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6 ENHANCING VEHICLE TECHNOLOGY TO

7 PREVENT DRUNK DRIVING

8 THURSDAY, MARCH 14, 2019

9 House of Representatives,

10 Subcommittee on Consumer Protection and

11 Commerce,

12 Committee on Energy and Commerce,

13 Washington, D.C.

14

15

16

17 The subcommittee met, pursuant to call, at 10:00 a.m.,

18 in Room 2123, Rayburn House Office Building, Hon. Janice

19 Schakowsky [chairwoman of the subcommittee] presiding.

20 Members present: Representatives Schakowsky, Castor,

21 O'Halleran, Cardenas, Soto, Rush, Matsui, McNerney, Dingell,

22 Rodgers, Burgess, Latta, Guthrie, Bucshon, Hudson, Carter,

23 and Walden (ex officio).

24 Staff present: Sharon Davis, Chief Clerk; Evan Gilbert,

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25 Press Assistant; Lisa Goldman, Counsel; Waverly Gordon,
26 Deputy Chief Counsel; Alex Hoehn-Saric, Chief Counsel, C&T;
27 Zach Kahan, Outreach and Member Service Coordinator; Kaitlyn
28 Peel, Digital Director; Chloe Rodriguez, Policy Analyst;
29 Andrew Souvall, Director of Communications, Outreach and
30 Member Services; Mike Bloomquist, Minority Staff Director;
31 Jordan Davis, Minority Senior Advisor; Melissa Froelich,
32 Minority Chief Counsel, CPAC; Peter Kielty, Minority General
33 Counsel; Bijan Koochmaraie, Minority Counsel, CPAC; Ryan Long,
34 Minority Deputy Staff Director; and Brannon Rains, Minority
35 Staff Assistant.

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36 Ms. Schakowsky. [presiding] The Subcommittee on
37 Consumer Protection and Commerce will now come to order.

38 I want to thank everybody for coming on this going-away
39 day. My plan is that we will get as many opening statements
40 as we can before votes, and then, hopefully, all of you will
41 come back to talk to our witnesses.

42 So, I recognize myself for 5 minutes.

43 As the Consumer Protection Subcommittee, we are
44 committed to ensuring the safety of the American people. We
45 have addressed a number of auto safety issues over the years,
46 holding hearings on the Takata airbag defects and the GM
47 ignition switch defect. We had a hearing last year on
48 drugged driving, which has been on the rise in recent years.

49 But we haven't really addressed the No. 1 cause of death on
50 America's roads, drunk driving.

51 More than 10,000 deaths, about 30 percent of all fatal
52 crashes, are caused by drunk driving each year. That
53 translates into almost 30 people dying in drunk driving
54 crashes every day or one person every 4 minutes in 2017.
55 That is when the data is from. And that is not counting the
56 number of people who are seriously injured in drunk driving
57 crashes.

58 The National Highway Transportation Safety
59 Administration, NHTSA, conducted a study in 2016 that found

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60 that, quote, ``Alcohol was the largest contributor to
61 crashes." Unquote. We all know drunk driving is a problem,
62 but whether it is because they are too intoxicated to make
63 reasonable judgments or they inaccurately estimate their
64 level of intoxication, people are still making the choice to
65 drive drunk.

66 So, today we are exploring some technologies that make
67 it harder for people to make the wrong decision. Currently,
68 ignition interlocks are available for installation in cars on
69 the road. These are devices that can detect levels of
70 alcohol in a person's system, and if above the legal limit,
71 will prevent a car from starting. Generally, this involves
72 breathing into a tube and waiting for an analysis to be
73 completed, which may take a little time. This, too, has been
74 effective in preventing individuals convicted of drunk
75 driving from doing so again, as long as the device is in his
76 or her car.

77 All states have some form of ignition interlock laws,
78 some making it an option/condition after conviction, and some
79 requiring them for repeat offenders, and some requiring them
80 for all offenders. Often, people who have been convicted of
81 driving under the influence of alcohol will still drive, even
82 if their license is suspended or taken away. They still need
83 to drive to get to work or run necessary errands. Interlock

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84 devices allow them to drive when they need to, but stop them
85 from putting themselves and others in danger by preventing
86 them from driving drunk.

87 So, I look forward to hearing today whether expanded use
88 of interlock devices can help lower the number of drunk
89 driving crashes. Today's interlock devices, however, are not
90 enough. They are too intrusive for general use, and that is
91 why NHTSA has been working with the auto industry to develop
92 more integrated technologies, known as Driver Alcohol
93 Detention Systems for Safety, or DADSS, that can be deployed
94 even more expansively.

95 I know my friend and colleague, Debbie Dingell, will be
96 recognized, but it should be noted that several of her
97 constituents recently died in a tragic accident because of
98 drunk driving. Debbie has introduced legislation aimed at
99 curbing drunk driving. And so, I thank her for her efforts
100 to make our roads safer, and I stand with you as an ally in
101 your fight.

102 NHTSA can and should be pressing automakers to develop
103 and deploy this technology faster, these different
104 technologies faster, and let's stop wasting time and start to
105 take meaningful steps to turn back the tide on these
106 tragedies.

107 So, I want to thank all our witnesses for coming today.

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108 And I yield 5 minutes to the ranking member of the
109 subcommittee, Cathy McMorris Rodgers.

110 Mrs. Rodgers. Thank you, Madam Chair.

111 Good morning, everyone, and welcome to the Consumer
112 Protection and Commerce Subcommittee hearing on enhancing
113 vehicle technology to prevent drunk driving.

114 `"Drive sober or get pulled over" is a phrase we all
115 remember hearing in the classroom or on television, and it
116 remains just as important a message today as it ever was.
117 Drunk driving is a significant public health concern that
118 tragically cuts life short for so many, not just those who
119 make the reckless decision to get behind the wheel after
120 consuming alcohol, but our family and friends on the road in
121 the wrong place at the wrong time.

122 Although alcohol-impaired driving has decreased by about
123 30 percent over the last three decades, it remains a serious
124 and fatal risk on our roadways, claiming almost 11,000 lives
125 each year. The status is not acceptable. We can, and we
126 must, do better.

127 Drug-impaired driving is also on the rise. Drug use and
128 abuse have increasingly become central social issues. On
129 opioids, last Congress we passed a comprehensive bipartisan
130 package to help combat the epidemic, expand access to
131 treatment, and protect our communities. But opioids aren't

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132 the only drug making our roads less safe. So is marijuana.
133 In fact, marijuana is the most common drug found in fatally-
134 injured drivers. It increases drowsiness and decreases
135 reaction speed, both of which severely limit a driver's
136 ability to operate a vehicle safely.

137 In 2012, my home State of Washington legalized
138 marijuana, and Washingtonians have seen decreases in roadway
139 safety since then. In 2017, the Northwest High Intensity
140 Drug Trafficking Area conducted a report of the effects of
141 marijuana. The report produced some pretty disturbing
142 results. One in five 10th graders, 1 in 4 12th graders
143 reported riding with a driver who had been using marijuana.
144 One in 6 12th graders admitted to driving a vehicle within
145 three hours of consuming marijuana. The percentage of
146 marijuana-positive drivers has more than doubled from 7.8
147 percent to 18.9 percent, and fatal crashes involving
148 marijuana have spiked to almost 13 percent from 7.8 percent
149 prior to legalization. The increase in recreational use of
150 marijuana poses a serious threat to roadway safety.

151 We must learn from the lessons we have seen in my home
152 State and make sure we are focusing on addressing drug-
153 impaired driving and alcohol-impaired driving. On this
154 committee, it is our job to explore how technology and
155 innovation can improve people's lives, even save their lives.

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156 For example, ride-sharing technology platforms have given
157 people better and more options to get home safely. By
158 providing an easy and user-friendly option, more people are
159 opting for ride-sharing rather than getting behind the wheel
160 after drinking or taking drugs. The subcommittee has been
161 working on these issues for years, highlighting the sharing
162 economy at a disruptor series in 2015.

163 We should not lose sight of the fact that we lose about
164 40,000 Americans on our roads every year. Ninety-four
165 percent of car crashes are caused by human error. Whether it
166 be driving while tired, distracted, or after drinking or
167 taking drugs, human error causes crashes. Self-driving cars
168 offer a technology-based solution that will save lives if the
169 government regulations are updated from their 1970s approach
170 over brake pedals and steering wheels.

171 I joined Republican Leader Walden and Representative
172 Latta on a letter to Chairman Pallone yesterday asking that
173 we continue our work in a bipartisan manner again this
174 Congress.

175 I commend Chair Schakowsky for her leadership on this
176 important issue and look forward to working with you.

177 I want to thank our distinguished panel for your
178 willingness to engage in this discussion today, and I would
179 further welcome discussions with leaders who offer other

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180 technology-based solutions to protect Americans.

181 I yield back.

182 Ms. Schakowsky. The gentlewoman yields back.

183 The votes have been called, and it looks like we have
184 one to two votes, we think about 30 minutes. So, in fact, we
185 are going to recess. And I apologize to our witnesses, but
186 we will be back soon.

187 Thank you.

188 [Recess.]

189 Ms. Schakowsky. I will call the subcommittee back to
190 order, and yield for an opening statement. In the absence of
191 the chairman of the full committee, I am happy to yield to
192 Congresswoman Dingell.

193 Mrs. Dingell. Thank you, Chairman Schakowsky.

194 And I want to really give you a sincere and heartfelt
195 thank you for holding this important hearing today. As both
196 of you spoke about before votes, drunk driving brings pain to
197 families and communities across this country. Our community
198 in Dearborn and in Michigan felt it only eight weeks ago. In
199 January, the Abbas family, Issam, Rima, Ali, Isabella, and
200 Giselle, were driving back from a family vacation in Florida
201 when their car was struck head-on by a drunk driver. No one
202 survived, and everybody in our community felt it. They were
203 active, integral members of our community. But what is sad

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204 is that this story has been repeated for years over and over
205 again. And Congress needs to step up and do something about
206 it.

207 Their deaths, and the thousands just like them each
208 year, are avoidable and preventable. The technology exists
209 to save lives. A little girl at the funeral came up to me --
210 she was a classmate -- and said, ``There is technology. Why
211 are you not using it? Why won't Congress act? My friend
212 should be here today." That statement is my heart.

213 So, my question to each member, witness, and all the
214 public watching today is simple: why aren't we using it? We
215 need to explore every possible solution, including giving law
216 enforcement the resources that they need to get drunk driving
217 off the roads. Institute mandatory first offender interlock
218 laws across the country, and get the DADSS technology in cars
219 as fast as we can.

220 Nothing is going to bring back the Abbas family or the
221 thousands -- there are more stories in the last week. I
222 mean, we should stop hearing these stories. Their lives are
223 too important to forget. We need to make sure that the
224 family that I know from my community, the Abbas family's
225 death is not in vain, for we need to make all of these deaths
226 an example of why we must act now. We must address this
227 challenge.

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228 Thank you, Madam Chairman, and I yield back the balance
229 of my time.

230 Ms. Schakowsky. The gentlelady yields back. I now
231 recognize Mr. Latta for 5 minutes for an opening statement.

232 Mr. Latta. Well, thank you, Madam Chair, and thank you
233 very much for holding this very important hearing today.

234 And I thank our witnesses for being with us today.

235 We have the opportunity to discuss how we can utilize
236 different technologies to address and prevent drunk and
237 drugged driving. Over 10,000 people lost their lives in 2017
238 in alcohol-impaired driving crashes. We have also seen a
239 significant increase in the number of American drivers killed
240 in vehicle crashes in which drugs were detected.

241 Ninety-four percent of overall vehicle accidents are
242 attributable to human errors or decisions, and we have seen a
243 significant increase in the number of Americans killed in
244 vehicle crashes in which drugs were detected. The statistics
245 are staggering and show that it is imperative that the public
246 and private sectors work together on a solution to prevent
247 more tragedies.

248 Amid the devastating opioid crisis, and as more states
249 legalize the use of marijuana, tackling this problem is now
250 more important than ever. According to the Governors Highway
251 Safety Association, in 2016, the number of drivers who were

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252 fatally injured in accidents with drugs in their system
253 surpassed the number of those with alcohol in their system
254 for the very first time.

255 That is why in the last Congress I recognized the
256 importance of promoting and fostering innovation in self-
257 driving vehicle technology. As chair of this subcommittee in
258 the last Congress, I introduced the bipartisan SELF DRIVE
259 Act, which would have clarified the federal and state roles
260 in regulating self-driving vehicles, ensure consumer safety,
261 reduce traffic-related fatalities and injuries, and improve
262 mobility for individuals with disabilities.

263 U.S. companies are investing major resources in the
264 research and development of this technology, and the SELF
265 DRIVE Act would have removed outdated regulations that were
266 created when self-driving vehicles were considered science
267 fiction. Since this legislation passed unanimously both in
268 committee and on the Floor, it is my hope that we can make
269 this a priority again in this Congress.

270 We have an opportunity through technology to make
271 investments needed in self-driving technology as one step to
272 ending senseless deaths on our roads. Until that day comes,
273 we all need to do all we can to raise awareness of the
274 dangers of impaired driving.

275 And again, I want to thank all the members on this

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276 committee and all of our staff on both sides of the aisle for
277 all the hard work that they did.

278 With that, Madam Chair, I yield back the balance of my
279 time. Thank you very much.

280 Ms. Schakowsky. The gentleman yields back.

281 So, I would now like to introduce our witnesses for --
282 oh, the chair would like to remind members that, pursuant to
283 committee rules, all members' written opening statements
284 shall be made part of the record.

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285 And now, I would like to introduce the witnesses. Ms.
286 Helen Witty is the national president of Mothers Against
287 Drunk Driving. Dr. Robert Strassburger oversees the DADSS
288 program that I am really anxious to hear more about. And the
289 Honorable Joan Claybrook, board member of Advocates for
290 Highway and Auto Safety and former Administrator of the
291 National Highway Traffic Safety Administration, NHTSA,
292 welcome. And Dr. David Kelly, the executive director of the
293 Coalition of Ignition Interlocks Manufacturers.

294 We want to thank all of our witnesses for joining us
295 today, and we look forward to your testimony.

296 At this time, the chair will now recognize each witness
297 for 5 minutes. I think everybody here has testified. You
298 know that you have 5 minutes, and there is a light that will
299 go off when you have 1 minute left. So, I hope that you will
300 consider wrapping it up.

301 So, I am going to first begin, I want to begin. Ms.
302 Witty, you are recognized now for 5 minutes.

303 Put your microphone on. There you go.

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304 STATEMENTS OF HELEN WITTY, NATIONAL PRESIDENT, MOTHERS
305 AGAINST DRUNK DRIVING; ROBERT STRASSBURGER, PRESIDENT AND
306 CEO, AUTOMOTIVE COALITION FOR TRAFFIC SAFETY, INC.; JOAN
307 CLAYBROOK, BOARD MEMBER, ADVOCATES FOR HIGHWAY AND AUTO
308 SAFETY, AND FORMER ADMINISTRATOR, NATIONAL HIGHWAY TRAFFIC
309 SAFETY ADMINISTRATION, AND DAVID KELLY, EXECUTIVE DIRECTOR,
310 COALITION OF IGNITION INTERLOCKS MANUFACTURERS

311

312 STATEMENT OF HELEN WITTY

313

314 Ms. Witty. Thank you, Chairwoman Schakowsky, Ranking
315 Member McMorris Rodgers, and other distinguished members of
316 the committee, for holding this hearing and for inviting me
317 to testify.

318 I am here today on behalf of Mothers Against Drunk
319 Driving and representing the millions of victims of drunk
320 driving crashes.

321 I would also like to thank Representative Debbie Dingell
322 for her leadership and action following the tragic death of a
323 family from Dearborn. The Abbas family, Issam, Rima, Ali,
324 Isabella, and Giselle, were killed by a wrong-way driver, a
325 drunk driver.

326 Like the Abbas family, I have a story. I am here
327 because my 16-year-old daughter is not. One day on a bright,

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328 sunny June afternoon, she went rollerblading on a well-known
329 route and didn't come home. Until that day, my husband and I
330 had the dream family, the one we had always dreamed of, two
331 children, a girl and a boy. They were named for us. So, we
332 had the perfect names, John and John and Helen and Helen
333 Marie. It was Helen Marie because I didn't want to be ``Big
334 Helen" or ``Old Helen".

335 And she was my first born. So, she put me through my
336 mom paces, and she was so excited when she learned that her
337 brother John was due to arrive. But, yet, when she learned
338 that he was there to stay and she had to learn to share, she
339 had to get used to that, and she did. But the most important
340 thing was she learned to love him deeply. They were not
341 perfect children, perfect names maybe, but not perfect
342 children. They were well-adjusted and that what we had
343 prayed for.

344 An alcohol- and marijuana-impaired teen driver ended our
345 dream. Helen Marie was rollerblading on a bike path when she
346 looked up and saw a car on that bike path spinning toward
347 her. There was nothing she could do but die very suddenly
348 and very violently.

349 I can't tell you what the days and months and years were
350 like after that. It was preparing for my 16-year-old
351 daughter's funeral. It was receiving a call asking for body

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352 parts. It was packing up her things that still held her
353 essence. It was standing in a criminal courtroom.

354 But I can tell you that MADD was there. They were there
355 to show me I would not die of the grief. They were there to
356 give me hope, and they also gave me a platform on which I
357 could learn and, then, fight from -- first, I could only lean
358 on it -- toward a day when there is no more victims of this
359 awful crime. And the technology is there. That is the
360 frustrating part.

361 H.M.'s life ended, but mine did not, and that is why I
362 am here. MADD's campaign to eliminate drunk driving is our
363 top priority, and the testimony I submitted contains detailed
364 information about two campaign components: law enforcement
365 and ignition interlocks.

366 Today, I would like to specifically talk about advanced
367 vehicle technologies which could one day prevent a drunk
368 driver from operating a vehicle. The idea for such
369 technology was born in 2006 at a MADD Technology Symposium in
370 New Mexico. The concept was to integrate into the vehicle a
371 passive alcohol sensor to unobtrusively detect a driver's
372 BAC. The concept became a reality over a decade ago and is
373 known as DADSS. MADD worked diligently to get this program
374 started and to get the government funding to advance this
375 program.

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376 I represent drunk driving victims who want this killing
377 to end now. Our goal is to get this technology into vehicles
378 for consumers to purchase as soon as possible. Therefore, I
379 issue a challenge to the auto industry, including OEM
380 suppliers and the government, to make DADSS commercially
381 available and for NHTSA to begin a rulemaking on DADSS as
382 soon as possible.

383 To aid in transferring DADSS to the auto industry for
384 commercialization, a large fleet test would help expedite the
385 technology. In 1982, the General Services Administration
386 ordered 5,000 cars with driver-side airbags. This stimulated
387 the market and resulted in widespread acceptance and use.
388 MADD calls for a similar model.

389 We understand that DADSS development is challenging, but
390 the industry has the resources and the expertise to make
391 safety advancements a reality. Auto detection technology
392 needs to be a top priority. With this committee's continued
393 leadership, we could soon witness historic results with 7,000
394 lives saved every year.

395 Thank you, Madam Chairwoman Schakowsky and Ranking
396 Member McMorris Rodgers, for allowing me the opportunity to
397 testify on this important issue, and I look forward to
398 working with all of you and answering any questions you have
399 for me. Thank you.

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400 [The prepared statement of Ms. Witty follows:]

401

402 ***** INSERT 1*****

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403 Ms. Schakowsky. Thank you very much.

404 Mr. Strassburger, you are recognized for 5 minutes.

405

406 STATEMENT OF ROBERT STRASSBURGER

407

408 Mr. Strassburger. Good morning, Madam Chair, Ranking
409 Member McMorris Rodgers, and distinguished members of this
410 subcommittee. Thank you for the opportunity to update you on
411 the DADSS research program.

412 Despite significant efforts over the years, drunk
413 driving in the U.S. remains our most intractable safety
414 problem. To help address this, automakers and NHTSA formed
415 the DADSS partnership to research the widespread use of
416 noninvasive technology to prevent drunk driving. Public-
417 private partnerships like DADSS have led innovations that
418 have enhanced our everyday lives, such as the internet, GPS,
419 the microchip, and WiFi.

420 The DADSS program is working to invent technology that
421 can detect when a driver is impaired by alcohol and prevent
422 the car from moving. Once the technology has met rigorous
423 performance standards, it will be offered voluntarily as a
424 safety option, similar to other driver-assist systems like
425 automatic emergency braking or lane departure warning.

426 DADSS technologies hold the greatest promise and are

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427 likely the fastest pathway for reversing the drunk driving
428 trends in the United States. Two technologies are being
429 researched, a touch-based system and a breath-based system.
430 The breath-based system measures alcohol as a driver breathes
431 normally when seated in the driver's seat. The touch-based
432 system measures blood alcohol by shining an infrared light
433 through the fingertip of the driver when he or she touches a
434 vehicle control like the starter button.

435 A significant part of our research is focused on
436 achieving the performance specifications for speed, accuracy,
437 precision, and reliability of the alcohol measurement. These
438 stringent specifications are necessary to ensure that no
439 driver at or above .08 is allowed to drive, while also
440 ensuring that sober drivers are not hassled by the
441 technology.

442 We are not modified existing or off-the-shelf
443 technologies, but inventing new technology that must reliably
444 operate over the 20-year life of a vehicle in the harshest
445 environment, the interior of a car. One measure of our
446 progress is DADSS patent portfolio, which currently includes
447 10 patent families worldwide and covering 10 patent areas.
448 The number of applications exceeds 50, and nine patents have
449 issued.

450 On-road testing of the DADSS prototype sensors is

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451 underway. This is one of those sensors. This testing
452 complements more controlled testing in the laboratory and
453 human subject testing in a hospital setting. We are pleased
454 and honored to have the Virginia Highway Safety Office and
455 James River Transportation participate in the on-road
456 evaluations.

457 Virginia is also helping in other ways to ready the
458 public for the deployment of DADSS technologies and to reduce
459 drunk driving generally that I describe in my written
460 testimony. Virginia is a model for other states to follow.

461 While the DADSS program is currently still in the
462 invention phase, we estimate that, in 2020, we will release
463 the breath-based DADSS technology for fleet vehicles and
464 accessory applications. And in 2024, we are targeting the
465 release of both the breath-based and touch-based DADSS
466 technologies for consumer vehicles, depending on resource
467 availability in 2020 and beyond. While continued research is
468 needed to achieve our 2020 and our 2024 objectives, I am more
469 optimistic than ever that we will be successful.

470 I will be happy to answer your questions. Thank you.

471 [The prepared statement of Mr. Strassburger follows:]

472

473 ***** INSERT 2*****

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474 Ms. Schakowsky. Thank you.

475 And now, Ms. Claybrook, you are recognized for 5
476 minutes.

477

478 STATEMENT OF JOAN CLAYBROOK

479

480 Ms. Claybrook. Thank you so much, Madam Chairman and
481 Ranking Member McMorris Rodgers. It is a pleasure to be here
482 with the members of the subcommittee.

483 I am Joan Claybrook, and I am representing Advocates for
484 Highway and Auto Safety, a coalition of consumer health-
485 safety groups and insurers who are working together to save
486 lives by promoting the adoption of safety laws.

487 Thank you for this opportunity to testify. The topic of
488 the hearing, enhancing vehicle technology to prevent drunk
489 driving, is an issue I feel passionately about and to which I
490 have devoted many efforts over many, many years in the last
491 five decades.

492 While we have made progress over the years, the grim
493 reality remains that a drunk driving fatality occurs every 48
494 minutes on average, and alcohol-impaired crashes are the
495 largest single contributor to traffic fatalities in the
496 United States. It is past time to address drunk driving with
497 bold federal action to facilitate wider use of these proved

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498 technologies, enactment of proven state laws, and enhanced
499 law enforcement.

500 Advocates, as always, champion proven technology, and
501 for good reason. It is one of the most effective strategies
502 preventing deaths and injuries. In 2012, NHTSA estimated
503 that, since 1960, over 600,000 lives -- and that is old data
504 now -- have been saved by motor vehicle safety technologies,
505 most of them in federal standards.

506 One of our most recent achievements was the federal
507 requirement for rearview cameras as standard equipment in all
508 new cars as of May of this last year. This landmark law
509 never would have been enacted without the remarkable
510 leadership of Chairwoman Schakowsky and the tireless devotion
511 of the victim families. So, thank you so much, Madam
512 Chairman.

513 Similarly, we push forward to reduce drinking and
514 driving with proven technologies, including ignition
515 interlock devices, known as IIDs, and sensor technology.
516 Advocates commends Representative Debbie Dingell -- thank you
517 so much -- for your recent introduction of legislation to
518 reduce drunk driving following the horrific crash that you
519 mentioned in Northville, Michigan.

520 State laws requiring all convicted drunk drivers to have
521 an IID installed in their vehicle have been shown to be

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522 incredibly effective. As such, Congress and NHTSA should
523 continue to motivate the states to enact this lifesaving law
524 and to consider the addition of sanctions for states that
525 fail to act. Federal legislation, enacted with the warning
526 of financial sanctions, encourages every state to adopt the
527 age 21 minimum drinking age, a zero tolerance BAC law for
528 under-age drinking and driving, a .08 percent BAC law.

529 Every one of these lifesaving federal laws resulting in
530 every state -- every state -- taking action. And not a
531 single state lost a dollar in federal construction money,
532 highway construction money, as a result, although that was
533 the penalty if they did not, because they acted.

534 Additionally, the further development of sensor
535 technology holds great promise to reduce drunk driving
536 crashes. Considerable research has gone into developing the
537 Driver Alcohol Detection System for Safety, known as DADSS.
538 After more than a decade of research and millions of dollars
539 provided by Congress, NHTSA and the industry should be doing
540 everything they can to get these technologies into the
541 vehicles without further delay.

542 But, unfortunately, they aren't, and I think the
543 instrumental word that Mr. Strassburger mentioned was that
544 they didn't want to have this in vehicles so that people
545 wouldn't be hassled by the technology. Well, people aren't

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546 hassled by this technology because it doesn't come into play
547 unless you are drinking and driving. So, that is a
548 ridiculous statement. I call Mr. Strassburger "the industry
549 excuse man". I have testified against him on many, many
550 occasions. And I hope that he will get over this one day.

551 All right. So, placing DADSS into these vehicles is
552 essentially, and there is no better way to advance a
553 potential lifesaving technology. I just talked to Mr. Kelly,
554 and it is my estimate, based on what he said -- I want to
555 emphasize that -- that if we put these in every single
556 vehicle, it would be about \$10 a vehicle. Who wouldn't pay
557 \$10 to put this system into their vehicles, so that people
558 would not drive drunk?

559 While IIDs and sensor systems prevent drunk driving, one
560 of the most important defenses, of course, for the drunk
561 driver is a safe car as well. Current advanced driver
562 assistance systems such as automatic emergency braking, lane
563 departure warning, and blindspot detection have verified
564 safety benefits. Yet, none of these systems -- none of them
565 -- are required to be standard equipment in all vehicles,
566 and all of them are in some vehicles. So, we know that they
567 work.

568 In fact, many of these technologies are offered only on
569 the most expensive models as a part of a costly luxury

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570 package. We urge Congress to require these proven
571 technologies to be standard equipment in all new vehicles by
572 issuing new federal motor vehicle safety standards with a
573 deadline for implementation, just like the rear camera.

574 In addition to achieving these benefits now, these
575 advanced technologies can serve as building blocks on the
576 path to autonomous vehicles, which we have already heard Mr.
577 Latta mention today. And I appeared recently on a panel with
578 some industry individuals who said that they are a long way
579 down the road. So, they are not going to be the substitute
580 for these technology systems on alcohol, but --

581 Ms. Schakowsky. Please wrap it up. Okay?

582 Ms. Claybrook. Okay. Sorry.

583 Ms. Schakowsky. Thank you.

584 Ms. Claybrook. And I would like to commend the law
585 enforcement officers who daily risk their lives in order to
586 prevent drunk driving. Their lives, too, would be better off
587 if we have these systems in cars.

588 So, by deploying all of these known sensible solutions,
589 we can once again make significant progress to reduce drunk
590 driving, and I hope that the committee will not fail to act
591 on this.

592 Thank you.

593 [The prepared statement of Ms. Claybrook follows:]

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595

***** INSERT 3*****

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596 Ms. Schakowsky. The gentlewoman yields back.

597 And now, Mr. Kelly, you are recognized for 5 minutes.

598

599 STATEMENT OF DAVID KELLY

600

601 Mr. David Kelly. Good morning, Madam Chair, Ranking
602 Member McMorris Rodgers, members of the subcommittee. Thank
603 you for the invitation to appear before you today to discuss
604 an issue that I have dedicated most of my professional career
605 towards, reducing drunk driving.

606 My name is David Kelly. I am the executive Director of
607 the Coalition of Ignition Interlock Manufacturers.

608 I do want to thank Representative Dingell for the
609 leadership that you have shown with your bill. I can tell
610 you from firsthand experience that the family really
611 appreciates what you have done and the support that you have
612 given them. So, I thank you for that.

613 The Coalition is composed of the nation's leading
614 companies that manufacture ignition interlock devices. These
615 devices prohibit alcohol-impaired drivers from starting their
616 vehicle. We combine our members' expertise, innovation, and
617 experience to speak with one voice to reduce alcohol-related
618 vehicle fatalities.

619 Ignition interlocks do what no other technology

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620 available today does. They stop drunk drivers from starting
621 their vehicle. An ignition interlock device is a
622 breathalyzer, just like this, that is installed in a drunk
623 driver offender's vehicle to prevent drinking and driving.

624 Interlocks must meet specific standards that are set by
625 NHTSA. All of the breath test data is stored in the device
626 and is sent to the monitoring agency that is subscribed by
627 that state.

628 Interlocks are a cost-effective and innovative solution
629 designed to keep our public roadways safe. At a cost of less
630 than \$3 per day, paid for by the offender, interlocks provide
631 a safety blanket for the cost of a cup of coffee, while
632 freeing up law enforcement to pursue other crimes.

633 The supporters of ignition interlocks are a who's who in
634 traffic safety: MADD, AAA, Advocates, the Alliance for
635 Automobile Manufacturers, American Trauma Society, CDC, the
636 Governors Highway Safety Association, the Insurance Institute
637 for Highway Safety, the National Safety Council,
638 Responsibility.org, just to name a few. All of these
639 organizations actively support ignition interlock devices and
640 first offender laws.

641 Many convicted drunk drivers, however, continue to drive
642 on a suspended license because they must in order to keep
643 their jobs, take care of their families, or continue with

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644 school. Interlocks provide an opportunity for offenders to
645 continue to drive legally and safely to successfully get on
646 with their lives.

647 The Coalition works with policymakers across the country
648 to provide the latest, credible, factual information on
649 ignition interlock devices. Our members are at the forefront
650 of effective ignition interlock programs in every state to
651 deploy this lifesaving technology. According to MADD, over
652 the last decade, interlocks have stopped 2.7 million attempts
653 to drive drunk -- 2.7 million over the last decade.

654 Our challenge is to get all 50 states to adopt first
655 offender ignition interlock laws. Currently, 32 states have
656 first offender laws on the books, and we are working with the
657 remaining 18 states to pass first offender ignition interlock
658 laws.

659 However, we also advocate for other improvements to
660 state laws. This would include an immediate reinstatement
661 measure where you can get your driving privileges the day
662 after you get arrested or compliance-based removal where you
663 do not have the device removed from your vehicle until you
664 can demonstrate a changed behavior and a 30-day -- 60-day,
665 depending on state law -- change of behavior where you have
666 an alcohol-free experience with the device.

667 Some of our cameras have cameras, have GPS. We have

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668 lots of advanced technology in the devices. So, this is a
669 lot of technology in a very small handset.

670 Currently, states that have passed first offender
671 ignition interlock laws should be awarded an incentive grant
672 from NHTSA. That was authorized in the last highway bill.
673 However, the NHTSA rules for awarding these grants are
674 needlessly complicated and inflexible. As a result, only
675 seven of the 32 states with first offender laws have even
676 qualified for the grant money. We are hoping to streamline
677 that process in the next authorization.

678 One of the other things that we need to think about in
679 the next authorization is law enforcement, providing them
680 more funds, as has been talked about, and also looking at how
681 we are going to get more arrests. We know drunk driving
682 arrests are down over the past decade. We need to reverse
683 this trend.

684 There are other technologies being developed and
685 supported by many in the safety community. While these
686 technologies hold promise, it is important to note that the
687 only commercially-available technology that exists today to
688 prevent an impaired driver from starting their vehicle is the
689 ignition interlock. Technology will continue to evolve,
690 including in the interlock industry. As a safety community,
691 we must be prepared to adapt to emerging technologies.

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692 However, until they are ready to be deployed, we can't forget
693 what is proven and will likely be the only technology
694 available to prevent drunk driving for the foreseeable
695 future.

696 Thank you.

697 [The prepared statement of Mr. Kelly follows:]

698

699 ***** INSERT 4*****

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700 Ms. Schakowsky. Thank you so much.

701 And now, we will begin 5 minutes of member questions,
702 and I will recognize myself to begin.

703 I wanted to thank you, Ms. Witty, for the dedication
704 that you have had over the years now and your compelling
705 story about your daughter. Moms, everybody knows moms, and
706 I'm just wondering, the No. 1 priority, obviously, is to stop
707 drunk drivers. Is your No. 1 priority in that category that
708 solutions like DADSS are necessary?

709 Ms. Witty. Yes, DADSS needs to be commercialized and
710 deployed in a large fleet, so that more people hear about it.

711 Safety just is not an option. We need to stop the killing.

712 Here she is. Here is my rock star.

713 And what a beautiful way to use technology. Like
714 Representative Dingell said, why don't we use the technology?

715 And so, yes.

716 Ms. Schakowsky. Thank you.

717 So, Mr. Strassburger, the technology being developed for
718 the DADSS program shows some real potential for saving lives,
719 but progress seems to have stalled. And I would like to hear
720 more from you about the progress of the program.

721 Mr. Strassburger. Thank you, Madam Chair.

722 Progress is anything but stalled. We have made
723 significant progress with the breath-based technology, as I

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724 mentioned in my statement and in my testimony. We are
725 targeting releasing the breath-based technology in 2020 for
726 fleet applications.

727 I support and agree, and I think it is a constructive
728 suggestion, that this technology be deployed in GSA vehicles,
729 and would look forward to having a discussion about how we
730 can make that happen, how that should be structured as
731 quickly as possible. I agree that that would help further
732 deployment.

733 Ms. Schakowsky. Can I just ask you a question?

734 Mr. Strassburger. Yes.

735 Ms. Schakowsky. Can someone disconnect, not deploy --
736 the driver I am talking about -- I mean, is this something
737 that can be overridden by the individual in the car?

738 Mr. Strassburger. The design of DADSS is intended not
739 to be overridden by the driver. And, in fact, our
740 performance specifications are such that we would make that
741 very difficult. However, we are looking at different
742 operating scenarios where, under extreme circumstances, it
743 might need to be overridden, and then, if it is, what
744 followup action should be taken by the driver. For example,
745 performance of the vehicle is degraded until they see a
746 dealer to have the system restored, what have you.

747 Ms. Schakowsky. Let me talk to Ms. Claybrook, who has

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748 certainly been the lifelong advocate on auto safety. Do you
749 have any concerns about the DADSS program or the compliance
750 of or willingness of the industry to help move that forward?

751 Ms. Claybrook. I don't know what is the matter with the
752 industry on this issue. This issue came up when I was NHTSA
753 Administrator in the 1970s. John DeLorean supported it in
754 the 1970s and '80s on his experimental car, and he was a
755 former General Motors executive. Now we are talking about
756 this has been an active partnership since 2006. 2006, that
757 is 13 years ago. Where is this system? It didn't take that
758 long to produce airbags. Airbags are a lot more complicated
759 than this, a lot more complicated, and they cost a lot more.

760 So, why isn't this system in every car? I do not understand
761 that.

762 I think this committee should pass a law that requires
763 NHTSA to issue a rule within three years to have them in
764 every single car in America. What is the problem? We have
765 so many people who drive drunk, and we can't figure out who
766 they are one by one. If we wait until they kill somebody or
767 harm somebody before a judge requires them to put this system
768 in their car -- and there are 18 states that still don't do
769 that -- it is just like a morass. Why not just do the simple
770 thing?

771 And plus the fact they have to be wired into the car.

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772 The manufacturer should put them in with their wiring as
773 standard equipment in every single car in America. If the
774 DADSS system, then, further develops and we feel we can use
775 that, then let's use that. But I don't understand this. It
776 just is impossible. I mean, it is a killer. This is a
777 killer, and the auto industry is fostering the deaths of
778 these people, in my view.

779 Ms. Schakowsky. Let me quickly just get to Mr. Kelly.
780 Is this a passive system? I am not quite understanding how
781 this works.

782 Mr. David Kelly. So, it is an active system. And so,
783 there is a wire that would come out of the bottom of the
784 handset that would go into the ignition system. So, as you
785 turn the car, you take a test. When you pass the test, it
786 completes the circuit and the car then starts.

787 Ms. Schakowsky. What if you don't do the test?

788 Mr. David Kelly. The car doesn't start.

789 Ms. Schakowsky. Oh, okay. I understand. So, it is
790 really not passive. You are required to do it?

791 Mr. David Kelly. It is active.

792 Ms. Schakowsky. Okay. I yield back. And now, I yield
793 to our ranking member for 5 minutes.

794 Mrs. Rodgers. Thank you, Madam Chair.

795 Ms. Witty, I, too, want to thank you for sharing your

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796 daughter's story. It is heartbreaking, and I appreciate your
797 being here today.

798 I wanted to hear more about MADD's work with self-
799 driving vehicle technology companies. Do you believe that
800 self-driving vehicles could help reduce the number of
801 alcohol-related fatalities on our roadways?

802 Ms. Witty. Absolutely, yes. We support self-driving
803 vehicles. The problem is we don't know when that is going to
804 be possible. That is in the future. The DADSS program is
805 right now. We could do this. If DADSS was a top priority,
806 it would be in cars, and we could save 7,000 lives a year.
807 Yes, absolutely. AVs, wonderful, but it may be decades away.

808 Now we have got this. Let's stop the killing and save the
809 lives we can today.

810 Mrs. Rodgers. Are there any lessons we have learned
811 from all the important work done by MADD and others to
812 address drunk driving that you think would apply to drug-
813 impaired driving?

814 Ms. Witty. Absolutely, yes. Yes. It is frustrating
815 for me because my daughter was killed by a teenager who was
816 impaired on alcohol and marijuana both. Poly-drug use is a
817 huge issue. But, right now, we have the science to stop the
818 drunk part, which they are still saying is the No. 1 killer.

819 That is what worries me so. Often, you know, oh, we have

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820 stopped focusing on that. And the deaths are rising, almost
821 11,000. So, let's keep our focus there and, also, deal with
822 what is emerging with marijuana. The science is still not
823 there.

824 Did that answer your question?

825 Mrs. Rodgers. Yes. Thank you.

826 Ms. Witty. I mean, you can see it. I am like there she
827 is. And there are so many stories that I meet; I see in the
828 eyes that the grief is there. Why can't we stop this?

829 Mrs. Rodgers. Thank you.

830 Ms. Witty. So, thank you.

831 Mrs. Rodgers. Mr. Kelly, 94 percent of traffic
832 accidents are due to human error, which includes making the
833 decision to drive while impaired, either after drinking,
834 taking drugs, or both. We are hearing about technologies
835 inside traditional cars, but how can new technologies, like
836 self-driving vehicles, help improve roadway safety and reduce
837 impaired driving?

838 Mr. David Kelly. Thank you for the question.

839 I think, as we have heard today, self-driving vehicles
840 are going to put the traffic safety community out of
841 business, but it is going to be out of business in 20 years,
842 in 30 years, in 40. Who knows where that is, where that
843 technology is? And what we need to do, continue to work on

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844 that technology, continue to develop those technologies
845 because they are very important.

846 A lot of the technologies that go into self-driving
847 vehicles are already being implemented on sort of a one-by-
848 one basis in vehicles today. Putting them all together to
849 get a vehicle that works collectively is great, but we need
850 to make sure that we are dealing with what we can deal with
851 today. And that is one of the reasons that we are so
852 passionate about ignition interlocks and getting more of them
853 installed on vehicles.

854 Mrs. Rodgers. Part of the reason I asked the question
855 is because in Washington State we are seeing a dramatic
856 increase in the number of traffic accidents, traffic
857 fatalities that do involve marijuana and other drugs.

858 And I wanted to ask, while you were at NHTSA, was drug-
859 impaired driving a focus for the agency, and are there any
860 lessons learned from drunk driving and what we have done to
861 counter drunk driving that you think that we need to apply to
862 drug-impaired driving or masking, which is mixing drugs and
863 alcohol, that we should be thinking about here in Congress?

864 Mr. David Kelly. Absolutely. Unfortunately, during my
865 time at the agency, the drug-impaired driving debate was much
866 similar to the drug-impaired driving debate of today. The
867 discussion was focused around what is a legal standard for

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868 driving while impaired with marijuana, and that continues to
869 be the big question within the drug-impaired driving
870 community. How are we going to measure? How are we going to
871 test? What is a legal limit? And there is still no data, no
872 science, and it is frustrating that that discussion is the
873 same.

874 One of the things that can be done, however, and as
875 Helen alluded to, one of the things that can be done today,
876 and the best thing that can be done today on drug-impaired
877 driving is to continue in the enforcement of our current
878 laws, continue enforcement of alcohol-impaired laws, get law
879 enforcement out there. Because with the poly-use, we know
880 that if the person has been smoking marijuana or taking other
881 drugs, the odds are they have also been drinking. So, if you
882 can get the impairment, you can get to the drugs. That is
883 what can be done today.

884 Mrs. Rodgers. Thank you.

885 I will yield back my time. Thank you.

886 Ms. Schakowsky. The gentlewoman yields back. And now,
887 I recognize Congressman Castor for 5 minutes.

888 Ms. Castor. Well, thank you, Madam Chair.

889 As a Floridian, this hearing is particularly timely
890 because it is spring break time back home. And
891 unfortunately, that also brings binge drinking and a spike in

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892 traffic crashes. Studies have shown that death tolls were 9
893 percent higher during spring break in spring break
894 destinations, with more deaths among drivers under 25 and
895 those traveling from out of state.

896 In Florida, drunk driving caused more than 15 crashes
897 per day in March of last year. So, this spike in deaths is
898 an unfortunate and ongoing problem. And I am not sure that
899 interlock devices after DUI convictions is getting to this
900 problem, especially folks who are driving rental cars.

901 So, Ms. Claybrook, you made it fairly clear you think
902 that Congress should pass a law and that interlock devices
903 should be mandated in all vehicles? Is that --

904 Ms. Claybrook. I do believe that for several reasons.
905 One is because they are not an irritant. I would prefer to
906 have one that is sensitive to your touch. But, for now, if
907 we can't get that immediately, I would say put in the
908 interlock device.

909 Ms. Castor. Okay.

910 Ms. Claybrook. What it does is it reminds everybody
911 that they are not supposed to drink and drive.

912 Ms. Castor. And how about the other witnesses? Do you
913 agree?

914 Ms. Witty. Me?

915 Ms. Castor. Yes, go ahead.

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916 Ms. Witty. I want to stop the killing. I want to do
917 what it takes. So, if that is what it is going to take, then
918 that is what I would be for. I don't want to meet another
919 heartbroken person. So, I want it stopped.

920 Ms. Castor. And I really do appreciate you being here.

921 I have two daughters myself.

922 Ms. Witty. And I am a native Floridian.

923 Ms. Castor. So, you understand what happens at spring
924 break then.

925 Ms. Witty. Yes, I have been working in schools for
926 eight years down in Miami. So, yes, absolutely.

927 Ms. Castor. Okay.

928 Mr. Strassburger. Yes, in my written testimony I give
929 some benefits estimates of various technology approaches, of
930 various countermeasures. One of the conclusions that I make
931 is that, if we are to make significant progress reversing the
932 tide on drunk driving, we need vehicle-integrated technology.

933 I am actually technology-agnostic. We have a number of
934 ideas here today between conventional interlocks, autonomous
935 vehicles. I personally think DADSS is the technology that
936 will get us there the fastest, but we need vehicle-integrated
937 technology.

938 Ms. Castor. Thank you.

939 Mr. Kelly?

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940 Mr. David Kelly. And I think that one of the issues
941 that we grapple with in trying to get ignition interlocks
942 installed on vehicles for folks that are supposed to have
943 them, I liken the idea of mandating interlocks back to when
944 we had an ignition interlock system for seatbelts back in the
945 '70s. I think that there needs to be a lot more work done
946 sort of proactively for consumer education, for consumer
947 acceptance. That experiment was around for a year before
948 Congress, then, reversed itself because there was such a
949 backlash. I think there needs to be more work done to sort
950 or prime the pump to get some better consumer acceptance
951 before we would go down that road.

952 Ms. Castor. Okay.

953 Ms. Claybrook. Could I comment on that?

954 Ms. Castor. Yes, and I want to ask you a related
955 question, too. Back home in the Tampa Bay area, we have had
956 this phenomenon that is growing where drunk drivers and
957 drivers are now going the wrong way on the interstates. I
958 mean, this has happened over and over again. People are
959 like, why are you driving the wrong way on a bridge? Why are
960 you going onto the interstate? And oftentimes, it is a drunk
961 driver and they have already been convicted of drunk driving.

962 So, Ms. Claybrook, I mean, it is a similar issue. How
963 do we get at that problem, too?

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964 Ms. Claybrook. Well, first of all, I hate to admit it,
965 but I was around when the interlock was proposed and put into
966 place. And I was working at the National Highway Traffic
967 Safety Administration, and then, as a consumer advocate. The
968 real issue was that it was very difficult sometimes to fasten
969 the belts. It was often the passenger side belt, where you
970 had your dog or your groceries that stopped the car from
971 starting because the belt wasn't around your groceries.

972 So, there were a lot of other problems that are quite
973 dissimilar from this. And this is very simple. You blow
974 into it and you are on your way. So, it is far simpler than
975 the other one. I think it does need a consumer information
976 program to educate people, but most people are scared to
977 death of drunk drivers. They don't want to be hit by a drunk
978 driver, and they are going to support whatever it is that
979 stops people from driving drunk and hurting them or their
980 children. So, I don't see the public relations problem with
981 this at all.

982 Ms. Castor. Thank you. I yield back.

983 Ms. Schakowsky. Congressman Burgess, I recognize you
984 for 5 minutes.

985 Mr. Burgess. Well, thank you.

986 And thanks to our witnesses for being here today.

987 Ms. Witty, I have a constituent who has a similar story

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988 to yours, unfortunately, which involved both alcohol and a
989 positive qualitative test for marijuana in the driver.

990 Because the blood alcohol level was below .08, no charges
991 were filed.

992 So, here's a young man who was crossing in a crosswalk
993 and hit by a Jeep at night. And mom came in to see me,
994 distraught as you are, as you tell your story today. And her
995 further question to me is, why is it that when there are --
996 she understands the .08 being the level, the legal limit.
997 But if there is a confounding circumstance like a positive
998 test for marijuana, a good defense attorney can make a case
999 for, well, that could be remote, so it might not be active.
1000 I get that. But if there are those two things coupled with a
1001 death in an accident, that ought to be an automatic referral
1002 to a grand jury, and in this case it wasn't.

1003 So, I guess my question really is, I am appreciative of
1004 trying to bring the technology into play and have it be
1005 helpful, but are we educating our local DAs, our state folks?

1006 Because drunk driving has been around for a while, but the
1007 imposition of, as you said, polypharmacy along with the
1008 alcohol really can confound the issue.

1009 And I might just ask our two former Administrators, or
1010 Acting Administrator, is this something on which you focused
1011 during your time at the National Highway Traffic Safety

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1012 Administration, helping the local DAs and the state
1013 officials? Most of these are state laws, the driving laws
1014 that are violated.

1015 I have just got to tell you, it is heartbreaking that a
1016 mom comes in and says, ``This is what happened and they
1017 didn't even prosecute."

1018 Ms. Claybrook. I didn't quite understand the nature of
1019 your question. Are you asking whether it should be lower
1020 than .08?

1021 Mr. Burgess. Well, .08 does not conform to the legal
1022 definition of driving impaired, but .08 plus a positive
1023 qualitative test for a metabolite of marijuana --

1024 Ms. Claybrook. Yes.

1025 Mr. Burgess. -- coupled with the death of someone in
1026 the accident sequence, those things to me should elevate
1027 that. The accident investigation said, well, alcohol was
1028 tested; it is below .08. No violation. Terribly sorry, sad
1029 accident. Everyone goes on about their business.

1030 Ms. Claybrook. Well, I certainly agree with you. I
1031 think that it should elevate it. But I don't think that
1032 perfection should stop the good. And so, I would step now as
1033 fast as possible to try and have a vehicle-integrated system,
1034 as Mr. Strassburger said the industry favors, not which one,
1035 but an integrated vehicle system to start. And there does

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1036 need to be more development on how do you measure the drugs
1037 and, of course, also some pharmaceuticals that are a problem
1038 as well, and so, that are permissible. So, I think that that
1039 definitely needs it.

1040 I was concerned about it when I was the Administrator.
1041 There wasn't as many drugs around, I have to say, when I was
1042 NHTSA Administrator. So, it wasn't the main focus. I was
1043 focused more on trying to get .08. It was then .10.

1044 Mr. Burgess. Sure. It came up again with -- yes,
1045 ma'am, Ms. Witty?

1046 Ms. Witty. The thing is, I faced this with my daughter.
1047 The person who killed her was .09, but she was on marijuana.
1048 Well, that doesn't matter. And 20 years more, and it still
1049 is there. But what we have today is we have an empowered
1050 police force. A DRE, a drug recognition expert, can tell. I
1051 have worked with these officers. They can look at somebody
1052 and they can say what they are on and what it is. So, I would
1053 love to see an empowered police force that is believed in
1054 court and that could be empowered in court. Because I have
1055 ridden with them.

1056 Mr. Burgess. Yes, I need to reclaim my time, not to cut
1057 you off --

1058 Ms. Witty. Okay.

1059 Mr. Burgess. -- but my time is limited.

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1060 Ms. Witty. Okay.

1061 Mr. Burgess. And the chairwoman is very aggressive
1062 about gaveling me.

1063 [Laughter.]

1064 We spend a lot of time in this committee -- and I have
1065 got two former NHTSA Administrators -- we spent a lot of time
1066 in this committee, the subcommittee, on airbags and the
1067 Takata airbag crisis, as you recall. We also spent time with
1068 the Chevrolet Cobalt and the ignition switch cutting off, so
1069 the airbag was not powered.

1070 I have encountered a situation back home that I had not
1071 encountered before. And that is the placement of a fake
1072 airbag when an airbag is replaced, in this case after an
1073 accident, but I guess it could also occur if an airbag was
1074 recalled in one of these Takata sequences.

1075 But here was a young woman, and the story is she was
1076 impaired, so it fits into this discussion. But the airbag
1077 did not deploy because the airbag was just junk. It was a
1078 shop rag and some wax and some electrical tape because the
1079 airbag had deployed on the car previously. They had fixed
1080 the damage. It had cost \$1500 to put a new airbag in.
1081 Nobody wants to make that expense. So, they go to a cut-rate
1082 shop that says, we will get the sensor turned off and, as a
1083 consequence, they put in something that looked like a module

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1084 but was not a module. She hit a tree at 45 miles an hour,
1085 transected her aorta, and died.

1086 So, I had not encountered that before. I don't know if
1087 the agency, if this is something that is appearing or this is
1088 just a one-off.

1089 But, Madam Chairman, I will submit that in writing to
1090 you, because I know we don't have time to answer. But I hope
1091 we would spend some time talking about the airbag situation
1092 because we did not solve it two years ago when I was
1093 chairman. Ms. Claybrook. If I could just respond, Madam
1094 Chairman, just to say that, yes, there are examples of people
1095 doing that, but it is not very frequent. And so, I wouldn't
1096 focus on that in terms of whether or not these other systems
1097 would work well.

1098 Mr. Burgess. If we don't surveil, if we don't know the
1099 number, I mean --

1100 Ms. Claybrook. Well, there needs to be surveillance.
1101 And the insurance industry is also very helpful in that
1102 regard because they pay for the new airbag to be put in after
1103 the crash.

1104 Mr. Burgess. It didn't work out in this case.

1105 Ms. Schakowsky. So, I am going to recognize Mr. Soto,
1106 yes, for 5 minutes for questioning.

1107 Mr. Soto. Thank you, Madam Chairwoman.

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1108 What a fascinating topic and how technology is just
1109 evolving in so many areas of our society. You look at the
1110 original solutions to drunk driving, in addition to just not
1111 doing it. It was having designated drivers and taxis and the
1112 D.C. Metro, or SunRail back in our district. Now we have
1113 Uber, Lyft, and other ride-shares that contribute a lot to
1114 helping get those folks off the roads; driverless vehicles
1115 eventually. And now, we have the Driver Alcohol Detection
1116 System for Safety program.

1117 And I really appreciate my colleague, Representative
1118 Castor, talking about, should it be a penalty for existing
1119 drunk drivers, an optional feature in cars, or should we go
1120 right into it and make it a standard feature, particularly if
1121 it was a push button?

1122 And the idea that, could technology make drunk driving
1123 obsolete? It is just a fascinating possibility in the world
1124 we live in. And when you think about it, it would save all
1125 these lives of folks who are victims who get hit, but also
1126 save a lot of people from making a lot of bad mistakes and
1127 getting into the criminal justice system by being drunk
1128 drivers, not only from the injuries that they could sustain,
1129 but all the legal expenses and that our court systems deal
1130 with on a daily basis.

1131 So, if we were to eventually have this technology to a

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1132 level where it was standard equipment, and you simply, as an
1133 American, pushed the button, and your car doesn't start
1134 because you are over the limit, and we went nationwide with
1135 something like that, it would be great to hear from each of
1136 the panelists. What are the various concerns and issues that
1137 we should be contemplating and addressing to create a regime
1138 like that? And we will start from left to right, starting
1139 with Ms. Witty.

1140 Ms. Witty. The DADSS is what we would prefer for
1141 everyone because ignition interlock, we would agree with you
1142 then, the ignition interlock is more punitive and it makes
1143 the person work. So, exactly, the DADSS program would be
1144 passive unless you are breaking the law, exactly. Let's add
1145 hospitals to the saving the money.

1146 Mr. Soto. Sure.

1147 Ms. Witty. We wouldn't have the injuries and all those.
1148 So, as far as MADD is concerned, we see DADSS as what we
1149 would want installed because it is not there unless you are
1150 breaking the law.

1151 Mr. Soto. Sure.

1152 Mr. Strassburger, what concerns? What do we have to
1153 address if we were to put together legislation eventually
1154 that would address that?

1155 Mr. Strassburger. So, the DADSS program has always been

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1156 structured from the beginning to build consumer awareness and
1157 acceptance of the technology, in sync with the technology, so
1158 that there is a consumer pull, coupled with an industry push
1159 for the technology. I actually think we can get full
1160 penetration faster that way.

1161 There may be two things that need to be taken into
1162 consideration with respect to a mandate. One is that we
1163 should not be picking technology winners and losers. We
1164 should be technology-agnostic. And some of the technologies
1165 that we are talking about here today are good examples of why
1166 that should be.

1167 The other thing I want to address is that, while I will,
1168 no surprise, disagree with former Administrator Claybrook,
1169 not hassling drivers who are not the problem, who don't see
1170 they are the problem, is a very important consideration. And
1171 seatbelt interlocks in the 1970s are very instructive.

1172 Mr. Soto. Thank you. And we can imagine just a push
1173 button where it turns or not, and your car doesn't start, for
1174 every driver.

1175 It would be great to hear from you next, Ms. Claybrook,
1176 as well.

1177 Ms. Claybrook. Well, I think that the most important
1178 thing is for Congress to act. I think the people are just
1179 sick and tired of waiting and waiting and waiting. This has

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1180 been going on since I was Administrator 40-plus years ago,
1181 and it is still going on today. And people are dying every
1182 single year. These deaths destroy families.

1183 You know, Ms. Witty has risen to the height above it,
1184 but most families are so devastated, and particularly if it
1185 is the breadwinner. So, we should act, and if it means that
1186 we act as something less than perfect, let's do that, and
1187 then, let's make sure that we can get to DADSS. I hope that
1188 we could. That would be fine with me, and I think the
1189 government has put a huge amount of money in it. The
1190 industry has put money into it. Let's finish the job.

1191 Mr. Soto. And, Mr. Kelly?

1192 Mr. David Kelly. I think that in a perfect world what
1193 needs to be done, and one of the big landmines in sort of
1194 going with that type of program, is the public education.
1195 Look, nobody thinks they are a bad driver. Nobody thinks
1196 they are a drunk driver. It is always everybody else's
1197 fault. You know, you are the bad driver; you are the one
1198 that cut me off. It doesn't matter you were on your cell
1199 phone doing 30 miles an hour in the lefthand lane, right?
1200 But that is the mentality of the driver. And we need to do a
1201 lot more work to overcome that before we start thinking about
1202 mandating technology across every vehicle.

1203 Ms. Schakowsky. The gentleman yields back. And I now

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1204 recognize Representative Bucshon for 5 minutes.

1205 Mr. Bucshon. Well, thank you very much.

1206 My wife's first cousin was killed on her first car date
1207 when she was 16, a drunk driver. So, this affects every
1208 family.

1209 I was a cardiovascular and thoracic surgeon before, and
1210 obviously, in my role as treating trauma patients, I have
1211 seen many people who have been hit or, honestly, have been
1212 driving themselves drunk and have been injured. This is a
1213 critical problem, and I would agree that it is something that
1214 we probably have slowly tried to address, probably too
1215 slowly. And it appears there is technology now that there is
1216 no excuse really for not addressing this issue.

1217 So, in that vein, Mr. Strassburger, when will the Driver
1218 Alcohol Detection Systems that you are working on be
1219 commercially available?

1220 Mr. Strassburger. As I mentioned both in my written
1221 testimony and my opening statement, we expect that, by 2020,
1222 we will be releasing the breath-based technology for fleet
1223 and accessory applications, and that by 2024 --

1224 Mr. Bucshon. So, at that time, what you are saying is
1225 that you will release it, and I get that. There is a lot of
1226 technologies that are released, but, then, are not
1227 economically feasible. If you are going to add a thousand

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1228 dollars to a \$12,000 car, a lot of times for many people that
1229 is not economically feasible.

1230 So, what you are saying is, by 2020, this should be not
1231 only available and potentially installed in vehicles, but it
1232 will be economically feasible to install in all levels of
1233 vehicles, not just high-end vehicles?

1234 Mr. Strassburger. That is correct. The task that we
1235 took on back when the campaign to eliminate drunk driving
1236 launched was to demonstrate the commercial feasibility,
1237 viability, and assure the certainty of the technology. That
1238 has been our focus from day one.

1239 Mr. Bucshon. Yes.

1240 Mr. Strassburger. So, it is our intention that, if we
1241 can demonstrate feasibility, viability, and certainty, that
1242 it will be used.

1243 Mr. Bucshon. Great. And I do agree that -- and some of
1244 you have talked about it -- that you do, unfortunately and
1245 frustratingly, have to have consumer buy-in on these types of
1246 issues, because if you don't, people will go to the extremes
1247 to try to subvert them. They will have friends touch the
1248 ignition with their finger because they think they have had
1249 too much to drink, and then, they will hop in the seat. Or
1250 they will have a kid touch it, believe it or not. So, these
1251 types of things, we do have to have consumer buy-in and

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1252 understanding. We also have to make ways that people can't
1253 get around these things, if we decide to do it, as we should.

1254 Mr. Kelly, what are the particular challenges drug-
1255 impaired driving pose that alcohol-impaired driving does not?

1256 Mr. David Kelly. The biggest problem is setting the
1257 legal limit, to define what is impairment from a drug. And
1258 each drug is going to have a different, whether it is
1259 marijuana or whether it is prescription drugs, whatever it
1260 is, each impair differently. And setting a legal limit is
1261 probably the No. 1 challenge to try to define. Because as we
1262 talk about this in this setting, when it gets down to an
1263 enforcement perspective and in a prosecution perspective,
1264 judges and juries, they like per se levels. And that is the
1265 biggest challenge of getting these types of cases prosecuted.

1266 Mr. Bucshon. And, for example, in my district in
1267 Newburgh, Indiana, there was a sledding hill all the kids
1268 used, but they probably shouldn't. But they have been doing
1269 it for decades. It crosses a road, right? And so, a young
1270 lady, 16 years old, a couple of years ago, an impaired driver
1271 was coming down the road too quickly and hit her as she
1272 sledded across the road, where she shouldn't have been. But,
1273 you know, kids do crazy things. I have got four kids; I know
1274 this.

1275 It turns out she blew zero on her breathalyzer test in

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1276 the field, did have some field sobriety tests that said she
1277 was impaired. But it actually took the prosecutors and law
1278 enforcement months and months and months to finally prove
1279 that and convict her of reckless driving, essentially, being
1280 impaired. But it was a struggle, right, because there was no
1281 definable level of impairment. So, I would agree that that
1282 is a substantial challenge.

1283 And when you see the level of use, I mean, some people
1284 have mentioned the data about how many high school kids are
1285 using this. We need to work on that.

1286 So, are there other things, other than breathalyzers and
1287 other things, that we can do in vehicles that would help with
1288 this? I mean, it is one thing. Maybe we shouldn't be able
1289 to open the door, for example. Does anybody have an opinion
1290 on that? Even get in the car at all?

1291 Ms. Claybrook. Do what?

1292 Mr. Bucshon. You would have, on the outside of the car,
1293 you would have a detection system, and if you don't pass
1294 that, you can't even open the car door.

1295 Ms. Claybrook. Oh, I see.

1296 Mr. Bucshon. I don't know.

1297 Ms. Claybrook. I like that idea. I love technology.

1298 Mr. Bucshon. I mean, that is an extreme.

1299 But, anyway, my time has expired. I appreciate your

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1300 testimony. It is powerful. And, Ms. Witty, obviously, yours
1301 is very powerful testimony, and we need to take all these
1302 things into consideration and improve our systems.

1303 Thank you.

1304 Ms. Schakowsky. The gentleman yields back. And now, I
1305 will recognize Congressman McNerney for 5 minutes.

1306 Mr. McNerney. Well, I thank the chair and the ranking
1307 member.

1308 I thank the witnesses for really good, excellent
1309 testimony this morning.

1310 Mr. Strassburger, could you give us an update on the
1311 test program, and specifically, how many cars are being
1312 tested?

1313 Mr. Strassburger. Yes. So, with the wonderful
1314 cooperation of the State of Virginia and James River
1315 Transportation, we are operating up to four vehicles out of
1316 two sites, the Norfolk Airport and the Richmond Airport.
1317 There is consideration being given to expanding the number of
1318 vehicles tested in what we call a naturalistic evaluation.

1319 We will also, once we have OMB approval, be testing
1320 anywhere between 20 and 40 vehicles in different locations
1321 around the country that are representative of the extreme
1322 environmental and other environmental conditions that you
1323 would normally experience in a car. So, we are working on,

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1324 we are actually doing shakedown testing of those vehicles
1325 right now in anticipation of OMB clearance, but we don't have
1326 that clearance yet.

1327 Mr. McNerney. So, about how many cars does it usually
1328 take for an automaker to adopt a new technology?

1329 Mr. Strassburger. Well, it depends on the technology
1330 and the test matrix, but, normally, a lot more than what we
1331 are testing right now. We are working on securing other
1332 evaluations, as I have mentioned.

1333 Mr. McNerney. Are you looking to partner with other
1334 states? Is California one of the states you are --

1335 Mr. Strassburger. California is not. They have not
1336 expressed an interest, but we would love to have them.

1337 Mr. McNerney. So, what are the obstacles that are
1338 keeping from expanding to those states?

1339 Mr. Strassburger. We will talk to any state that wants
1340 to talk to us about deploying vehicles. NHTSA has issued
1341 guidance to every state -- that was, I think, back in 2016 --
1342 that allows them to use their federal grant funding for DADSS
1343 programs. So, I am open to talk to anyone, states or
1344 otherwise.

1345 Mr. McNerney. So, it sounded like your testimony showed
1346 you are expecting another four-year extension of the DADSS
1347 testing, is that right?

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1348 Mr. Strassburger. Not testing. There is, we estimate,
1349 another four years of research that we need to conduct to be
1350 able to release the DADSS derivative for privately-owned
1351 vehicles, that is, the version that would go on every car and
1352 truck that a consumer would buy.

1353 Mr. McNerney. Ms. Claybrook, what do you think about
1354 that timeframe?

1355 Ms. Claybrook. Well, what amazes me is, when the auto
1356 industry wants to introduce a new technology, it is zip, it
1357 is done. On the autonomous cars, which are so much more
1358 complicated than what we are talking about today, they are
1359 pushing hard to get autonomous. They tried to push
1360 legislation through last year to get autonomous cars to be
1361 tested on the highway and to be sold very shortly thereafter.

1362 So, I think that it is like a bureaucratic nightmare
1363 that we are experiencing here, and I see no reason why it is
1364 going to take this long to test such a simple system as this.

1365 And it is discouraging. It is discouraging to all the
1366 organizations that have been working on this for so many
1367 years, but it is like a slow walk. You know what I mean by
1368 that?

1369 Mr. McNerney. Right, right.

1370 Ms. Claybrook. So, I think it is time to get past the
1371 slow walk. And there is one body in this United States

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1372 Government that can do, and that is the United States

1373 Congress.

1374 Mr. McNerney. Thank you for that.

1375 I want to follow up a little bit on what Mr. Bucshon was
1376 talking about, universal impaired driving. There is no
1377 mechanical -- I mean, obviously, the blood levels are all
1378 over the place for different substances. There is no
1379 mechanical test. Is it feasible to have a mechanical test
1380 that a driver would have to take before turning on the key,
1381 before the key would turn on the ignition?

1382 Ms. Claybrook. You mean for drugs?

1383 Mr. McNerney. For impairment.

1384 Ms. Claybrook. For impairment. I see.

1385 Mr. Strassburger. That actually has been looked at in
1386 the 1970s, for example, to measure your cognitive ability.
1387 That is something that we looked at. You would be given a
1388 string of numbers, for example.

1389 Mr. McNerney. Well, I think it is more important to
1390 have a reflex than a cognitive --

1391 Mr. Strassburger. But I think the approach was to look
1392 at your ability to drive a vehicle safely. And so, that one
1393 was looking at entering a string of numbers that were
1394 displayed on the screen. The problem with that is that most
1395 people couldn't, even if they were not impaired, complete

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1396 that task.

1397 [Laughter.]

1398 Mr. McNerney. Okay.

1399 Mr. David Kelly. And I think that there have been some
1400 discussions around that as well. You know, impairment is
1401 impairment; let's define the impairment and let's try to test
1402 to the impairment. And that is one way to get around the
1403 legal limit levels. I know a lot of groups are talking about
1404 that, but action items there are very difficult to come by.

1405 Mr. McNerney. I yield back.

1406 Ms. Schakowsky. The gentleman yields back. And now, I
1407 recognize Congressman Carter for 5 minutes.

1408 Mr. Carter. Thank you, Madam Chair.

1409 And thank all of you for being here. What an important
1410 subject.

1411 And, Ms. Witty, God bless you. Thank you so much for
1412 your testimony. We appreciate it.

1413 Mr. Kelly, I am going to start with you. And you make a
1414 good point; we do need to do something, and obviously, as
1415 much as we can do about drunken driving. But your devices,
1416 you are not up to the point where you can use it for drug
1417 driving. Because what I want to discuss in my little bit of
1418 time here is the drug driving. So, you are not at that point
1419 yet? Yours is just with alcohol?

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1420 Mr. David Kelly. The ignition interlock, yes, right not
1421 it is specific to alcohol. There are some testing devices
1422 that are out there that can detect marijuana, but it is the
1423 presence of marijuana, and that is when you link it back to
1424 the impairment level.

1425 Mr. Carter. So, there are devices out there that can
1426 actually monitor or measure for marijuana?

1427 Mr. David Kelly. It detects marijuana.

1428 Mr. Carter. Detects marijuana?

1429 Mr. David Kelly. Detects it. And there are some other
1430 companies that are looking at some research and some devices
1431 that would be able to detect other types of drugs as well,
1432 but it is just a strict pointer system, as opposed to saying,
1433 okay, well, now you are impaired. Especially with marijuana,
1434 marijuana, first of all, whether you smoke it, you vape it,
1435 it is an oil, it is an edible --

1436 Mr. Carter. Right, right.

1437 Mr. David Kelly. -- it all is different.

1438 Mr. Carter. Right.

1439 Mr. David Kelly. And so, even just pointing to it, it
1440 was marijuana, it is difficult to say, okay, well, you know,
1441 was it a week ago --

1442 Mr. Carter. Okay.

1443 Mr. David Kelly. -- or an hour ago?

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1444 Mr. Carter. Yes, that is exactly right.

1445 Ms. Witty, let me ask you. I understand that in your
1446 testimony, when I was reading it, it said that you support
1447 MADD --

1448 Ms. Witty. Yes.

1449 Mr. Carter. -- and the work that they are doing with
1450 the National Highway Traffic Safety Administration to address
1451 drug driving. What do you want to see come out of that
1452 effort? I know you are not here representing MADD, but what
1453 are they looking for?

1454 Ms. Witty. Well, what is MADD looking for?

1455 Mr. Carter. In the way of monitoring for drug driving?

1456 Ms. Witty. For drug driving?

1457 Mr. Carter. Right.

1458 Ms. Witty. I am here to support MADD.

1459 Mr. Carter. Okay.

1460 Ms. Witty. And we are working hard. We are working in
1461 tandem. The thing is, there are so many drugs. And what I
1462 hear from police officers is, we can determine impairment,
1463 but for a certain device to determine impairment is the
1464 question.

1465 Mr. Carter. Right.

1466 Ms. Witty. So, what happens is we know what determines
1467 impairment through the BAC of alcohol. So, that is something

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1468 we know. The drugs, with the number of them and how they
1469 change so quickly, that is an emerging issue. So, yes, but
1470 we are right on it. We are drunk and drugged driving.

1471 Mr. Carter. Okay. Okay.

1472 Ms. Witty. So, absolutely.

1473 Mr. Carter. Absolutely. Okay. Well, here is my point:

1474 I agree with Dr. Bucshon. I agree with Representative
1475 McNerney that we need some kind of universal device that
1476 would help us or universal solution.

1477 Here is the point I want to make in full disclosure: I
1478 am absolutely adamantly opposed to the recreational use of
1479 marijuana. Currently, I am the only pharmacist serving in
1480 Congress. And I will tell you, I consider it to be nothing
1481 more than a gateway drug. I am sorry, that is just my
1482 feeling. If that offends you, then that is something you
1483 will just have to deal with.

1484 But let me tell you, right now, marijuana is a Schedule
1485 I drug. That means that it is for investigational use only.

1486 It cannot have research done on it. The DEA is failing the
1487 American public here by not letting research take place on
1488 marijuana. I would hope that MADD will address that.

1489 We had an Attorney General who was going to address
1490 this, who was going to say that we have a federal law that
1491 prohibits marijuana use. Yet, we have states going out

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1492 legalizing the recreational use of marijuana. But that
1493 Attorney General is gone now. So, it is not being addressed.

1494 This is something that needs to be addressed by the DEA.

1495 Currently, I am writing an op-ed right now, in conjunction
1496 with one of my Democratic colleagues, Representative Earl
1497 Blumenauer, about the need for research in the medical
1498 marijuana. Now that is a whole different subject than the
1499 recreational marijuana. But we need to have the ability to
1500 do research. If we could do research on marijuana, we would
1501 have the ability to detect and maybe provide some of these
1502 and create some of these devices that would check this.

1503 So, I hope that that would be something that MADD would
1504 address and something that MADD will work on and help us
1505 with.

1506 Ms. Witty. I would hope so. Here is the issue: MADD
1507 has got to focus on driving, drunk and drugged driving. And
1508 so, exactly what you are saying. We can't get to the driving
1509 until we have that research done.

1510 Mr. Carter. Absolutely.

1511 Ms. Witty. So, we have to be careful that we remain
1512 focused. Just like we are not against alcohol; we are
1513 against drunk driving. We have to take the position we are
1514 not against marijuana; we are against marijuana and driving.

1515 Now don't ask to say personally. Okay? I mean, I get

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1516 it.

1517 And that is where our power is. We remain focused. But
1518 what my worry is, this is not a priority. We need to keep
1519 this, the drunk and drugged driving, a priority, so that we
1520 can stop the killing that is happening.

1521 Mr. Carter. Absolutely. A valid point. Thank you, Ms.
1522 Witty, again, and God bless you.

1523 Ms. Witty. Thank you. Thank you.

1524 Mr. Carter. And I yield back.

1525 Ms. Schakowsky. Thank you. The gentleman yields back.

1526 And I now recognize for 5 minutes the honorable Debbie
1527 Dingell.

1528 Mrs. Dingell. I want to thank you, Madam Chairwoman.

1529 And before my colleague leaves, I want to say to you
1530 that I am a pragmatic person. Having had a sister that died
1531 of a drug overdose and a father that was a drug addict, I
1532 have a very natural reaction. But I also know it is a
1533 reality. My State just legalized it, and it is being
1534 legalized in state after state in this country, and we need
1535 to deal with it.

1536 Part of the problem is -- Madam Chairwoman, this is
1537 totally off -- but I would encourage us to get the Acting
1538 Administrator of NHTSA in, who has this as a priority. Her
1539 problem has been that they have not been able to test it.

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1540 You are starting to see more. But it needs to be an absolute
1541 priority. I think everyone in this room is worried about
1542 impaired driving, period. It is killing people.

1543 So, pragmatically, you are absolutely right. I am
1544 having to deal with it is legalized in Michigan now, and I
1545 want to make sure we keep people safe in the process. So, I
1546 want to say that.

1547 Now I want to go to drunk driving, which we do know, we
1548 do have the technology, and it is killing people. So, while
1549 we have got to get there -- and I want to thank my colleagues
1550 on the Republican side, for I think today has truly been a
1551 very bipartisan hearing -- we have got a problem. And that
1552 is why we are here. And we have had a problem since the '70s
1553 or the '60s and the '50s. But, as Joan Claybrook says, we
1554 have been talking about it since then.

1555 I would also agree with Mr. Kelly that we do need a
1556 public relations campaign because I don't remember this --
1557 some people think I am old; I am seasoned, but not old; you
1558 are seasoned and not old, either, Ms. Claybrook -- but we
1559 still to this day hear about that campaign to require
1560 seatbelts being buckled. And it is used as an excuse for
1561 everything. And we have got to stop using it. It is now
1562 2019; it is not the 1970s, and people are dying and the
1563 technology exists. So, I am looking at that little girl who

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1564 said to me, ``It exists. Why aren't we using it?"

1565 I thank all of you for being here.

1566 Mr. Strassburger, you answered some questions about how
1567 many are being currently tested. But what I want to figure
1568 out is how we are going to get this from limited field
1569 testing to something that is placed in the vehicles. I
1570 totally agree the four years is just way too long. We keep
1571 having that excuse.

1572 And you said California -- you got asked a question
1573 about whether California was one of those states. Have you
1574 gone to California? What are you doing to actively go out
1575 and market it and to accelerate it?

1576 Mr. Strassburger. So, what we are doing, No. 1 is just
1577 next week I am meeting with all of the OEMs to update them on
1578 this technology and tell them that, now that we are moving to
1579 fleet or see the time for fleet deployments, that they should
1580 begin to consider including this in their own program plans
1581 and package-protect for the technology.

1582 Next month, we are at the National Fleet Administrators
1583 Conference in Kentucky, meeting with them and trying to get
1584 this deployed through fleets, et cetera.

1585 Mrs. Dingell. I don't want to interrupt, but I am going
1586 to have you give us more answers because I have only got two
1587 minutes left.

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1588 But how many more vehicles do you need to get this solid
1589 testing data?

1590 Mr. Strassburger. I think that the suggestion that Ms.
1591 Witty made about the GSA fleet is an excellent one.

1592 Mrs. Dingell. Okay. So, I am going to ask all of you,
1593 what should Congress be doing to accelerate the pace of
1594 deployment for DADSS?

1595 Mr. Strassburger. Well, in our case, it would be to
1596 continue to fund this research, and if we have additional
1597 funding --

1598 Mrs. Dingell. Okay. We keep funding it, but it is not
1599 getting there.

1600 Ms. Claybrook or Mr. Kelly, would you care to comment?

1601 Ms. Claybrook. What I would say is that the Congress
1602 should mandate it with a date certain and pick a date when
1603 these systems have to be in cars. Ask NHTSA to do the
1604 rulemaking. Take all the research that has been done and
1605 evaluate it, and show that these systems work, can be used.
1606 They are being used now on the highway. If they are used now
1607 on the highway, why can't they be in every car? I don't get
1608 it. And so, that is for the interlock.

1609 The DADSS should certainly be pushed, and NHTSA should
1610 be given an instruction to do that and a date for getting
1611 them into cars.

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1612 Mrs. Dingell. Mr. Kelly?

1613 Mr. David Kelly. I think the public education campaign
1614 needs to be ramped-up and some oversight on that and what is
1615 happening there, especially working with NHTSA. What they
1616 are doing from their involvement is helpful, too.

1617 Mrs. Dingell. Okay. I am going to move quickly.

1618 Ms. Witty, I am going to switch subjects because I am
1619 down to 20-some seconds.

1620 In states that have mandatory first offender interlock
1621 laws, have you seen a reduced number of alcohol-related
1622 fatalities?

1623 Ms. Witty. Yes. Yes, by about 16 percent. Yes.

1624 Mrs. Dingell. Ms. Claybrook, what do you think is
1625 needed to have the other 18 states adopt mandatory first
1626 offender interlock laws?

1627 Ms. Claybrook. Well, this Congress could require that
1628 the states do that. Just like they did on age 21 and .08,
1629 have a penalty, maybe a two- or three-year phase-in, and
1630 then, a penalty apply. And as I said, the penalty is never
1631 going to apply because all the states have always done it.

1632 Mrs. Dingell. Ms. Witty, what is the cause of
1633 resistance from states that haven't implemented the mandatory
1634 first offender laws?

1635 Ms. Witty. That is a good question.

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1636 Mrs. Dingell. So, we will get you to answer that for
1637 the record because I am now over.

1638 Ms. Witty. I don't understand that.

1639 Mrs. Dingell. Can I submit questions for the record,
1640 Madam Chair?

1641 Ms. Schakowsky. Without objection, so ordered.

1642 Mrs. Dingell. Thank you.

1643 And I also request unanimous consent from the committee
1644 to submit the full text of a report from the National Academy
1645 of Sciences, which has items we should all be considering as
1646 we are working this issue.

1647 Ms. Schakowsky. Without objection, so ordered.

1648 Mrs. Dingell. Thank you.

1649 [The information follows:]

1650

1651 ***** COMMITTEE INSERT 5*****

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1652 Mrs. Dingell. Sorry I had to be so fast.

1653 Ms. Schakowsky. The gentlewoman yields back.

1654 There are other things for the record. A letter from
1655 the Coalition for Future Mobility. I am asking unanimous
1656 consent to enter all of these into the record.

1657 A letter from the Consumer Technology Association, a
1658 letter from Securing America's Future Energy, and a letter
1659 from the American Beverage Licensees on drunk driving and
1660 technology.

1661 Without objection, so ordered.

1662 [The information follows:]

1663

1664 ***** COMMITTEE INSERT 6*****

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1665 Ms. Schakowsky. Let me just say that this hearing has
1666 clearly raised a number of questions about whether NHTSA
1667 should prioritize or is prioritizing the DADSS program. I
1668 think it should be, but we want to hear. And we will have
1669 the NHTSA Administrator before the subcommittee for an
1670 oversight hearing. But, in the meantime, I plan to send a
1671 letter to NHTSA requesting information about its current
1672 commitment to, and future plans for, the DADSS program.

1673 So, at this point, I want to thank all of our witnesses.

1674 I want to thank all the members that did come today. I
1675 want to thank the ranking member. And I want to thank our
1676 staff on both sides of the aisle for the good work that they
1677 did.

1678 I remind members that, pursuant to committee rules, that
1679 each member has 10 business days to submit additional
1680 questions for the record to be answered by the witnesses who
1681 have appeared. I ask each witness to respond promptly to any
1682 such requests for information that you may receive. And at
1683 this time, the subcommittee is adjourned.

1684 [Whereupon, at 11:54 a.m., the subcommittee was
1685 adjourned.]

NEAL R. GROSS

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