

CITY OF BURTON
LEGISLATIVE COMMITTEE MEETING MINUTES
APRIL 9, 2012, 4:00 P.M., COUNCIL CHAMBERS
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The Legislative Meeting was called to order by Councilwoman Ellenburg at 4:15 p.m.

MEMBERS PRESENT: Ellenburg, Wells and O'Keefe.

MEMBERS ABSENT: None.

OTHERS PRESENT: Attorney R. Austin and M. Snow, Clerk's Office.

PURPOSE OF THE MEETING: Discussion and possible recommendations concerning the following:

1. "Super Drunk" Ordinance

PRESENTATION:

Mr. Austin said a Michigan Motor Vehicle Code was adopted in the Codified Ordinance, which allowed us to adopt an ordinance that includes a "Super Drunk" provision to the Motor Vehicle Code. He gave the definition of "Super Drunk" as the driver having a blood alcohol level of .17 or more in their system at the time of arrest. When a person has an alcohol level of .17 this means they are extremely inebriated and are a threat to the public.

Mr. Austin said before this Legislation the only people charged under the "Super Drunk" law were those being pulled over by Sherriff's departments and State Police officers. He explained when someone blows a level of .25 and have no prior convictions it would generally be reduced to impaired driving and they are given a fine as well as other penalties. He said under the "Super Drunk" Ordinance the plea bargaining could possibly be different, such as reducing it to drunk driving, depending on the prior record and the circumstances of the stop. He feels this ordinance is a very valuable tool to fight drunk driving.

Mr. Wells said this ordinance would pay our officers for doing their job instead of letting the money go back to the State.

Mr. Austin said as soon as the ticket is written under State law, local control and their cut of the money is lost.

Mrs. Ellenburg spoke with a Novi Lieutenant who said the benefits of the ordinance is it would stay within the City so they would be able to get the charge and money and it would save the Police Department time. He felt it would benefit any City who put it to use.

Mr. Wells said people are not aware their car insurance as well as life insurance does not pay out if the drunk driver is the one at fault.

AUDIENCE PARTICIPATION: None.

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Mr. O'Keefe feels this is a no-brainer and should certainly be put in place. He asked if the police do anything differently if they suspect the person in question is "Super Drunk".

Mr. Austin said it is handled pretty typical of a regular drunk driving occurrence. He went over the procedures and said if a person does not willingly give blood for a test the judge would normally issue a warrant to have the blood taken.

COMMITTEE RECOMMENDATIONS:

O'Keefe moved and Wells seconded to send this ordinance to the Council for approval.

Meeting adjourned at 4:35 p.m.

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