

111TH CONGRESS  
2D SESSION

# S. 3039

To prevent drunk driving injuries and fatalities, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

FEBRUARY 25, 2010

Mr. UDALL of New Mexico (for himself and Mr. CORKER) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## A BILL

To prevent drunk driving injuries and fatalities, and for other purposes.

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 “Research of Alcohol  
5 Detection Systems for Stopping Alcohol-related Fatalities  
6 Everywhere Act of 2010” or the “ROADS SAFE Act of  
7 2010”.

8 **SEC. 2. FINDINGS.**

9 Congress finds the following:

1           (1) Alcohol-impaired driving fatalities represent  
2 approximately  $\frac{1}{3}$  of all highway fatalities in the  
3 United States in a given year.

4           (2) In 2008, there were 11,773 alcohol-im-  
5 paired driving fatalities.

6           (3) An estimated 9,000 road traffic deaths  
7 could be prevented every year if alcohol detection  
8 technologies were more widely used to prevent alco-  
9 hol-impaired drivers from operating their vehicles.

10           (4) The National Highway Traffic Safety Ad-  
11 ministration has partnered with automobile manu-  
12 facturers to develop alcohol detection technologies  
13 that could be installed in vehicles to prevent drunk  
14 driving.

15           (5) Alcohol detection technologies will not be  
16 widely accepted by the public unless they are mod-  
17 erately priced, absolutely reliable, and set at a level  
18 that would not prevent a driver whose blood alcohol  
19 content is less than the legal limit from operating a  
20 vehicle.

21 **SEC. 3. DRIVER ALCOHOL DETECTION SYSTEM FOR SAFETY**  
22 **RESEARCH.**

23           (a) IN GENERAL.—The Administrator of the Na-  
24 tional Highway Traffic Safety Administration shall carry  
25 out a collaborative research effort under section 301 of

1 title 49, United States Code, to continue to explore the  
 2 feasibility and the potential benefits of, and the public pol-  
 3 icy challenges associated with, more widespread deploy-  
 4 ment of in-vehicle technology to prevent alcohol-impaired  
 5 driving.

6 (b) REPORTS.—The Administrator shall submit a re-  
 7 port annually to the Senate Committee on Commerce,  
 8 Science, and Transportation and the House of Represent-  
 9 atives Committee on Energy and Commerce—

10 (1) describing progress in carrying out the col-  
 11 laborative research effort; and

12 (2) including an accounting for the use of Fed-  
 13 eral funds obligated or expended in carrying out that  
 14 effort.

15 **SEC. 4. DEFINITIONS.**

16 In this Act:

17 (1) ALCOHOL-IMPAIRED DRIVING.—The term  
 18 “alcohol-impaired driving” means operation of a  
 19 motor vehicle (as defined in section 30102(a)(6) of  
 20 title 49, United States Code) by an individual whose  
 21 blood alcohol content is at or above the legal limit.

22 (2) LEGAL LIMIT.—The term “legal limit”  
 23 means a blood alcohol concentration of 0.08 percent  
 24 or greater (as specified by section 163 of title 23,  
 25 United States Code) or such other percentage limita-

1       tion as may be established by applicable Federal,  
2       State, or local law.

3       **SEC. 5. APPLICATION WITH OTHER LAWS.**

4       Nothing in this Act shall be construed to modify or  
5       otherwise affect any Federal, State, or local government  
6       law, civil or criminal, with respect to the operation of a  
7       motor vehicle.

8       **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

9       (a) IN GENERAL.—There are authorized to be appro-  
10      priated out of the Highway Trust Fund (other than the  
11      Mass Transit Account) \$12,000,000 for each of fiscal  
12      years 2011 through 2015 to carry out the collaborative  
13      research effort under section 3(a).

14      (b) EXCESS FUNDS.—Any amounts appropriated  
15      pursuant to subsection (a) that are not needed to carry  
16      out collaborative research under section 3(a) may be used  
17      by the Secretary of Transportation for highway safety re-  
18      search in accordance with section 301 of title 49, United  
19      States Code, and section 403 of title 23, United States  
20      Code.

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