

117TH CONGRESS
1ST SESSION

H. R. 762

To amend title 23, United States Code, to require the Secretary of Transportation to provide States applying for distracted driving grants an explanation of the eligibility decision with respect to such State, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 3, 2021

Mr. KRISHNAMOORTHY (for himself, Mr. COHEN, and Mr. GALLAGHER) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend title 23, United States Code, to require the Secretary of Transportation to provide States applying for distracted driving grants an explanation of the eligibility decision with respect to such State, 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 “States Afforded Fund-
5 ing Extensions To Oppose Driving Recklessly In Vehicular
6 Engagements Act” or the “SAFE TO DRIVE Act”.

1 **SEC. 2. NATIONAL PRIORITY SAFETY PROGRAMS.**

2 Section 405(e) of title 23, United States Code, is
3 amended—

4 (1) by striking paragraph (6) and inserting the
5 following:

6 “(6) ADDITIONAL DISTRACTED DRIVING
7 GRANTS.—

8 “(A) IN GENERAL.—Notwithstanding para-
9 graph (1), the Secretary shall use up to 25 per-
10 cent of the amounts available for grants under
11 this subsection to award grants to any State
12 otherwise ineligible under this subsection that
13 certifies that such State has enacted a statute
14 that—

15 “(i) is applicable to drivers of all ages;

16 “(ii) makes a violation of the statute
17 a primary offense; and

18 “(iii) prohibits—

19 “(I) texting, as defined in para-
20 graph (10)(E); or

21 “(II) non-navigational viewing of
22 a personal wireless communication de-
23 vice.

24 “(B) USE OF GRANT FUNDS.—Notwith-
25 standing paragraph (5), amounts received by a
26 State under subparagraph (A) may be used for

1 activities related to the enforcement of dis-
2 tracted driving laws, including for public infor-
3 mation and awareness purposes.”;

4 (2) by redesignating paragraph (9) as para-
5 graph (10); and

6 (3) by inserting after paragraph (8) the fol-
7 lowing:

8 “(9) DETERMINATIONS OF GRANT ELIGI-
9 BILITY.—

10 “(A) EXPLANATION OF DETERMINA-
11 TION.—In making an eligibility determination
12 in granting or denying an application of a State
13 for a grant under this subsection, the Secretary
14 shall provide each applicant State with an ex-
15 planation of such determination, including an
16 explanation of whether each section of the stat-
17 ute submitted with such application met or did
18 not meet the requirements for a grant under
19 this subsection.

20 “(B) AVAILABILITY OF DETERMINATION.—
21 Not later than 60 days after granting or deny-
22 ing an application for a grant under this sub-
23 section, the Secretary shall make the deter-
24 mination under subparagraph (A) publicly

1 available on the Department of Transportation
2 website.”.

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