submit to breath and/or field sobriety tests;
4. Obtaining evidence from drivers who cause alcohol involved fatal or serious injury crashes; and
5. Arrest and prosecution of drug-impaired drivers;

B. Soliciting input and recommendations from all agencies, departments, commissions, boards, or offices which are involved in DWI enforcement and

countermeasures, particularly law enforcement officers at the state, parish, and local levels to aid in the implementation of the provisions of this Order; and

C. Acting in an advisory capacity to the governor, the Highway Safety Commission, the Alcohol and Tobacco Control Commission, and any other agency, department, commission, board, or office that are involved directly or peripherally with DWI issues.

SECTION 3: By March 1, 2010, the Task Force shall submit a comprehensive written report to the governor on the issues set forth in Section 2 of this Order. A preliminary report, which shall include recommended legislation, shall be submitted to the governor by January 15, 2010.

SECTION 4: The Task Force shall be composed of a maximum of twenty-one (21) members who, unless otherwise specified, shall be appointed by and serve at the pleasure of the governor. The membership of the Task Force shall be selected as follows:

- A. The governor, or the governor's designee;
- B. The attorney general, or the attorney general's designee;
- C. The speaker of the Louisiana House of Representatives, or the speaker's designee;
- D. The president of the Louisiana State Senate, or the president's designee;
- E. A member of the Louisiana House of Representatives appointed by the speaker of the Louisiana House of Representatives;
- F. A member of the Louisiana State Senate appointed by the president of the Louisiana State Senate;
- G. The commissioner of the Office of Alcohol and Tobacco Control, Department of Revenue, or the commissioner's designee;
- H. The assistant secretary of the Department of Public Safety, Office of Motor Vehicles, or the assistant secretary's designee;
- I. The executive director of the Louisiana Highway Safety Commission, or the executive director's designee;
- J. The assistant secretary of the Department of Health and Hospitals, Office of Addictive Disorders, or the assistant secretary's designee;
- K. A representative of the Louisiana State Police;
- L. A representative of the Louisiana State Police Crime Lab;
- M. The secretary of the Department of Transportation and Development, or the secretary's designee;

- N. The director of the Louisiana Property and Casualty Insurance Commission, or the director's designee;
- O. A representative of the Louisiana District Attorneys Association;
- P. A representative of the Louisiana Sheriff's Association;
- Q. A representative of the Municipal Police Officers Association of Louisiana;
- R. A representative of Mothers Against Drunk Driving;
- S. A representative of the Louisiana Restaurant Association; and
- T. Two (2) at-large members.

SECTION 5: The chair of the Task Force shall be appointed by the governor from the membership of the Task Force. All other officers, if any, shall be elected by the members of the Task Force from its membership.

SECTION 6: The Task Force shall meet at regularly scheduled intervals and at the call of the chair.

SECTION 7:

- A. Task Force members shall not receive additional compensation or a per diem from the Office of the Governor for serving on the Task Force.
- B. Task Force members who are employees or elected public officials of the state of Louisiana or a political subdivision thereof may seek reimbursement of travel expenses, in accordance with PPM 49, from their employing and/or elected department, agency and/or office.
- C. Task Force members who are also members of the Louisiana Legislature may seek a per diem from the Louisiana State Senate or House of Representatives, as appropriate, for their attendance.

SECTION 8: Support staff, facilities, and resources for the Task Force shall be provided by the Office of the Governor.

SECTION 9: All departments, commissions, boards, offices, entities, agencies, and officers of the state of Louisiana, or any political subdivision thereof, are authorized and directed to cooperate with the Task Force in implementing the provisions of this Order.

SECTION 10: This Order is effective upon signature and shall continue in effect until amended, modified, terminated, or rescinded by the governor, or terminated by operation of law.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at the Capitol, in the city of Baton Rouge, on this 22nd day of August, 2008.

Bobby Jindal
Governor

ATTEST BY
THE GOVERNOR
Jay Dardenne
Secretary of State