

116TH CONGRESS  
1ST SESSION

# H. R. 3011

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

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## IN THE HOUSE OF REPRESENTATIVES

MAY 23, 2019

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

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## 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 2019”.

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 are responsible for approxi-  
5           mately two-thirds of drunk driving arrests and one-  
6           third are from repeat offenders.

7           (3) In 2017, there were 10,874 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 shall—

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

4           (2) 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. USE OF IGNITION INTERLOCK DEVICES TO PRE-**  
13 **VENT REPEAT INTOXICATED DRIVING.**

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

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

19           “(a) DEFINITIONS.—In this section:

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

24                   “(2) DRIVING WHILE INTOXICATED; DRIVING  
25 UNDER THE INFLUENCE.—The terms ‘driving while

1       intoxicated’ and ‘driving under the influence’ mean  
2       driving or being in actual physical control of a motor  
3       vehicle in a State while having a blood alcohol con-  
4       centration that is greater than or equal to the lesser  
5       of—

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

9               “(B) 0.08 percent.

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

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

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

18              “(4) MOTOR VEHICLE.—

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

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

1                   “(i) a vehicle operated solely on a rail  
2                   line; or

3                   “(ii) a commercial vehicle.

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

11           “(c) WITHHOLDING OF FUNDS FOR NONCOMPLI-  
12 ANCE.—

13           “(1) FISCAL YEAR 2022.—On October 1, 2021,  
14           the Secretary shall withhold 1 percent of the amount  
15           required to be apportioned to a State under each of  
16           paragraphs (1) and (2) of section 104(b) if the State  
17           does not meet the requirements of subsection (b) of  
18           this section.

19           “(2) FISCAL YEAR 2023.—On October 1, 2022,  
20           the Secretary shall withhold 3 percent of the amount  
21           required to be apportioned to a State under each of  
22           paragraphs (1) and (2) of section 104(b) if the State  
23           does not meet the requirements of subsection (b) of  
24           this section.

1           “(3) FISCAL YEAR 2024 AND THEREAFTER.—On  
2           October 1, 2023, and on October 1 of each fiscal  
3           year thereafter, the Secretary shall withhold 5 per-  
4           cent of the amount required to be apportioned to a  
5           State under each of paragraphs (1) and (2) of sec-  
6           tion 104(b) if the State does not meet the require-  
7           ments of subsection (b) of this section.

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

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

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

1 that remain available for apportionment to the  
2 State.

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

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

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

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

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

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

21 **SEC. 5. DEFINITIONS.**

22 In this Act, the following definitions apply:

23 (1) ALCOHOL-IMPAIRED DRIVING.—The term  
24 “alcohol-impaired driving” means operation of a  
25 motor vehicle (as defined in section 30102(a)(6) of

1 title 49, United States Code) by an individual whose  
2 blood alcohol content is at or above the legal limit.

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

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

7 or

8 (B) such other percentage limitation as  
9 may be established by applicable Federal, State,  
10 or local law.

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