



DATE: February 4, 2013

TO: House Judiciary Committee

FROM: Anne Pratt – Public Policy Liaison

SUBJECT: House Bill 2117 - **SUPPORT**

Thank you Chair Barker and members of the committee for allowing Mothers Against Drunk Driving the opportunity to testify in support of legislation that will help stop impaired driving and fix loopholes in Oregon's drunk driving law.

MADD supports the use of ignition interlocks for convicted drunk drivers as these devices are one of the most effective measures available in stopping impaired driving. In Oregon, these devices are required for all convicted drunk drivers, and including those entering diversion agreements. However, a loophole exists where offenders ordered to get an interlock can wait out their interlock period and then apply for unrestricted driving privileges. HB 2117 would fix this loophole and MADD urges this committee to pass this legislation.

HB 2117 is a significant step forward and would greatly improve Oregon's Ignition Interlock Law. Ignition interlocks are supported by other traffic safety groups besides MADD. Last month, the National Transportation Safety Board, NTSB, and AAA recommended that all states require ignition interlocks for all convicted drunk drivers.

With an ignition interlock, offenders are still able to go to work, school, the grocery store, or anywhere else they want to go, without endangering the rest of us. They just can't drive while they are drunk. In addition, studies show that interlocks reduce repeat offenses by 67 percent compared to offenders sentenced to license suspension.

In conclusion, MADD urges this Committee to advance HB 2117, it makes no sense to have a lifesaving law on the books and then let the offenders out through a loophole. Please support HB 2117. Enclosed is additional information on ignition interlocks.

Thank you.



Support Ignition Interlocks for All Convicted Drunk Drivers

An ignition interlock is a small breath test device linked to a vehicle's ignition system. When a convicted drunk driver wishes to start his or her vehicle, he or she must first blow into the device. The vehicle will not start unless the driver's Blood Alcohol Concentration (BAC) is below a preset level. **Costs of the interlock are borne by the offender, not the taxpayer.**

- **Interlocks are effective.** According to the Centers for Disease Control (CDC), interlocks are effective in saving lives and reducing drunk driving repeat offenses by 67 percent.¹ Specifically, all offender interlock laws, when implemented well, are found to reduce repeat offenses significantly.²
- **Interlock installation should occur immediately.** MADD supports immediate reinstatement of driving privileges for drunk drivers providing the offender uses an ignition interlock. An interlock is more effective than license suspension alone, as 50 to 75 percent of convicted drunk drivers continue to drive on a suspended license.³
- **Interlocks save lives.** States requiring all convicted drunk drivers to use an ignition interlock, such as Arizona, Oregon, New Mexico and Louisiana have cut DUI deaths by over 30 percent.⁴
- **The public supports interlocks for all convicted drunk drivers.** Three different surveys indicate support of 76 to 88 percent.⁵
 - **88 percent support** interlocks for all convicted drunk drivers.
 - **84 percent support** ignition interlocks for convicted drunk drivers.
 - **Over 3 of 4 persons support** requiring interlocks for first-time convicted drunk drivers.
- **All-offender interlock laws are widespread.** 17 states and a California pilot program (covering a population of over 13 million) have laws requiring ignition interlocks for all first-time convicted drunk drivers. As of July 2012, there are approximately 279,000 interlocks in use in the United States.⁶
- **First offenders are serious offenders.** Conservative estimates show DUI offenders have driven drunk at least 80 times before they are arrested.⁷ Additionally, research has found that first offenders' patterns of recidivism are generally similar to a repeat offender.⁸
- **Safety groups supporting ignition interlocks for all convicted drunk drivers, including all first offenders with an illegal BAC of .08 or greater.**
 - Advocates for Auto and Highway Safety
 - American Automobile Association (AAA)
 - Auto Alliance
 - Centers for Disease Control and Prevention (CDC)
 - Insurance Institute for Highway Safety (IIHS)
 - International Association of Chiefs of Police (IACP)
 - National Safety Council
 - National Transportation Safety Board (NTSB)

¹ Centers for Disease Control. Guide to Community Preventive Services. "Reducing Alcohol-Impaired Driving: Ignition Interlocks." 2011. <http://www.thecommunityguide.org/mvoi/AID/ignitioninterlocks.html>

² McCart, Anne, et al. "Washington State's Alcohol Ignition Interlock Law: Effects on Recidivism Among First-Time DUI Offenders." March 2012. <http://www.iihs.org/research/topics/pdf/r1168.pdf>

³ Nichols, James, and H. Lawrence Ross. "The Effectiveness of Legal Sanctions in Dealing with Drinking Drivers." *Alcohol, Drugs and Driving* 6(2) (1990): 3355. and

Peck, Raymond, R. Jean Wilson, and Lawrence Sutton. "Driver License Strategies for Controlling the Persistent DUI Offender," Strategies for Dealing with the Persistent Drinking Driver. Transportation Research Board, Transportation Research Circular No. 437. Washington, D.C.: National Research Council, 1999.

⁴ National Highway Traffic Safety Administration. FARS Data, 2006-2011.

⁵ 76 percent: AAA Foundation for Traffic Safety. "2011 Traffic Safety Index." January 2012. <http://www.aaafoundation.org/pdf/2011TSCIndex.pdf>

⁶ 84 percent: Insurance Institute for Highway Safety. "Public is Ready to Lock out Driving over the Legal Limit." *Status Report*, September 17, 2009. <http://www.iihs.org/externaldata/srdata/docs/sr4408.pdf>

⁷ 88 percent: Center for Excellent in Rural Safety. "CERS Survey." *Rural Safety News*. June 2010. <http://www.ruralsafety.umn.edu/publications/ruralsafetynews/2010/02/>

⁸ Based on survey data from Interlock manufacturers.

⁹ Centers for Disease Control. "Vital Signs: Alcohol-Impaired Driving Among Adults — United States, 2010." <http://www.cdc.gov/mmwr/preview/mmwrhtml/mm6039a4.htm>

¹⁰ Jones, R. K., and Lacey, J. H. "State of Knowledge of Alcohol Impaired Driving: Research on Repeat DWI Offenders." DOT HS 809 027. Washington, DC: National Highway Traffic Safety Administration, 2000.

Status of State Ignition Interlock Laws

Interlock requirement starts on the first conviction				
Mandatory with a BAC of .08 or greater		Mandatory with a BAC of .15 or greater	Mandatory with a second conviction	
Alaska (1/09)	Louisiana (7/07)	Alabama (9/12)	New Hampshire .16 BAC (7/07)	Georgia*** (5/99)
Arizona (9/07)	Missouri (10/13)	Delaware (7/09)	North Carolina (12/07)	Idaho (10/00)
Arkansas (4/09)	Nebraska (1/09)	Florida (10/08)	Oklahoma (11/11)	Iowa (7/10)
California Pilot Program* (7/10)	New Mexico (6/05)	Maryland (10/11)	Tennessee (1/11)	Massachusetts (1/06)
Colorado** (1/09)	New York (8/10)	Michigan .17 BAC (10/10)	Texas*** (9/05)	Montana (5/09)
Connecticut (12/12)	Oregon (1/08)	Minnesota** .16 BAC (7/11)	West Virginia (7/08)	Ohio (9/08)
Hawaii (1/11)	Utah (7/09)	Nevada .18 BAC (7/05)	Wisconsin (7/10)	Pennsylvania (10/03)
Illinois** (1/09)	Virginia (7/12)	New Jersey (1/10)	Wyoming (7/09)	South Carolina (1/09)
Kansas (7/11)	Washington (1/09)			

(month/year listed note effective date)

*California's pilot program covers the counties of Los Angeles, Alameda, Sacramento, and Tulare. These counties combined have a population of over 13 million.

**Interlocks are highly incentivized in that, if the offender chooses not to use the device, he or she has a year long license suspension

***Mandatory as a condition of probation.