

# HOUSE RESEARCH

## Bill Summary

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**Authors:** Gauthier and others

**Subject:** DWI; drugs and substances

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### Overview

- 1** **Drug.** Defines "drug" to mean "all medicines and preparations recognized in the U.S. Pharmacopeia or National Formulary and any substance or mixture of substances intended to be used for the cure, mitigation, or prevention of disease of either humans or other animals."
- 2 - 5** **DWI; definition of crime.** Amends the definition of the DWI crime for motor vehicles, motorboats, snowmobiles, ATVs, off-highway vehicles, and off-road vehicles.  
  
Creates the crime of being under the influence of a drug. (In determining if a person is *under the influence*, MN courts focus on the impaired ability or capacity to drive and whether the person "possess[es] that clearness of intellect and control of himself that he otherwise would have.")  
  
Modifies the crime of being knowingly under the influence of a hazardous substance by striking "hazardous." "Substance" is not defined but would be limited in current statute to those that affect a person's nervous system, brain, or muscles so as to substantially impair the person's ability to drive.
- 6** **Repealer.** Repeals the definition of "hazardous substance" (cross-references list of hazardous substances found in rules).