

112TH CONGRESS
1ST SESSION

H. R. 2324

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

IN THE HOUSE OF REPRESENTATIVES

JUNE 23, 2011

Mrs. CAPITO (for herself, Mr. SHULER, and Mr. SARBANES) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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 2011” or the “ROADS SAFE Act of
7 2011”.

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 2009, there were 10,839 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 Section 410 of title 23, United States Code, is
24 amended—

1 (1) by redesignating subsections (h) and (i) as
2 subsections (i) and (j), respectively;

3 (2) by inserting after subsection (g) the fol-
4 lowing:

5 “(h) DRIVER ALCOHOL DETECTION SYSTEM.—

6 “(1) IN GENERAL.—The Administrator of the
7 National Highway Traffic Safety Administration
8 shall carry out a collaborative research effort under
9 chapter 301 of title 49 to continue to explore the
10 feasibility and the potential benefits of, and the pub-
11 lic policy challenges associated with, more wide-
12 spread deployment of in-vehicle technology to pre-
13 vent alcohol-impaired driving.

14 “(2) REPORT.—The Administrator shall annu-
15 ally submit a report to the Committee on Commerce,
16 Science, and Transportation of the Senate and the
17 Committee on Energy and Commerce of the House
18 of Representatives that—

19 “(A) describes progress in carrying out the
20 collaborative research effort; and

21 “(B) includes an accounting of the use of
22 Federal funds obligated or expended in carrying
23 out that effort.

24 “(3) APPLICATION WITH OTHER LAWS.—Noth-
25 ing in this subsection may be construed to modify or

1 otherwise affect any Federal, State, or local govern-
2 ment law (civil or criminal), with respect to the op-
3 eration of a motor vehicle.

4 “(4) FUNDING.—

5 “(A) IN GENERAL.—Notwithstanding any
6 other provision of law, \$12,000,000 of any
7 amounts made available to the Secretary under
8 section 406 for each of the fiscal years 2012
9 through 2016 shall be made available to carry
10 out this subsection in place of any other
11 amounts that are otherwise available to carry
12 out this section.

13 “(B) LIMITATION.—No amount of funding
14 shall be made available under this paragraph
15 for any fiscal year in which no funds are made
16 available to carry out any program authorized
17 under section 406.”; and

18 (3) in subsection (j), as redesignated—

19 (A) by redesignating paragraph (3) as
20 paragraph (7);

21 (B) by redesignating paragraph (2) as
22 paragraph (3);

23 (C) by redesignating paragraphs (4) and
24 (5) as paragraphs (5) and (4), respectively;

1 (D) by inserting after paragraph (1) the
2 following:

3 “(2) ALCOHOL-IMPAIRED DRIVING.—The term
4 ‘alcohol-impaired driving’ means operation of a
5 motor vehicle (as defined in section 30102(a)(6) of
6 title 49) by an individual whose blood alcohol con-
7 tent is at or above the legal limit.”; and

8 (E) by inserting after paragraph (5), as re-
9 designated, the following:

10 “(6) LEGAL LIMIT.—The term ‘legal limit’
11 means a blood alcohol concentration of 0.08 percent
12 or greater (as specified by chapter 163 of this title)
13 or such other percentage limitation as may be estab-
14 lished by applicable Federal, State, or local law.”.

○