

# **Interlocks**

**and the**

# **Three Bears**

## **A SAFETEA-LU Update**

**“There are two things you don’t want  
to see being made—  
sausage and legislation.”**

**Otto von Bismarck (1815-1898)**

# The Story of Interlocks

and the

~~Three~~ **535** Bears



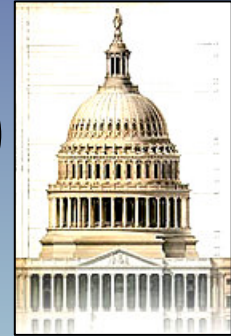
Once upon a time,  
**Interlocks**  
went for a walk  
in the forest  
with friends



&



Pretty soon,  
**Interlocks** and friends  
came upon  
a House (and a Senate)



**Interlocks** knocked  
but no one answered. So,  
the friends walked right in.

On the table in the kitchen,  
there were three bowls  
of porridge.

**Interlocks** and friends  
were hungry.



**Interlocks** and friends  
tasted the porridge from the  
“2004” bowl.

“This porridge is too **Cold!**”  
**Interlocks** exclaimed.

No one got to  
eat the porridge.

**Interlocks** tasted the porridge  
from the “2005” bowl.

“This porridge is too **HOT!**”  
exclaimed **Interlocks**,  
“but some of it seems  
to be okay!”

The Highway Safety Friends  
finally got something to eat.

**Interlocks** took a taste from  
the “2006” bowl.

“This porridge is a little stale,  
but it’s all there is.

It will have to be just right!”  
she exclaimed.

Just then, **Interlocks**  
heard a noise outside...

“Oh no!”

**Interlocks** screamed.

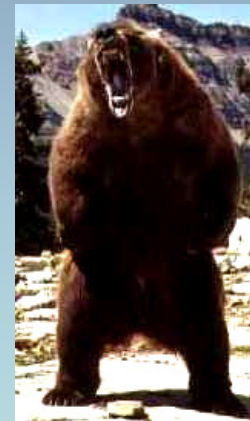
“Those 535 bears are  
returning to the House

(and Senate),

and some are


**ANGRY**

about the Election!”



Will those 535 bears  
get along so that  
**Interlocks**  
and her Highway  
Safety Friends  
finally get  
a real meal?



**Interlocks** and friends  
have about 30 days  
to grab the  porridge,  
and run out of the  
House (and Senate)  
ahead of  
the **ANGRY** bears...

...to be continued...

# So what is this porridge, anyway?

Offer states an alternative to TEA21's 1 year mandatory suspension of **ALL** driving privileges for Repeat DWI Offenders (23 U.S. Code 164).

- ✓ Require a short “hard” suspension period.
- ✓ Require an ignition interlock restricted license for the balance of the 1 year or longer suspension period.

Provide \$\$\$ incentives to states to use Ignition Interlocks to protect their citizens from alcohol impaired drivers. (23 U.S.C 410)

# 2005 Bowl has some food for **Interlocks & Friends!**

## SAFETEA-LU 2005

### Title 23 USC Section 410-Incentive Grants

#### Eight Criteria to receive incentive funds

- In FY **2006** a state must meet **3 of 8** criteria
- In FY **2007** a state must meet **4 of 8** criteria
- In FY **2008 & 2009** a state must meet **5 of 8** criteria

### Criteria

#### A. High Visibility Impaired Driving Enforcement Program

- Statewide law enforcement campaigns--Sobriety checkpoints, or Saturation patrols

#### B. Prosecution and Adjudication Outreach Program

- State must work to reduce use of diversion programs by educating judges and prosecutors
- A majority of courts are monitored on adjudication of impaired driving offenses
- Conduct an annual statewide outreach to judges and prosecutors on innovative approaches to prosecution and adjudication of impaired driving offenses

#### C. BAC Testing Program

- Effective system for increasing from the previous year the rate of BAC testing of drivers in fatal crashes

# Eight Criteria to receive 410 Incentive Funds (cont.)

## D. High Risk Drivers Program

- **Stronger sanctions for conviction if BAC 0.15 or above**
  - **1-year suspension with eligibility after 45-days for an ignition interlock restricted license to drive to and from work, school, alcohol treatment or IID service facility for 320 days**
- **Mandatory assessment of the individual's alcohol abuse problem**

## E. Alcohol Rehabilitation or DWI Court Program for repeat high risk offenders

- Effective inpatient and outpatient rehab program with mandatory assessments and referral for 2nd or subsequent DWI within 5 years, or State sanctioned DWI Court for high risk offenders (BAC 0.15+ and repeat offenders)
- Set up DWI Courts (add 1 per year)
- DWI Courts must abide by "Ten Guiding Principles of DWI Courts"

## F. Underage Drinking Prevention Program

- Effective program to prevent operators under age 21 from obtaining alcoholic beverages for example:
  - Tamper resistant under 21 driver's licenses easily distinguishable from older drivers-- Program to train point of sale people--Law in effect creating a 0.02 BAC limit for drivers under 21

## G. Administrative Driver's License Suspension or Revocation

- **First Offense test failure or refusal**
  - **Suspend ALL driving privileges for not less than 90 days, or**
  - **Not less than 15 days, followed immediately by 75 days of an ignition interlock restricted license to drive to and from work, school, an alcohol treatment program, or an IID service facility.**
- **Repeat Offender**
  - **Suspend or revoke ALL driving privileges for not less than 1-year, or**
  - **Not less than 45 days followed immediately by a period of 320 days of an ignition interlock restricted license to drive to and from work, school, an alcohol treatment program, or an IID service facility.**

## H. Self Sustaining Impaired Driving Prevention Program

- At least 90% of the fines or surcharges collected from impaired driving offenders is returned to communities for comprehensive programs for the prevention of impaired driving

# 2006's "Just Right" Bowl

In September 2006, the US House passed HR 6233  
Technical Correction to SAFETEA-LU

Here's the "porridge" for **Interlocks** and the "Highway Safety Friends:"

**SEC. 115. DEFINITION OF REPEAT INTOXICATED DRIVER LAW.**

*Section 164(a)(5) of title 23, United States Code, is amended by striking subparagraphs (A) and (B) and inserting the following:*

*(A) receive--*

*(i) a driver's license suspension for not less than 1 year; or*

*(ii) a combination of suspension of all driving privileges for the first 45 days of the suspension period followed by a reinstatement of limited driving privileges for the purpose of getting to and from work, school, or an alcohol treatment program if an ignition interlock device is installed on each of the motor vehicles owned or operated, or both, by the individual;*

*(B) be subject to the impoundment or immobilization of, or the installation of an ignition interlock system on, each motor vehicle owned or operated by the individual.*

# HR 6233

- Passed House had been expected to pass the Senate prior to October adjournment
- “Other Matters” occupied Senate prior to adjournment
- Still expected to pass the Senate,
  - hopefully without changes,
  - after the November 7<sup>th</sup> Election,
  - and before December adjournment.



- Let's all hope the Bears get along well enough to feed **Interlocks** and her **“Highway Safety Friends!”**

# Ignition Interlocks and SAFETEA-LU

**Interlocks** asked me to thank  
all her Highway Safety Friends  
who work so hard  
(and in some cases, so long),  
to increase the use of ignition interlocks  
to make the world's highways safer!



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