

STATE OF DELAWARE



10-01-82-05-14

EXECUTIVE DEPARTMENT
DOVER

EXECUTIVE ORDER
NUMBER ONE HUNDRED SIXTEEN

TO: HEADS OF ALL STATE DEPARTMENTS AND AGENCIES
RE: GOVERNOR'S TASK FORCE ON DRUNK DRIVING

WHEREAS, the number of alcohol - related automobile accidents in Delaware has increased consistently during the past several years and 60% of the highway fatalities in Delaware each year are shown to be alcohol related; and

WHEREAS, in the interest of the citizens of Delaware, the greatest possible efforts must be applied to control and reduce hazards created by the drinking driver; and

WHEREAS, all sectors of the Delaware criminal justice system, as well as many other agencies of government are involved with the administration of Delaware laws pertaining to driving under the influence of alcohol or drugs ("DUI Laws"); and with problems connected with the drinking driver; and

WHEREAS, cooperation among these agencies is essential to the effective administration of the DUI laws and to the identification and resolution of problems; and

WHEREAS, there is an immediate need for action on the present Delaware DUI laws because key provisions of Delaware law terminate on July 1, 1982; and

WHEREAS, an informal committee established by the Secretary of the Department of Public Safety has recommended to the 131st General Assembly some proposed amendments to these existing laws; and

WHEREAS, the work performed by this committee in studying DUI proposals and making recommendations to the General Assembly and the Governor has been of great benefit and should be continued on an on-going basis; and

WHEREAS, because of the intense national interest in reducing the hazards caused by drunken driving and the varied legislation now being enacted in many states there should be a State group charged with making contact with similar groups in other states and following activities on a national and interstate level;

NOW, THEREFORE, I, PIERRE S. du PONT, IV, by virtue of the authority vested in me as Governor of the State of Delaware, do hereby order and declare as follows:

1. The Governor's Task Force on Drunk Driving is hereby established.

2. The Commission shall consist of the following members:

1) The Lieutenant-Governor,

2) Two members of the House of Representatives of the Delaware General Assembly, one representing each political party, who shall be appointed by the Speaker of the House;

3) Two members of the Senate of the Delaware General Assembly, one representing each political party, who shall be appointed by the President Pro-Tempore of the Senate;

4) The Chief Justice;

- 5) The Secretary of Public Safety;
- 6) The Director of the Office of Highway Safety;
- 7) One representative from each of the following State agencies, who may be the Director or the Chief Executive Officer of the agency or someone designated by him:
 - a. The Delaware State Police
 - b. The Division of Motor Vehicles
 - c. The Department of Justice
 - d. The Office of the Public Defender
 - e. The Delaware Criminal Justice Planning Commission
 - f. The Bureau of Alcohol and Drug Abuse, Department of Health and Social Services
 - g. The Department of Corrections
 - h. The Alcoholic Beverage Control Commission
 - i. The Superior Court
 - j. The Court of Common Pleas
 - k. The Justice of the Peace Courts
 - l. The Municipal Court
 - m. The Family Court
 - n. The Department of Public Instruction
- 8) One representative from each of the following police agencies:
 - a. New Castle County Police
 - b. Wilmington Police
 - c. Newark Police
 - d. Dover Police
 - e. Chairman, Sussex Police Chiefs' Council
 - f. Delaware Council of Police Chiefs

9) One representative from each of the following organizations:

- a. Delaware Safety Council
- b. Delaware Council on Alcoholism

10) Seven members of the general public, to be appointed by the Governor. There shall be at least one public member from each county of the State.

3. The Lieutenant-Governor shall serve as Chairman of the Task Force and the Secretary of the Department of Public Safety shall serve as Vice-Chairman.

4. Members appointed by the Governor shall serve at the pleasure of the Governor. Terms of members who serve by virtue of the office they hold shall be concurrent with service in such office. Terms of members who are designated by the Director or Chief Executive Officer of an agency or by an organization shall serve at the pleasure of the designating officer or organization.

5. The entire Task Force shall meet at least two (2) times a year and at such other times as the Chairman may deem necessary. Fifteen members shall constitute a quorum for the conduct of business.

6. There shall be an Executive Committee of the Task Force which shall consist of the Lieutenant-Governor, the four legislative members, the Chief Justice, the Secretary of Public Safety, the Director of the Office of Highway Safety, and two public members, as designated by the Chairman, which is authorized to supervise and direct the work of the Task Force and receive committee reports and recommendations. The Executive Committee shall meet at the call of the Chairman.

7. In addition to the Executive Committee, the Chairman may designate such other committees of the Task Force as he shall deem necessary for the efficient conduct of business.

8. The duties of the Task Force shall include:

1) Monitor the provisions of statutes directly and indirectly concerned with driving under the influence.

2) Recommend and assist in implementing changes in administrative procedures to improve application of the laws and processing of DUI cases from inception to conclusion.

3) Serve as an information contact and dissemination point between Delaware and other such commissions on the national or interstate level.

4) Report to the Governor, through the Task Force Chairman, on an annual basis outlining the actions taken and the effects, if any, of those actions.

5) Recommend to the Legislature, through the Task Force Chairman, changes in legislation with any available supporting data on need, effect or financial impact.

6) Stimulate and encourage the development of public awareness and education programs concerning the hazards of driving under the influence of alcohol and drugs.

9. The Task Force on Drunk Driving shall have the authority to examine records and documents of state agencies, except to the extent that disclosure of such information may be prohibited by State law.

10. The Task Force on Drunk Driving shall be terminated as of February 1, 1985 unless earlier terminated by Executive Order.



APPROVED this 21st day of
May, 1982.

Richard A. DuBois
Governor

ATTEST:

William C. Stark
Secretary of State