



**MADD**

Activism | Victim Services | Education

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**Statement of Laura Dean Mooney  
President**

**Mothers Against Drunk Driving  
*Regarding***

**“Improving Highway Safety: Assessing the Effectiveness of NHTSA’s Highway  
Traffic Safety Programs”**

**Subcommittee on Highways and Transit**

**House Committee on Transportation and Infrastructure**

**July 16, 2008**

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**Regarding**  
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Chairman DeFazio, Ranking Member Duncan, and members of the subcommittee. Thank you for the opportunity to testify before your subcommittee on the important topic of improving highway safety.

Mr. Chairman, I am pleased to report that significant progress has been made to reduce drunk driving, with a 44 percent reduction in alcohol-related fatalities since 1980 when MADD was founded. This reduction would not be possible without the hard work of law enforcement, prosecutors, NHTSA, state highway safety offices, and others. MADD thanks them as well as you and this committee for leadership on this issue. Perhaps most important, MADD would like to thank the American people, who demanded that progress be made. This has truly been a team effort.

Mr. Chairman, MADD would like to thank the committee for recognizing the seriousness of the impaired driving problem by including programs, studies and funding increases in SAFETEA-LU that target this issue. MADD also would like to commend this committee for including language in the recently passed SAFETEA-LU technical corrections bill which allows states to require interlock devices for repeat offenders after 45 days of hard license suspension. This gives more options to legislators, judges and enforcement teams at the state level.

### **How I Came to MADD**

For more than 16 years, I have worked as a volunteer to try and advance MADD’s mission at the local, state, and national levels.

I became involved with MADD after my husband, Mike Dean, was killed in Texas by a drunk driver leaving me to raise our 8-month old daughter alone. On November 21, 1991, Mike left a business meeting in Oklahoma and drove to the Dallas-Fort Worth area to visit his family.

At 7:15 p.m., a drunk driver going the wrong way on a Texas highway met Mike’s car head on, killing him instantly. The offender, who died at the crash scene, had a BAC of .34 and was driving with an almost empty bottle of Jim Beam whiskey in the vehicle.

Mr. Chairman, as you know this must not be tolerated. In the fight against drunk driving, we must be honest with ourselves. Most of the progress on drunk driving occurred by the mid 1990's thanks to the 21 minimum drinking age, zero tolerance laws, the national .08 standard, administrative license revocation, and especially, tireless leadership by law enforcement.

### **National Statistics**

For the past 10 years, we have been able to sustain this progress, but we have made no further progress. In 2006, there were nearly 13,000 fatalities involving a driver or motorcycle operator with at least a .08 blood alcohol concentration (BAC) and nearly half a million injuries due to alcohol-related traffic crashes. In spite of our progress, there are still more than 1,000 families a month receiving a phone call that their loved one is not coming home due to a drunk driver. In total, there were 17,602 people killed in alcohol-related crashes in 2006 – more than the total number of murders and non-negligent manslaughters (17,034) occurring that year. The sad news is that while your efforts along with those of MADD and other groups have made drunk driving socially unacceptable, it is still tolerated. We simply must do better.

Statistics collected by NHTSA should frighten us all.

- Californians share the road with 310,971 drivers with three or more DUI convictions and 44,210 with five or more.
- In Florida, 108,853 are driving with three or more DUI convictions and 13,054 with five or more.
- In Alabama, there are 22,306 DUI offenders with five or more convictions and 54,043 people with three or more convictions. I should point out that Alabama is one of only three states that do not allow for the use of ignition interlocks.
- Arkansas is home to the single worst drunk driving offender with one individual accounting for more than 40 DUIs.

Faced with this dilemma, MADD looked carefully at the numbers -- each representing a precious life -- to decide what could be done to again reduce drunk driving fatalities and injuries. MADD kept in mind that if we continue doing the same things, we shouldn't expect a different outcome.

## **Campaign to Eliminate Drunk Driving**

Following only those solutions proven to work, MADD, alongside Department of Transportation Secretary Mary Peters, was pleased to announce the Campaign to Eliminate Drunk Driving on November 20, 2006. MADD is pleased to have NHTSA Administrator Nicole Nason serve as the honorary chairman of the Campaign.

The Campaign consists of four parts:

1. Intensive high-visibility law enforcement efforts including twice-yearly national crackdowns consisting of paid advertising to increase public awareness of frequent enforcement efforts that include sobriety checkpoints and saturation patrols in all 50 states.
2. Full implementation of current alcohol ignition interlock technologies, including efforts to require interlock devices for all convicted drunk drivers. A key part of this effort will be working with judges, prosecutors and state driver's license officials to stop the revolving door of repeat offenders.
3. Exploration of advanced vehicle technologies through the establishment of a Cooperative Research Agreement between NHTSA and leading automakers that is assessing the feasibility of a range of in-vehicle technologies intended to prevent drunk driving. Ultimately, any technologies put forth for the public must be voluntary, moderately priced, absolutely reliable, unobtrusive to the sober driver, and set at the illegal limit of .08.
4. Mobilization of grassroots support, led by MADD and its more than 400 affiliates, and our partners to make the elimination of drunk driving a reality. MADD is uniting drunk driving victims, families, community leaders, and policy makers in the fight to eliminate drunk driving.

## **Ignition Interlocks**

Mr. Chairman, the time for widespread adoption by states of ignition interlock laws for all convicted drunk drivers has come. Anyone who violates the public trust and drives drunk 27 years after everyone knows the consequences has earned the right for an alcohol ignition interlock device to be installed on their vehicle. The offender has to blow into the device before the car will start. The offender can still go to work, pick up his or her kids from school, or do anything the rest of us can do. They just can't drive after drinking, in violation of their probation.

Multiple studies on interlocks for both first-time and repeat offenders show decreases in repeat offenses (i.e. recidivism) of up to 65 percent while the interlock is on the vehicle.<sup>i</sup> For example, New Mexico, even before its new, more extensive first offender interlock program, found a decrease in recidivism by over 50 percent among first offenders who installed interlock devices.<sup>ii</sup> The more exciting results, however, are that alcohol

involved crashes are down 30 percent, injuries are down 32 percent, and fatalities are down 22 percent as a result of New Mexico's first offender program.

Currently, in addition to New Mexico, Arizona, Illinois, Louisiana, Washington, Nebraska, Colorado, and Alaska require ignition interlocks for all first-time convicted offenders. MADD uses the phrase first-time convicted because the most conservative studies say that impaired drivers have driven an average of 87 times drunk before being caught. New Mexico, who has had the law the longest, is seeing substantial reductions in alcohol-related crashes and fatalities.

MADD applauds the efforts of these states and will continue to work in state legislatures across the country to pass similar bills. This is our highest legislative priority.

I would also like to note that six states require ignition interlocks for drunk drivers convicted with a BAC of .15 and above as well as repeat offenders. This is an important step in the right direction, but interlocks still should be mandated for all offenders.

The committee will appreciate the fact that MADD's model law – similar to what was adopted by eight states – does not cost the taxpayer and instead requires the offender to pay for the interlock devices. The cost is between \$70-100 for installation and \$60-80 a month, or less than the cost of a drink a day, for service. In most cases, an indigent fund has been established to ensure that everyone receives this device. This is a small price to pay for a crime that costs the United States an estimated \$114.3 billion annually.

One of MADD's major concerns, and one that we hope to work with NHTSA to address, is the issue of the judiciary upholding and enforcing the law. MADD can work to pass a mandatory interlock law in all 50 states, but if the prosecutors do not prosecute and the judges do not mandate, then the law will not succeed. This is unacceptable and we must work to make sure that the good laws we pass are properly executed.

MADD supports substantial incentive grants for states that pass legislation requiring interlocks on all first time offenders with a BAC of at least .08. We feel this is the best way to persuade more states to require ignition interlocks to keep convicted drunk drivers from continuing to put the public at grave risk.

We do not support hard or soft sanctions on states for first offense interlocks at .08 for two reasons. Many states are actively considering this important measure already, and to be effectively implemented, the state must be sincerely committed to the overhaul of its judicial and driver licensing systems.

As your committee looks to the next traffic safety reauthorization, you should know that MADD also supports the consideration of transfer provisions or soft sanctions for states that do not have interlock laws for drivers convicted with a BAC of .15 and above and all repeat offenders. We do not support hard sanctions for states on this measure because major progress is being made.

MADD will continue to support hard sanctions for states on laws where the scientific value is overwhelming, the public support is strong, and the need for national uniformity is demonstrated. The 21 drinking age, the national .08 BAC standard, and zero tolerance laws for underage drinkers are excellent examples.

### **Comments on Current Law**

MADD also respectfully asks Congress to consider supporting increased funding for the Governors Highway Safety Program (currently referred to as the 402 program) and law enforcement in the next traffic safety reauthorization bill. Increased funding will ensure sufficient resources for high-visibility law enforcement including enforcement efforts of underage drinking laws.

MADD thanks the committee for creating the new High-Visibility Enforcement Program under SAFETEA-LU. This program funds paid national media campaigns to inform the public of increased traffic safety law enforcement efforts during certain high-risk times of the year. Public awareness of stepped-up enforcement is proven to increase seat belt use and decrease incidence of drunk driving.

We also believe increased federal funding is needed to help with a cooperative research initiative between the automotive industry and the federal government to support new technologies that may eventually prevent a vehicle from being started by drunk drivers. MADD does not support any mandate of this new technology, and we believe it is best pursued on a voluntary, market-driven basis over the next decade. We are pleased that many elements of the auto industry are full participants in this program.

MADD commends the committee for its previous work in funding the Alcohol-Impaired Driving Countermeasures grant program (commonly referred to as the 410 program) which provided \$555 million over five years to states to combat impaired driving. The program encourages states to adopt and implement specific criteria designed to reduce impaired driving. Qualifying states can use the grant funds to implement impaired driving countermeasures.

MADD is pleased that in FY 2007, every state qualified and received 410 program funds. We look forward to working with NHTSA, the Governors Highway Safety Association, and this committee to update and streamline the program during the reauthorization of SAFETEA-LU.

### **Support for the 21 Drinking Age**

Mr. Chairman, in closing, we wish to bring another important issue to the committee's attention. Quite unbelievably, there are some who continue to advocate lowering the drinking age back to 18. Data is unequivocal that the earlier youth drink, the more likely they are to become alcohol dependent later in life and to drive drunk.

There has been some recent debate about the 21 minimum drinking age in the media. I would like to submit for the record, statements from the American Medical Association, the National Transportation Safety Board, and the Insurance Institute for Highway Safety with regard to the science behind this law.

There is no controversy in the science. The science is overwhelming. NHTSA estimates the 21 law has saved 25,000 lives since implementation by the states. To repeal it would be disastrous and we hope that you, Mr. Chairman, and your colleagues in the House would make known your support for current law.

Because of the 21 minimum drinking age, 25,000 families somewhere will never know the tragedy of the call that comes at 2:00 a.m., or in my case 7:15 p.m., and says their husband, son or daughter, or loved one is not coming home. I know this tragedy first hand, and will make sure that MADD continues to fight so that others will not experience my tragedy.

### **Conclusion**

MADD believes the way to save lives and to move forward on drunk driving is through the support of the 21 law, interlock legislation for all convicted drunk drivers, support for law enforcement and eventually new technology that will prevent drunk drivers from driving.

Since 1980, together we have made drunk driving socially unacceptable, but unfortunately still tolerated. With interlocks, drunk driving is no longer tolerated. With advanced technology, it will be impossible. That is the march MADD is on, and one in which we invite the support of all Americans.

Mr. Chairman, again I would like to thank you for the opportunity to testify before your committee. MADD looks forward to working with you and this committee as you look to improve highway safety on our nation's roadways.

Thank you.

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<sup>i</sup> Willis, C., Lybrand, S., & Bellamy, N. "Alcohol Ignition Interlock Programs for Reducing Drunk Driving Recidivism." Cochran Database of Systematic Reviews (2005).

<sup>ii</sup> Voas, Robert, Paul Marques, and Richard Roth. "Evidence that Interlocks Are Effective with First Offenders.: 6<sup>th</sup> Annual Ignition Interlock Symposium, 2005.  
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