

114TH CONGRESS  
2D SESSION

# H. R. 4373

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

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 12, 2016

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 2016”.

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 2017 and 2018;

23 “(B) \$16,000,000 for each of fiscal years  
24 2019 and 2020; and

1 “(C) \$20,000,000 for each of years 2021  
2 through 2026.”; 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 2017.—On October 1, 2016,  
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 2018.—On October 1, 2017,  
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 2019 AND THEREAFTER.—On  
4 October 1, 2018, 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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