

106TH CONGRESS
1ST SESSION

S. 222

To amend title 23, United States Code, to provide for a national standard to prohibit the operation of motor vehicles by intoxicated individuals.

IN THE SENATE OF THE UNITED STATES

JANUARY 19, 1999

Mr. LAUTENBERG (for himself and Mr. DEWINE) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To amend title 23, United States Code, to provide for a national standard to prohibit the operation of motor vehicles by intoxicated individuals.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Safe and Sober Streets
5 Act of 1999”.

1 **SEC. 2. NATIONAL STANDARD TO PROHIBIT OPERATION OF**
2 **MOTOR VEHICLES BY INTOXICATED INDIVID-**
3 **UALS.**

4 (a) IN GENERAL.—Subchapter I of chapter 1 of title
5 23, United States Code, is amended by adding at the end
6 the following:

7 **“§ 165. National standard to prohibit operation of**
8 **motor vehicles by intoxicated individuals**

9 “(a) WITHHOLDING OF APPORTIONMENTS FOR NON-
10 COMPLIANCE.—

11 “(1) FISCAL YEAR 2003.—The Secretary shall
12 withhold 5 percent of the amount required to be ap-
13 portioned to any State under each of paragraphs
14 (1), (3), and (4) of section 104(b) on October 1,
15 2002, if the State does not meet the requirements
16 of paragraph (3) on that date.

17 “(2) SUBSEQUENT FISCAL YEARS.—The Sec-
18 retary shall withhold 10 percent (including any
19 amounts withheld under paragraph (1)) of the
20 amount required to be apportioned to any State
21 under each of paragraphs (1), (3), and (4) of section
22 104(b) on October 1, 2003, and on October 1 of
23 each fiscal year thereafter, if the State does not
24 meet the requirements of paragraph (3) on that
25 date.

1 “(3) REQUIREMENTS.—A State meets the re-
2 quirements of this paragraph if the State has en-
3 acted and is enforcing a law providing that an indi-
4 vidual who has an alcohol concentration of 0.08 per-
5 cent or greater while operating a motor vehicle in
6 the State is guilty of the offense of driving while in-
7 toxicated (or an equivalent offense that carries the
8 greatest penalty under the law of the State for oper-
9 ating a motor vehicle after having consumed alco-
10 hol).

11 “(b) PERIOD OF AVAILABILITY; EFFECT OF COMPLI-
12 ANCE AND NONCOMPLIANCE.—

13 “(1) PERIOD OF AVAILABILITY OF WITHHELD
14 FUNDS.—

15 “(A) FUNDS WITHHELD ON OR BEFORE
16 SEPTEMBER 30, 2004.—Any funds withheld
17 under subsection (a) from apportionment to any
18 State on or before September 30, 2004, shall
19 remain available until the end of the third fiscal
20 year following the fiscal year for which the
21 funds are authorized to be appropriated.

22 “(B) FUNDS WITHHELD AFTER SEPTEMBER
23 30, 2004.—No funds withheld under this
24 section from apportionment to any State after

1 September 30, 2004, shall be available for ap-
2 portionment to the State.

3 “(2) APPORTIONMENT OF WITHHELD FUNDS
4 AFTER COMPLIANCE.—If, before the last day of the
5 period for which funds withheld under subsection (a)
6 from apportionment are to remain available for ap-
7 portionment to a State under paragraph (1)(A), the
8 State meets the requirements of subsection (a)(3),
9 the Secretary shall, on the first day on which the
10 State meets the requirements, apportion to the State
11 the funds withheld under subsection (a) that remain
12 available for apportionment to the State.

13 “(3) PERIOD OF AVAILABILITY OF SUBSE-
14 QUENTLY APPORTIONED FUNDS.—

15 “(A) IN GENERAL.—Any funds appor-
16 tioned under paragraph (2) shall remain avail-
17 able for expenditure until the end of the third
18 fiscal year following the fiscal year in which the
19 funds are so apportioned.

20 “(B) TREATMENT OF CERTAIN FUNDS.—
21 Sums not obligated at the end of the period re-
22 ferred to in subparagraph (A) shall lapse.

23 “(4) EFFECT OF NONCOMPLIANCE.—If, at the
24 end of the period for which funds withheld under
25 subsection (a) from apportionment are available for

1 apportionment to a State under paragraph (1)(A),
2 the State does not meet the requirements of sub-
3 section (a)(3), the funds shall lapse.”.

4 (b) CONFORMING AMENDMENT.—The analysis for
5 subchapter I of chapter 1 of title 23, United States Code,
6 is amended by adding at the end the following:

“165. National standard to prohibit operation of motor vehicles by intoxicated
individuals.”.

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