

113<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5025

To amend chapter 1 of title 23, United States Code, to condition the receipt of certain highway funding by States on the enactment and enforcement by States of certain laws to prevent repeat intoxicated driving.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 8, 2014

Mrs. LOWEY introduced the following bill; which was referred to the  
Committee on Transportation and Infrastructure

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## A BILL

To amend chapter 1 of title 23, United States Code, to condition the receipt of certain highway funding by States on the enactment and enforcement by States of certain laws to prevent repeat intoxicated driving.

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 “Alisa’s Law of 2014”.

1 **SEC. 2. USE OF IGNITION INTERLOCK DEVICES TO PRE-**  
2 **VENT REPEAT INTOXICATED DRIVING.**

3 (a) IN GENERAL.—Chapter 1 of title 23, United  
4 States Code, is amended by adding at the end the fol-  
5 lowing:

6 **“§ 171. Use of ignition interlock devices to prevent re-**  
7 **peat intoxicated driving**

8 “(a) DEFINITIONS.—In this section:

9 “(1) ALCOHOL CONCENTRATION.—The term  
10 ‘alcohol concentration’ means grams of alcohol per  
11 100 milliliters of blood or grams of alcohol per 210  
12 liters of breath.

13 “(2) DRIVING WHILE INTOXICATED; DRIVING  
14 UNDER THE INFLUENCE.—The terms ‘driving while  
15 intoxicated’ and ‘driving under the influence’ mean  
16 driving or being in actual physical control of a motor  
17 vehicle in a State while having a blood alcohol con-  
18 centration that is greater than or equal to the lesser  
19 of—

20 “(A) the blood alcohol concentration limit  
21 of the State in which the individual is driving;  
22 and

23 “(B) 0.08 percent.

24 “(3) IGNITION INTERLOCK DEVICE.—The term  
25 ‘ignition interlock device’ means an in-vehicle device  
26 that—

1           “(A) requires a driver to provide a breath  
2           sample prior to the motor vehicle starting; and

3           “(B) prevents a motor vehicle from start-  
4           ing if the alcohol concentration of the driver is  
5           above the legal limit.

6           “(4) MOTOR VEHICLE.—

7           “(A) IN GENERAL.—The term ‘motor vehi-  
8           cle’ means a vehicle driven or drawn by me-  
9           chanical power and manufactured primarily for  
10          use on public highways.

11          “(B) EXCLUSIONS.—The term ‘motor vehi-  
12          cle’ does not include—

13                   “(i) a vehicle operated solely on a rail  
14                   line; or

15                   “(ii) a commercial vehicle.

16          “(b) LAWS REQUIRING IGNITION INTERLOCK DE-  
17          VICES.—A State meets the requirements of this subsection  
18          if the State has enacted and is enforcing a law that re-  
19          quires throughout the State the installation of an ignition  
20          interlock device for a minimum of 180 days on each motor  
21          vehicle operated by an individual who is convicted of driv-  
22          ing while intoxicated or driving under the influence.

23          “(c) WITHHOLDING OF FUNDS FOR NONCOMPLI-  
24          ANCE.—

1           “(1) FISCAL YEAR 2015.—On October 1, 2014,  
2           the Secretary shall withhold 1 percent of the amount  
3           required to be apportioned to a State under each of  
4           paragraphs (1) and (2) of section 104(b) if the State  
5           does not meet the requirements of subsection (b).

6           “(2) FISCAL YEAR 2016.—On October 1, 2015,  
7           the Secretary shall withhold 3 percent of the amount  
8           required to be apportioned to a State under each of  
9           paragraphs (1) and (2) of section 104(b) if the State  
10          does not meet the requirements of subsection (b).

11          “(3) FISCAL YEAR 2017 AND THEREAFTER.—On  
12          October 1, 2016, and on October 1 of each fiscal  
13          year thereafter, the Secretary shall withhold 5 per-  
14          cent of the amount required to be apportioned to a  
15          State under each of paragraphs (1) and (2) of sec-  
16          tion 104(b) if the State does not meet the require-  
17          ments of subsection (b).

18          “(d) PERIOD OF AVAILABILITY OF WITHHELD  
19          FUNDS; EFFECT OF COMPLIANCE AND NONCOMPLI-  
20          ANCE.—

21                 “(1) PERIOD OF AVAILABILITY OF WITHHELD  
22          FUNDS.—Any funds withheld under subsection (c)  
23          from apportionment to a State shall remain available  
24          for apportionment to the State until the end of the

1 third fiscal year following the fiscal year for which  
2 the funds are authorized to be appropriated.

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

14 “(3) PERIOD OF AVAILABILITY OF SUBSE-  
15 QUENTLY APPORTIONED FUNDS.—Any funds appor-  
16 tioned pursuant to paragraph (2)—

17 “(A) shall remain available for expenditure  
18 until the end of the third fiscal year following  
19 the fiscal year in which the funds are so appor-  
20 tioned; and

21 “(B) if not apportioned at the end of that  
22 period, shall lapse.

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

1       apportionment to a State under paragraph (1), the  
2       State does not meet the requirements of subsection  
3       (b), the funds shall lapse.”.

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

“171. Use of ignition interlock devices to prevent repeat intoxicated driving.”.

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