



State of New Mexico

Office of the Governor

Bill Richardson
Governor

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Governor Richardson Calls For Mandatory Jail Time & Treatment for First Time DWI Offenders

**Governor also signs executive order creating liquor control task force to
examine New Mexico laws**

SANTA FE-Governor Bill Richardson today proposed that New Mexico strengthen its efforts to fight DWI to include mandatory jail time and treatment for first time offenders. The Governor also signed an Executive Order creating the Liquor Control Task Force. The task force will closely examine the effectiveness of New Mexico's liquor control laws and make recommendations to the Governor on any changes or additions.

"Despite our best efforts we have not been able to break the cycle of repeat DWI offenders who drink and drive again, and again, and again, and we have seen the deadly consequences," said the Governor. "In addition, the sale of alcohol to teenagers, underage adults, and people who are intoxicated continues to be a major problem. Research shows the combination of incarceration and treatment is effective at reducing the number of repeat offenders. A pilot program in San Juan County that uses that approach is showing great success. I believe we must do it statewide."

The Governor also pointed to New Mexico's consistent efforts to raise the stakes for DWI offenders, including:

- Strengthening the penalties for DWI offenders in every legislative session since Governor Richardson took office.
- Increasing funding for law enforcement and treatment programs,

- Instituting education programs to teach our children about the dangers of alcohol abuse.
- Doubling the number of Super Blitzes each year,
- The Department of Public Safety created a Mobile Strike Unit to target bars and restaurants that serve minors and persons who are intoxicated,
- In conjunction with our partners at the National Highway Traffic Safety Administration, we funded full-time DWI officers in the five counties where the DWI problem is most severe— San Juan, McKinley, Bernalillo, Rio Arriba and Doña Ana, and
- This year New Mexico became the first state in the nation to require ignition interlock devices for first time DWI offenders.

We must do more, and we must do better. This entire effort must be an across-the-board, top-to-bottom, all-hands-on-deck commitment to stop DWI.

I will not stop until DWI is no longer a problem in New Mexico. Even one alcohol-related death is too many. I encourage every New Mexico to join me in working to make sure that “You drink, You drive, You lose” is not simply a slogan, but a guarantee.

EXECUTIVE ORDER 2005-042

NEW MEXICO REGULATIONS PERTAINING TO THE SALE OF ALCOHOL TO MINORS AND INTOXICATED PEOPLE

WHEREAS, alcohol abuse by teenagers, underage adults and intoxicated persons poses a tremendous risk to the health, welfare and safety of all New Mexicans;

WHEREAS, the State of New Mexico must take action to eliminate the sale of alcohol to teenagers, underage adults and intoxicated persons;

WHEREAS, this administration has taken aggressive steps to eliminate DWI and alcohol related injuries and fatalities, however, statistics indicate that more must be done to adequately protect the lives and property of New Mexicans from the horrific consequences of alcohol abuse;

WHEREAS, alcohol contributes to forty-two percent of all traffic fatalities in New Mexico;

WHEREAS, New Mexico's beer consumption rate has consistently ranked among the top five states in the nation for the past 20 years and the per capita alcohol consumption rate is among the highest in the country;

WHEREAS, New Mexico has the highest rate of alcohol-related chronic liver disease;

WHEREAS, New Mexico's bars and restaurants serve alcohol to approximately 10,000 people each year who are subsequently arrested with blood alcohol level's that are twice the legal limit;

WHEREAS, teenage drivers are involved in twenty-six percent of automobile accidents and make up eight percent of crash fatalities in New Mexico;

WHEREAS, heavy drinking by teenagers and underage adults has led to death and disability;

WHEREAS, twenty-six percent of New Mexicans between the age of eighteen and twenty-four reported binge drinking (consuming five or more drinks of alcohol in a two-hour period within the past 30 days) compared to fourteen percent between the age of twenty-five and sixty-four;

WHEREAS, in 2003, thirty-five percent of New Mexico high-school students reported binge drinking compared to the national rate of twenty-eight percent;

WHEREAS, the effectiveness of the laws and regulations which govern the sale, service and consumption of alcoholic beverages in New Mexico are critical to the State's ability to address and reduce the serious alcohol related statistics described above; and

WHEREAS, it is necessary to establish a taskforce to review and evaluate New Mexico's laws and regulations pertaining to the Liquor Control Act and make recommendations to ensure that these laws and regulations address the severe alcohol-related problems that adversely impact the citizens of New Mexico.

NOW, THEREFORE, I, Bill Richardson, Governor of the State of New Mexico, by virtue of the authority vested in me by the Constitution and the applicable statutes, do hereby order the creation of the Liquor Control Task Force.

The Membership of the Taskforce shall consist of at least 20 members, including the following:

- A. (4) Members of the New Mexico Legislature
- B. (2) Representatives from Law Enforcement
- C. (3) Representatives from DWI policy advocacy groups
- D. (5) Local Community Leaders
- E. (3) Representatives from the alcohol, hospitality and restaurant industry
- F. Representatives from relevant State agencies including the Department of Public Safety, Regulation and Licensing Department, the Department of Transportation, Traffic Safety Bureau and the Department of Health
- G. The Governor's DWI Czar.

The Governor shall select a Chair from the membership of the Task Force.

Each Task Force member shall serve at the pleasure of the Governor. Members shall serve voluntarily, receive no pay for their services, and the State shall not be obligated to reimburse members for travel and subsistence expenses.

The duties and responsibilities of the Task Force shall be as follows:

1. To review and evaluate the regulations of the Alcohol and Gaming Division promulgated under the Liquor Control Act. The review shall include but not be limited to the following regulations: New Mexico Administrative Code 15.11.22 (License and Permits – Renewal and Suspension), 15.10.51 (Sales – Restriction on Sales); 15.10.61 (Citations – Fines and Penalties);

2. To make recommendations for changes to the regulations and any corresponding statutes that are incompatible with this administration's tough stance regarding DWI and sales to either minors or persons who are intoxicated;

3. The Liquor Control Act Task Force shall issue a final report to the Governor regarding the recommended regulatory changes;

4. The final report shall also include any proposed changes to existing Statutes that may provide for the more responsible sale and service of alcoholic beverages in the State of New Mexico.

The Alcohol and Gaming Division of the Regulation and Licensing Department shall provide administrative support to the Liquor Control Act Task Force.

THIS ORDER supersedes any other previous orders, proclamations, or directives in conflict. This Executive Order shall take effect immediately and shall remain in effect until such time as it is rescinded by the Governor.

DONE AT THE EXECUTIVE OFFICE THIS 2ND DAY OF SEPTEMBER, 2005

**BILL RICHARDSON
GOVERNOR**

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