

115TH CONGRESS
1ST SESSION

H. R. 3374

To improve the safety of individuals by taking measures to end drunk driving.

IN THE HOUSE OF REPRESENTATIVES

JULY 24, 2017

Miss RICE of New York introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To improve the safety of individuals by taking measures
to end drunk 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 “End Drunk Driving
5 Act of 2017”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) Alcohol-impaired driving fatalities represent
2 approximately one-third of all highway fatalities in
3 the United States in a given year.

4 (2) First offenders were responsible for 75 per-
5 cent of drunk driving arrests and 25 percent were
6 from repeat offenders.

7 (3) In 2013, there were 10,076 alcohol-im-
8 paired driving fatalities in the United States.

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

14 (5) An estimated 59,000 lives and
15 \$343,000,000,000 may be saved over a 15-year pe-
16 riod by the widespread installation of alcohol detec-
17 tion technologies in motor vehicles.

18 **SEC. 3. ADVANCED TECHNOLOGY TO END DRUNK DRIVING.**

19 (a) IN GENERAL.—Not later than 10 years after the
20 date of enactment of this Act, the Secretary shall issue
21 a final rule prescribing or amending a Federal motor vehi-
22 cle safety standard that would prevent operation of a
23 motor vehicle when the operator is under the influence of
24 alcohol. The standard—

1 (1) shall prevent the operation of the motor ve-
2 hicle if the operator’s blood alcohol content is above
3 the legal limit; and

4 (2) shall require such technology to be—

5 (A) reliable and accurate;

6 (B) set at the legal limit;

7 (C) unobtrusive and fast;

8 (D) tamper-proof/circumvention-resistant;

9 (E) functionary in extreme environments

10 (both hot and cold); and

11 (F) easily maintained.

12 **SEC. 4. FUNDING AND PLANS FOR DRIVER ALCOHOL DE-**
13 **TECTION SYSTEM FOR SAFETY RESEARCH.**

14 Section 403(h) of title 23, United States Code, is
15 amended—

16 (1) by striking paragraph (2) and inserting the
17 following:

18 “(2) FUNDING.—To carry out this subsection,
19 the Secretary shall obligate from funds made avail-
20 able to carry out this section—

21 “(A) \$12,000,000 for each of fiscal years
22 2018 and 2019;

23 “(B) \$16,000,000 for each of fiscal years
24 2020 and 2021; and

1 “(C) \$20,000,000 for each of years 2022
2 through 2027.”; and

3 (2) in paragraph (4)—

4 (A) in subparagraph (A) by striking “and”
5 at the end;

6 (B) by redesignating subparagraph (B) as
7 subparagraph (C); and

8 (C) by inserting after subparagraph (A)
9 the following:

10 “(B) outlines the Administration’s plans to
11 expedite research and development of this tech-
12 nology; and”.

13 **SEC. 5. USE OF IGNITION INTERLOCK DEVICES TO PRE-**
14 **VENT REPEAT INTOXICATED DRIVING.**

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

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

20 “(a) DEFINITIONS.—In this section:

21 “(1) ALCOHOL CONCENTRATION.—The term
22 ‘alcohol concentration’ means grams of alcohol per
23 100 milliliters of blood or grams of alcohol per 210
24 liters of breath.

1 “(2) DRIVING WHILE INTOXICATED; DRIVING
2 UNDER THE INFLUENCE.—The terms ‘driving while
3 intoxicated’ and ‘driving under the influence’ mean
4 driving or being in actual physical control of a motor
5 vehicle in a State while having a blood alcohol con-
6 centration that is greater than or equal to the lesser
7 of—

8 “(A) the blood alcohol concentration limit
9 of the State in which the individual is driving;
10 or

11 “(B) 0.08 percent.

12 “(3) IGNITION INTERLOCK DEVICE.—The term
13 ‘ignition interlock device’ means an in-vehicle device
14 that—

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

17 “(B) prevents a motor vehicle from start-
18 ing if the alcohol concentration of the driver is
19 above the legal limit.

20 “(4) MOTOR VEHICLE.—

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

1 “(B) EXCLUSIONS.—The term ‘motor vehi-
2 ele’ does not include—

3 “(i) a vehicle operated solely on a rail
4 line; or

5 “(ii) a commercial vehicle.

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

13 “(c) WITHHOLDING OF FUNDS FOR NONCOMPLI-
14 ANCE.—

15 “(1) FISCAL YEAR 2019.—On October 1, 2018,
16 the Secretary shall withhold 1 percent of the amount
17 required to be apportioned to a State under each of
18 paragraphs (1) and (2) of section 104(b) if the State
19 does not meet the requirements of subsection (b) of
20 this section.

21 “(2) FISCAL YEAR 2020.—On October 1, 2019,
22 the Secretary shall withhold 3 percent of the amount
23 required to be apportioned to a State under each of
24 paragraphs (1) and (2) of section 104(b) if the State

1 does not meet the requirements of subsection (b) of
2 this section.

3 “(3) FISCAL YEAR 2021 AND THEREAFTER.—On
4 October 1, 2020, and on October 1 of each fiscal
5 year thereafter, the Secretary shall withhold 5 per-
6 cent of the amount required to be apportioned to a
7 State under each of paragraphs (1) and (2) of sec-
8 tion 104(b) if the State does not meet the require-
9 ments of subsection (b) of this section.

10 “(d) PERIOD OF AVAILABILITY OF WITHHELD
11 FUNDS; EFFECT OF COMPLIANCE AND NONCOMPLI-
12 ANCE.—

13 “(1) PERIOD OF AVAILABILITY OF WITHHELD
14 FUNDS.—Any funds withheld under subsection (c)
15 from apportionment to a State shall remain available
16 for apportionment to the State until the end of the
17 third fiscal year following the fiscal year for which
18 the funds are authorized to be appropriated.

19 “(2) APPORTIONMENT OF WITHHELD FUNDS
20 AFTER COMPLIANCE.—If, before the last day of the
21 period for which funds withheld under subsection (c)
22 from apportionment are to remain available for ap-
23 portionment to a State under paragraph (1), the
24 State meets the requirements of subsection (b), the
25 Secretary shall, on the first day on which the State

1 meets the requirements of subsection (b), apportion
2 to the State the funds withheld under subsection (c)
3 that remain available for apportionment to the
4 State.

5 “(3) PERIOD OF AVAILABILITY OF SUBSE-
6 QUENTLY APPORTIONED FUNDS.—Any funds appor-
7 tioned pursuant to paragraph (2)—

8 “(A) shall remain available for expenditure
9 until the end of the third fiscal year following
10 the fiscal year in which the funds are so appor-
11 tioned; and

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

14 “(4) EFFECT OF NONCOMPLIANCE.—If, at the
15 end of the period for which funds withheld under
16 subsection (c) from apportionment are available for
17 apportionment to a State under paragraph (1), the
18 State does not meet the requirements of subsection
19 (b), the funds shall lapse.”.

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

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

23 **SEC. 6. DEFINITIONS.**

24 In this Act, the following definitions apply:

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

6 (2) LEGAL LIMIT.—The term “legal limit”
7 means a blood alcohol concentration of—

8 (A) 0.08 percent or greater (as specified in
9 section 163(a) of title 23, United States Code);
10 or

11 (B) such other percentage limitation as
12 may be established by applicable Federal, State,
13 or local law.

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