

Legislative Committee

Report Date: February 19, 2020

City of Salem

Bill Name	Position	Priority
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SB 1503 A	Support	2
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Relating to driving while under the influence of intoxicants; declaring an emergency.

Provides that person commits offense of driving while under influence of intoxicants if person has blood alcohol level of 0.08 percent or more by weight within two hours after driving vehicle.

2/18/2020 - Adds having a blood alcohol content of .08 within two hours of driving as a manner of committing Driving Under the Influence of Intoxicants. Having consumed enough after driving to cause the defendant's BAC to be above a .08 would be an affirmative defense. Also redefines what constitutes a "statutory counterpart" of DUI convictions from other states that are applicable for the two prior convictions within ten years to elevate the offense to a felony and enhanced penalties for other acts, and expands the applicable predicates to most DUI convictions from other states. Bill is a statutory fix to recent Oregon Court of Appeals and Supreme Court Cases which held that proof of BAC of .09 approximately 2 hours after driving and not intervening drinking was insufficient for a per se DUI conviction, and limiting what constitutes a "statutory counterpart" to only those DUI statutes that have similar elements to Oregon.