

112TH CONGRESS  
1ST SESSION

# S. 510

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

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## IN THE SENATE OF THE UNITED STATES

MARCH 8, 2011

Mr. UDALL of New Mexico (for himself, Mr. CORKER, Mr. BROWN of Ohio, Mr. BEGICH, Ms. KLOBUCHAR, Mr. WHITEHOUSE, Mr. FRANKEN, Mr. ROCKEFELLER, and Mr. SCHUMER) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## A BILL

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

**1 SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Research of Alcohol  
3 Detection Systems for Stopping Alcohol-related Fatalities  
4 Everywhere Act of 2011” or the “ROADS SAFE Act of  
5 2011”.

**6 SEC. 2. FINDINGS.**

7 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.”.

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