

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

1 NEAL R. GROSS & CO., INC.

2 RPTS WOJACK

3 HIF205170

4

5

6 LEGISLATION TO MAKE CARS IN AMERICA SAFER

7 WEDNESDAY, JULY 24, 2019

8 House of Representatives

9 Subcommittee on Consumer Protection and

10 Commerce

11 Committee on Energy and Commerce

12 Washington, D.C.

13

14

15

16 The subcommittee met, pursuant to call, at 10:30 a.m., in
17 Room 2322 Rayburn House Office Building, Hon. Janice Schakowsky
18 [chairwoman of the subcommittee] presiding.

19 Members present: Representatives Schakowsky, Castor, Kelly,
20 O'Halleran, Blunt Rochester, Soto, Rush, Matsui, McNerney,
21 Dingell, Pallone (ex officio), Rodgers, Burgess, Latta, Guthrie,
22 Bucshon, Hudson, Carter, and Walden (ex officio).

23 Staff present: Billy Benjamin, Systems Administrator; Jeff
24 Carroll, Staff Director; Evan Gilbert, Press Assistant; Lisa

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

25 Goldman, Counsel; Waverly Gordon, Deputy Chief Counsel; Daniel
26 Greene, Professional Staff Member; Alex Hoehn-Saric, Chief
27 Counsel, C&T; Joe Orlando, Staff Assistant; Alivia Roberts, Press
28 Assistant; Tim Robinson, Chief Counsel; Chloe Rodriguez, Policy
29 Analyst; Rebecca Tomilchik, Staff Assistant; Justin Discigil,
30 Minority Press Secretary; Margaret Tucker Fogarty, Minority Staff
31 Assistant; Bijan Koohmaraie, Minority Counsel, CPAC.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

32 Ms. Schakowsky. The Subcommittee on Consumer Protection
33 and Commerce will now come to order. The chair now recognizes
34 herself for 5 minutes for an opening statement.

35 Good morning and thank you all for attending today's hearing
36 on legislation to make cars safer. We continue in the
37 subcommittee on our mission to save lives. The number of vehicle
38 related fatalities has been staggering over the last several
39 years. In both 2017 and 2018, vehicle related deaths have
40 exceeded 40,000.

41 This troubling development meant that Congress must act,
42 and today we are here to look at bills to address contributing
43 factors to this spike in auto related deaths. One of these
44 factors is impaired driving. I thank my colleague, Debbie
45 Dingell, for her leadership on this issue and I thank Ranking
46 Member McMorris Rodgers and Representatives Bucshon and McNerney
47 for their initiative to address impaired driving.

48 Another factor is uneven or slow deployment of technology.
49 Since 1990, over 800 children have died from heatstroke in
50 vehicles. In the vast majority of those cases, the adult did
51 not realize the child was inside the car. Most of the children
52 dying are infants and toddlers, 87 percent are 3 years or younger,
53 but adults as well as pets have fallen victim to heatstroke as
54 well. Twenty-one children have died already this year,
55 twenty-one. This is unacceptable, we can do better and we must

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

56 do better.

57 This raises the question how do we prevent heatstroke deaths?

58 It is not enough to educate parents about the risks, even the
59 best parents can get distracted. We need safety features built
60 into our vehicles. You get a warning when you leave your car
61 keys in the ignition. You should get the warning when a child
62 is left in the backseat and that is what the Hot Cars Act does.

63 The bill, which was introduced with Representatives Tim Ryan
64 and Peter King, would require new vehicles to be equipped with
65 sensors, sensor technology to detect the presence of a child in
66 the vehicle and notify the driver or parent. This safety
67 technology has already been developed and it is available in some
68 vehicles today. A Hot Cars Act will ensure that this lifesaving
69 technology is equipped on all vehicles.

70 But our auto safety work does not end there. The New York
71 Times has identified at least 28 deaths and 45 injuries since
72 2006 attributed to carbon monoxide poisoning caused by keyless
73 ignition vehicles that were inadvertently left running. Since
74 keyless ignition systems do not require drivers to turn off a
75 vehicle to remove their key from the ignition, drivers can leave
76 their vehicle -- and that is what happens -- key fob in hand,
77 not realizing that the vehicles are still running. A vehicle
78 left running in an attached garage can and has quickly filled
79 the living space with lethal levels of carbon monoxide. We will

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

80 hear more about that today.

81 The rise in keyless ignition has also exacerbated the problem
82 of automobile roll-aways. Unlike traditional ignition systems,
83 a keyless ignition system permits the driver to exit the vehicle,
84 key in hand, without the car being in park. Fortunately, some
85 auto manufacturers, including GM and Ford, have responded to these
86 hazards by implementing additional safety features including
87 auto-shutoff systems to prevent carbon monoxide poisoning and
88 safeguards that prevent a vehicle from shutting down unless the
89 vehicle is in park.

90 Still, few automakers seem willing to address these new risks
91 and passengers, to drivers and passengers and pedestrians and
92 property from keyless ignition technology. And that is why --
93 let me checking the time here, oops. And that is why I introduced
94 the PARK IT Act with my colleagues Darren Soto, Joe Kennedy, and
95 Seth Moulton.

96 So I thank the witnesses for being here, especially Ms.
97 Livingston for being here because she has experienced the tragedy
98 of her parents dying. We will hear from her today. It takes
99 a lot of courage to be here. So now I yield back and I recognize
100 Ms. Rodgers, ranking member of the Subcommittee on Consumer
101 Protection and Commerce, for 5 minutes for her opening statement.

102 Mrs. McMorris Rodgers. Thank you, Madam Chair. And good
103 morning to everyone and welcome to the Consumer Protection and

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

104 Commerce Subcommittee legislative hearing on improving motor
105 vehicle safety.

106 We lose more than 37,000 lives a year on our roads. We can
107 and we must do more to make our roadways safer, especially
108 considering most of these accidents were preventable. According
109 to the National Highway Safety Administration, 94 percent of all
110 accidents are due to human error. These include distracted
111 driving, driving drowsy, and driving while under the influence
112 of alcohol or drugs.

113 Drunk driving remains a significant public health concern
114 that tragically cuts life short for too many. Not just for those
115 who make the reckless decision to get behind the wheel after
116 consuming alcohol, but also our family and friends on the road
117 in the wrong place at the wrong time. Drug impaired driving
118 is also on the rise. If you feel different, you drive different.

119 It is new public safety message from NHTSA. It means exactly
120 what it says. If you consume drugs, you will feel different.

121 If you feel different, you will drive different. And if you
122 drive different, you will put your life in danger and the lives
123 of those on the road with you.

124 Whether the drug is illegal or legally prescribed, driving
125 while drug impaired is a serious safety threat. According to
126 a recent report, in 2016, more than a thousand fatally injured
127 drivers, or almost 20 percent of the drug-positive drivers tested

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

128 positive for opioids in their system. The most frequent opioids
129 abuse were oxycodone, hydrocodone, morphine, fentanyl, and
130 methadone.

131 Opioids aren't the only drug making our roads less safe,
132 so is marijuana. In fact, marijuana is the most common drug found
133 in fatally injured drivers. In 2012, my home state of Washington
134 legalized marijuana. According to a recent report conducted by
135 the Northwest High Intensity Drug Trafficking Area, one in five
136 tenth graders, one in four twelfth graders reported driving,
137 riding with a driver who had been using marijuana. One in six
138 twelfth graders admitted to driving a vehicle within 3 hours of
139 consuming marijuana. And the percentage of marijuana positive
140 drivers has more than doubled from 7.8 percent to 18.9 percent,
141 and fatal crashes involving marijuana have spiked to almost 13
142 percent, up from 7.8 percent prior to legalization.

143 Recreational use of marijuana poses a serious threat to
144 roadway safety. We must learn from the lessons we have seen in
145 Washington State and make sure that we are focusing on addressing
146 drug impaired driving and alcohol impaired driving. That is why
147 I, along with Mr. McNerney, have introduced legislation to direct
148 NHTSA to study impaired driving to learn more about the risk drug
149 impairment poses. Our solution gives NHTSA the flexibility it
150 needs to examine the drug impaired driving in the most efficient
151 and effective way possible. It allows NHTSA to review methods

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

152 to detect drug impaired driving. It supports NHTSA research to
153 review methods to detect drug impaired driving and develop
154 impairment standards for driving under the influence.

155 Our bill will lead to a better understanding of the risk
156 and the ways to prevent drug impaired driving. It will allow
157 NHTSA to produce extremely important data that will inform
158 decision making on policies that can save lives. We are also
159 considering legislation introduced by my colleagues Mr. Bucshon
160 and Ms. Dingell that will authorize money that has been
161 appropriated for the last 2 years, 2 fiscal years. Returning
162 to regular order and ensuring funds are accounted for by this
163 committee is critical. Remember, if you feel different, you
164 drive different.

165 I would also like to acknowledge that this is the last day
166 for Melissa, who has been the head staffer for the Republicans
167 on the Consumer Protection and Commerce Subcommittee. And I just
168 want to say thanks for her exceptional leadership. She has a
169 tremendous depth of knowledge, her strategic thinking, her hard
170 work, all to get results on behalf of the many important issues
171 before this district. And although we are going to miss her,
172 I just wanted to take this opportunity to recognize her and wish
173 her all the best in this next chapter. Thank you, Madam Chair.

174 Ms. Schakowsky. Thank you. And let me also wish Melissa
175 the best of luck and thank her for the service that she has been

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

176 to our committee. And now I would recognize Mr. Pallone, the
177 Chairman of the full committee for 5 minutes for his opening
178 statement.

179 The Chairman. Thank you, Chairwoman Schakowsky, and thanks
180 for all you do on these safety issues. I know we reported out
181 of the full committee last week a number of initiatives from this
182 subcommittee that you are responsible for that, you know, to help
183 children and, you know, this continues with your constant efforts
184 to help consumers, you know, in so many different ways.

185 Since 2014, the number of auto fatalities has steeply
186 increased after nearly a decade of falling. And despite the
187 rising death toll, the National Highway Traffic Safety
188 Administration, or NHTSA, has failed to prioritize vehicle
189 safety. NHTSA has failed to complete needed rulemakings or
190 prioritize resources to address preventable injuries and
191 fatalities.

192 Where the administration has been slow to act, Congress must
193 step in. The bills we are considering today will help address
194 preventable tragedies including child vehicular heatstroke,
195 carbon monoxide poisoning, and impaired driving. As we learned
196 in May when this subcommittee held the hearing on summer driving
197 dangers, 823 children have died from heatstroke after being left
198 in hot cars over the last 20 years. And since that hearing, 2
199 more children have died and that is 21 children so far this year.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

200 No child should lose their life because they became trapped in
201 a hot car. Fortunately, technologies exist today that can
202 end these senseless tragedies, technologies that can alert
203 drivers to the presence of a child in a vehicle or remind a driver
204 to check their backseat before leaving the car. Regrettably,
205 these sorts of lifesaving technologies have not yet been widely
206 deployed.

207 And I commend the chairwoman and Representatives Ryan and
208 King for their work on the Hot Cars Act. This legislation would
209 require vehicles to be equipped with safety technologies to detect
210 and alert the driver to the presence of a child or occupant in
211 the rear seat of a vehicle after the engine has shut off. And
212 I look forward to exploring how this technological revolution
213 can save lives.

214 I also look forward to exploring how we can ensure that
215 technological innovations like keyless ignition systems do not
216 actually present unintended safety issues. Keyless ignition
217 systems provide an added level of convenience for the driver,
218 merely sit in the vehicle and push to start, all with your keys
219 in your pocket or bag. But that added convenience has been tied
220 to a troubling rise in carbon monoxide deaths, more than three
221 dozen since 2006. Without the physical motion of turning a key,
222 some drivers inadvertently forget to turn off the vehicle -- I
223 will include myself among those -- and some keyless ignition

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

224 systems permit the engine to continue idling even when the driver
225 exits the vehicle with the keys.

226 If the vehicle is left in an enclosed area, tragedy can ensue
227 as dangerous levels of carbon monoxide build. Such a tragedy
228 claimed the lives of Dr. James Livingston and Dr. Sherry Penney.

229 I thank Ms. Livingston for testifying today and sharing her
230 parents' story, and I again commend the chairwoman as well as
231 Representatives Soto, Kennedy, Moulton, Deutch, and Gonzalez for
232 introducing the PARK IT Act.

233 This legislation would ensure the engine of a keyless
234 ignition vehicle automatically shuts off if left idling for an
235 unreasonable amount of time. I also look forward to discussing
236 two impaired driving bills. With 10,000 deaths, 30 percent of
237 all fatal crashes tied to drunk driving, and troubling increases
238 in the rate of drug impaired driving, we have to double down on
239 our efforts to prevent such threats to auto safety.

240 So I want to thank our witnesses and I wanted to yield the
241 remainder of my time to Representative Dingell.

242 Mrs. Dingell. Thank you, Mr. Chairman. And thank you and
243 Chairman Schakowsky for holding this important hearing today.

244 I want to start by talking about the single largest cause of
245 traffic fatalities, drunk driving. This is cost that matters
246 to too many families that have been hit and struck by it, the
247 most recent in my own community by the Abbas family in January.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

248 The Abbas family was driving back from a family vacation
249 when their car was struck head-on by a drunk driver and there
250 were no survivors. Mother, father, three children needlessly
251 killed because someone made the decision to drink and drive.
252 July, this month, is the deadliest month for drunk driving.
253 Across the country, families and loved ones are repeating what
254 our community went through in January.

255 It is time. Congress has to step up and do something, and
256 do something we will. I am so proud to co-lead Mr. Bucshon's
257 bill that we are considering here today that would authorize funds
258 for pilot programs, demonstration projects, and innovative
259 solutions to address impaired driving, and I also will be
260 introducing legislation of my own later this week. I yield back
261 the balance of my time. Thank you. The Chairman. And I
262 yield back, Madam Chair.

263 Ms. Schakowsky. The gentleman yields back and the chair
264 now recognizes Mr. Walden, ranking member of the full committee,
265 for 5 minutes for his opening statement.

266 Mr. Walden. Good morning, Madam Chair.

267 Ms. Schakowsky. Good morning.

268 Mr. Walden. And thanks for having this hearing. Each year,
269 tragically, we lose 37,000 people on our roads, in no small part
270 due to impaired driving. And, in fact, since January of 2000,
271 more than 200,000 people have died from impaired driving. Now

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

272 whether that is alcohol, marijuana, or opioids, the consumption
273 of drugs is making our roads less safe and more deadly.

274 Alcohol impaired driving remains a serious problem and one
275 that cuts far too many lives short, as we all know. But drug
276 impaired driving has also taken a hold of our roadways and, to
277 be clear, you cannot drive safely if you are impaired. While
278 it is illegal to drive while under the influence of marijuana,
279 opioids, or any potentially impairing drug, even if the drug has
280 been legally prescribed, sometimes it is difficult to figure out.

281 Driving while impaired by any substance, legal or illegal,
282 puts drivers and those who share the road with them in great
283 danger. The National Highway Traffic Safety Administration,
284 NHTSA, is getting the word out about the dangers of driving after
285 consuming drugs through its "If you feel different, you drive
286 different," and, "Drive High, get a DUI" campaigns, and we are
287 appreciative of that.

288 Today, we will discuss two measures that will help advance
289 NHTSA's efforts to combat impaired driving introduced by
290 Representatives Rodgers and Dr. Bucshon. The first bill, the
291 Combating Impaired Driving Act of 2019, introduced by Dr. Bucshon
292 and Ms. Dingell, authorized important funding to NHTSA to conduct
293 research on impaired driving, including drug impaired driving.

294 The more NHTSA can focus on this issue, the more we can learn
295 about its unique challenges and make better, more informed public

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

296 policy decisions.

297 The second piece of legislation, the Impaired Driving Study
298 Act of 2019, introduced by Mrs. Rodgers and Mr. McNerney, directs
299 NHTSA to study impaired driving so we can learn more about the
300 devastating effects marijuana and opioid impaired driving are
301 having on our roads. And coming from a state that has legalized
302 marijuana, this is an increasingly important issue to overcome.

303 The bill is intended to give NHTSA the flexibility it needs
304 to determine how best to study this issue and requires NHTSA to
305 report to us on the progress of the study as well any findings.

306 And under the bill, NHTSA can review different methods to detect
307 drug impaired driving, work with state and local partners on
308 state-based drug impaired driving policies, and learn the role
309 in extended drug impairment in motor vehicle accidents, and any
310 other issues NHTSA believes necessary to examine to combat drug
311 impaired driving in effective and efficient ways.

312 So I appreciate the work on that and on obviously the Hot
313 Cars Act as well. And with that I want to make sure and provide
314 plenty of time for Dr. Bucshon to discuss his legislation. With
315 that, Madam Chair, I would yield to him. Mr. Bucshon.
316 Thank you. And thank you to Chairwoman Schakowsky and Ranking
317 Member McMorris Rodgers for holding this hearing today.

318 Impaired driving is an epidemic across our nation that claims
319 far too many lives each year. Although we continue to make

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

320 headway in addressing drunk driving, drug impaired driving is
321 on the rise. In 2018, 38 percent of drivers killed in Indiana
322 tested positive for alcohol, while 45 percent tested positive
323 for one or more drugs.

324 It is important that we take steps to promote technological
325 advancements that help our law enforcement professionals on the
326 ground to detect and prevent impaired driving. For that reason,
327 I introduced, along with Congresswoman Dingell, H.R. 3890, the
328 Combating Impaired Driving Act of 2019.

329 This bill authorizes the Department of Transportation to
330 provide funding to support grants and pilot programs that create
331 innovative solutions to address impaired driving including
332 alcohol, opioid, and marijuana impaired driving. I am glad to
333 see the committee discuss this legislation today and I look
334 forward to hearing from our witnesses on how we can eliminate
335 impaired driving and save lives. And I yield back to Mr. Walden.

336 Mr. Walden. And I yield back.

337 Ms. Schakowsky. The gentleman yields back.

338 And the chair would like to remind members on the committee
339 that pursuant to committee rules, members' written statements
340 will be made part of the record.

341 And I would now like to introduce our witnesses for today's
342 hearing. We have Ms. Susan Livingston, daughter of Dr. James
343 D. Livingston and Dr. Sherry H. Penney. And I just want to give

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

344 again a special thank you to you. In our efforts to save lives
345 in this committee and to change laws, we have seen the courage
346 of family members who have suffered such devastating tragedies
347 come forward, and appreciate that so much.

348 We have Dr. Benjamin Nordstrom, Executive Director of
349 Responsibility.org. And Ms. Cathy Chase, President, Advocates
350 for Highway and Auto Safety. We want to again thank all the
351 witnesses for joining us today. We look forward to hearing your
352 testimony. At this time, the chair will recognize each witness
353 for 5 minutes to provide their opening statement.

354 Before I begin, I want to explain the lighting system for
355 those who may not know it. In front of you is a series of lights.

356 The light will initially be green at the start of your opening
357 statement. The light will turn yellow when you have 1 minute
358 remaining, so please begin to wrap up your testimony at that point.

359 The light will turn red when your time expires. So, Ms.
360 Livingston, you are now recognized for 5 minutes.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

361 STATEMENTS OF SUSAN LIVINGSTON, DAUGHTER OF DR. JAMES D.
362 LIVINGSTON AND DR. SHERRY H. PENNEY; BENJAMIN R. NORDSTROM, M.D.,
363 EXECUTIVE DIRECTOR, RESPONSIBILITY.ORG; AND, CATHY CHASE,
364 PRESIDENT, ADVOCATES FOR HIGHWAY AND AUTO SAFETY

365

366 STATEMENT OF SUSAN LIVINGSTON

367 Ms. Livingston. Thank you. Good morning, Chair Schakowsky
368 and Ranking Member Rodgers, honored members of the subcommittee.

369 My name is Susan Clark Livingston. I am the first female partner
370 of Brown Brothers Harriman, the private banking firm in Boston.

371 I am on the executive committee and board of governors of the
372 Investment Company Institute in Washington, and honorary consul
373 general to Luxembourg for the Commonwealth of Massachusetts.

374 But today I am here as a daughter and as a mother.

375 I appreciate the opportunity to speak to you about the tragic
376 simultaneous deaths of my parents, Dr. James Duane Livingston
377 and Dr. Sherry Penney Livingston. They died together the evening
378 of this past May 7. Their bodies were found the early morning
379 of May 10. I will never forget my sister Barbara's phone call
380 to me that morning saying, "Dad and Sherry passed away last night,
381 both of them, from carbon monoxide."

382 There are no words for this kind of family tragedy, and yet
383 I want the story told. I am here today to tell you that these
384 deaths were preventable. They died of indifference. These

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

385 deaths were caused by an automobile design flaw that can be fixed
386 at low cost with readily available technology. It is a design
387 flaw the car industry and the NHTSA have known about since keyless
388 ignitions were introduced in 2006, 13 years ago. The truth is,
389 the car manufacturers have failed to install this simple fix
390 voluntarily. The NHTSA has failed to institute regulations that
391 were proposed back in 2011 to prevent these deaths, so we beg
392 you to act so that no other family has to go through what ours
393 has experienced.

394 As a family, we are still in shock and we speak of these
395 amazing individuals in the past tense. It still feels very
396 strange; they are not yet in the ground. They will be buried
397 next week on Tuesday, July 30th, at St. James Church in Hyde Park,
398 New York, the church of our ancestors and that of Franklin Delano
399 Roosevelt, buried together beside my grandparents and
400 great-grandparents. We are still in mourning, yet the more I
401 learned about the failure of these car manufacturers constantly
402 touting the safety of their vehicles to properly protect
403 consumers, the more I want to be here today, which I know is a
404 busy day in Washington, but to ask for your help to get this done.

405 Jim and Sherry had a love affair like no other. Married
406 34 years, they were inseparable. Dad called Sherry his bride
407 and their love and respect for each other were unmatched. The
408 news reports on their deaths referred to them as elderly, but

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

409 the word hardly describes the physical and mental energy of these
410 two intellects. Daily aerobics, tennis, swimming, attendance
411 at every Harvard Club event both in Sarasota and Boston, season
412 tickets to the theater -- they were indeed in their 80s, but these
413 seniors had so much life and love left in them. We loved them.
414 We miss them every day.

415 Dad got his Ph.D. from Harvard in Physics at the very young
416 age of 23. A brilliant scientist, 25-year research career at
417 GE in Schenectady, he had seven patents to his name on alloys
418 that are still used in the space program today. He followed
419 Sherry's career to Boston, being a feminist, and he was a professor
420 of Physics at MIT for 22 years. Top rated professor year after
421 year for freshman Physics. I liked having him help me with my
422 homework. He was an author and avid tennis player and he wrote
423 a space column for The Patriot Ledger. He was a pretty cool guy.

424 He was a proud father of three daughters and his only
425 granddaughter, Julia Pell Livingston, age 17, who is here with
426 me today.

427 Sherry, my stepmom, was a driving force of nature. At
428 four-foot-ten she punched above her weight. Provost at Yale,
429 first woman chancellor of the entire system of University of
430 Massachusetts, and chancellor of UMass Boston with 20,000
431 students for over 12 years. She ran the Center for Collaborative
432 Leadership there until last year. There is an endowed chair there

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

433 in her name. She was my mentor, my role model. She was on the
434 board of Boston Edison, now Eversource, the JFK Library. The
435 night she died she gave a speech to the International Women's
436 Forum in Sarasota entitled, "Women in the 21st Century: Stuck
437 or Unstuck?" That was the last time she was seen alive.

438 Dad retired from MIT just 3 years ago, but even after
439 retirement he had regular speaking engagements and continued to
440 author books. He awaited Sherry's retirement from UMass last
441 year. They looked forward to retirement between Sarasota and
442 Hingham, Mass where they had just bought a new oceanfront condo.

443 It was built last winter. It looked out over the shipyard and
444 the harbor.

445 Their bodies were found Friday. They were moving into the
446 condo the following Tuesday. Sadly, they never saw it. They
447 were looking forward to these final years together, on the verge
448 of a new adventure after each working close to 50 years,
449 contributing as teachers and wonderful contributors to society.

450 They are no longer here to tell us what happened and people
451 ask what happened, but the scenario might go something like this.

452 It could happen to anyone. It happened to two energetic and
453 lively Ph.D.s. After Sherry's speech they drove back to their
454 condo, they opened the automatic door to the two-car garage and
455 drove in. Neither of these two were hard of hearing. Sherry
456 reminded Jim, "It is trash night," and he went over to roll out

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

457 the garbage can and the recycling bin. I know just where those
458 barrels were in the garage. Sherry was still in the car.
459 Perhaps the radio is still on. You know, the radio can run 4
460 minutes after a car stops. She went to the backseat, took out
461 the briefcase and her speech, which we found later on the table
462 in the condo, she entered the ground floor condo through the door
463 in the garage and closed the garage door. After putting the
464 barrels at the end of the drive, Dad entered the condo through
465 the front door just next to the garage. The police found the
466 key fob in Sherry's purse when they recovered the bodies.

467 These engines are quiet. The key fob can be miles away from
468 a car once that engine starts running, some of you know. This
469 was a flawed vehicle murder weapon. It was missing a basic safety
470 feature. The neighbor noticed the barrels -- sorry.

471 Ms. Schakowsky. Got to wrap up. Go ahead.

472 Ms. Livingston. Okay, no problem.

473 Ms. Schakowsky. Just finish real fast.

474 Ms. Livingston. The neighbor noticed the barrels still left
475 outside at the curb. And just like Chairman Pallone, I myself
476 have also left my car idling. Carbon monoxide overwhelms a
477 victim, causes piercing headaches, disorientation, nausea. It
478 is not a great way to die. They found my dad's body, his head
479 in a pool of blood. The cleaning woman called 9-1-1. They
480 determined a hazmat team needed to evacuate the carbon dioxide.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

481 Ms. Schakowsky. I am going to have to cut off your
482 testimony.

483 Ms. Livingston. Let me finish. We beg of you to please
484 prevent another family from going through this. I know we cannot
485 bring Dad back and Sherry back. Our family sky is dark after
486 losing these two bright stars and how many more need to die?
487 Can this measure please be passed? Thank you.

488 [The prepared statement of Ms. Livingston follows:]

489

490 *****INSERT 1*****

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

491 Ms. Schakowsky. Thank you. I think it sounds like not only
492 did your family lose precious -- did you lose precious parents,
493 but they were great contributors. And our condolences, I am sure
494 I speak for the whole subcommittee, are certainly with you and
495 that is why we are dealing with this today.

496 Ms. Livingston. Thank you.

497 Ms. Schakowsky. And now let me call on Dr. Nordstrom. You
498 are recognized for 5 minutes.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

499 STATEMENT OF BENJAMIN NORDSTROM

500

501 Dr. Nordstrom. Thank you. Good afternoon, Chairwoman
502 Schakowsky.

503 Ms. Schakowsky. Is your mike on?

504 Dr. Nordstrom. The green light says it is on. Maybe it
505 is not close enough. Is that -- okay.

506 Well, good morning, Chairwoman Schakowsky, Ranking Member
507 Rodgers, and all of the distinguished members of the subcommittee.

508 I really want to thank you for the opportunity to testify today
509 in support of the Impaired Driving Study Act of 2019 and the
510 Combating Impaired Driving Act of 2019.

511 So my name is Dr. Benjamin Nordstrom. I am the Executive
512 Director at Responsibility.org and we are a national nonprofit
513 that is funded by leading distilled spirits companies to eliminate
514 drunk driving and underage drinking. My background is that I
515 am a board-certified addiction psychiatrist, I am a
516 criminologist, and I also serve as a physician with the U.S. Army
517 Reserve.

518 I want to applaud this committee for its longtime leadership
519 on the whole host of auto and traffic safety issues, such as the
520 topics being discussed today, and I really want to thank you for
521 keeping focus on impaired driving over the years, and that is
522 the topic that I have been asked to speak about. Now my written

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

523 testimony contains a lot of specific details, and in my oral
524 comments what I would like to do is focus on three foundational
525 points and then some policy recommendations.

526 The first point I want to make is that while drunk driving
527 deaths have fallen by 50 percent since 1982 and by about 30 percent
528 since 1991, they have really plateaued over the past 10 years.

529 And they still account for about a third of traffic deaths and
530 that is around 11,000 deaths a year, each and every one of which
531 is completely preventable. And I think as Ms. Livingston's
532 moving testimony points out, it is not just losing a life, it
533 leaves a hole in families, it leaves a hole in communities and
534 they are all vitally important.

535 The second point I want to make is that drunk driving has
536 been increasing at an alarming rate over the past decade. Now
537 it is really hard to give you a specific number about how much
538 it has because the data that we have around this are fairly
539 limited, but the information we do have is alarming. Now
540 there are no national standards for obtaining toxicological data
541 after motor vehicle crashes or impaired driving cases and we know
542 that obtaining these toxicological samples and running tests on
543 them is very expensive and, as a result, a lot of municipalities
544 don't look after they ascertain that there is a presence of an
545 illegal blood alcohol concentration, so we think that we are
546 undercounting these things perhaps significantly.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

547 My third foundational point is that increasingly people are
548 driving after having used more than one substance. We know this
549 from toxicological evidence from people who have died in crashes.

550 And the reason why this behavior is so lethal is that combining
551 drugs can lead to additive if not multiplicative effects on
552 impairment.

553 So continued investment in research initiatives to better
554 understand the scope of this problem as well as to better
555 understand how drugs impair driving is really essential to guide
556 not just resource allocation, but also to identify effective drug
557 driving countermeasures. And we fully support the proposed
558 legislation to authorize NHTSA to study this issue further.

559 Drug impaired driving is different and more complex than
560 alcohol impaired driving and so a lot of the strategies that have
561 been used in alcohol impaired driving can be applied to this.

562 There is going to be some specific policy approaches that need
563 to be used specifically for this. So a comprehensive approach
564 that includes public education, policy and enforcement
565 initiatives is outlined in my written testimony, but we fully
566 support the impaired driving legislation introduced this week
567 to authorize NHTSA funding for grants and pilot programs into
568 drug impaired driving prevention efforts.

569 So, in addition, the other things that are worth considering
570 include supporting the creation of a national minimum standard

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

571 for toxicological investigations in motor vehicle crashes and
572 drug impaired driving cases; allocating additional highway safety
573 funds to improve state labs; monitoring NHTSA's progress in
574 creating large-scale education efforts and then allocating funds
575 appropriately to expand the efforts that are deemed effective;
576 using screening and assessment in all cases of impaired driving
577 so individual risk treatment needs can be identified; researching
578 the effects of drugs on driver impairment and expanding the
579 implementation of accountability in DWI courts for high risk
580 offenders; and, lastly, requiring the use of interlocks for all
581 DUI offenders.

582 In conclusion, this is going to take a comprehensive approach
583 that is going to require that we break down some of the silos
584 that typically exist between the state and the federal levels
585 and building broader coalitions than we have ever had before so
586 that we can reduce recidivism and save lives. Thank you very
587 much.

588 [The prepared statement of Dr. Nordstrom follows:]

589

590 *****INSERT 2*****

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

591 Ms. Schakowsky. Thank you.

592 And now let me ask Ms. Chase to take 5 minutes and give her
593 statement.

594

595 STATEMENT OF CATHY CHASE

596

597 Ms. Chase. Good morning, Chairwoman Schakowsky, Ranking
598 Member McMorris Rodgers, and members of the subcommittee. I am
599 Cathy Chase, president of Advocates for Highway and Auto Safety.

600 Celebrating our 30th anniversary this year, Advocates is a unique
601 and successful coalition of insurers, consumers, public health
602 and safety groups dedicated to preventing motor vehicle crashes
603 which are responsible for approximately 100 deaths and 7,500
604 injuries each day, on average.

605 Thank you for convening this important hearing to address
606 issues that will protect and keep families whole. Steps can and
607 must be taken to protect children from tragic heatstroke incidents
608 in cars, to curb the dangers associated with keyless ignition
609 systems, and to reduce impaired driving. We are here today
610 because people are not infallible. We are, however, inventive.

611 There are current, proven solutions to these issues.

612 Tragically, the problem of hot cars has taken the lives of
613 at least 21 children this year, including 12 children during the
614 short time since this subcommittee held a hearing on this issue

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

615 in May. Moreover, we are in the dog days of summer and most of
616 the country just experienced a major heat wave punctuating the
617 need for swift action.

618 Neuroscience experts have explained that common
619 circumstances such as stress, fatigue, or change in routine can
620 all lead to this serious and deadly outcome. Technology is
621 available now that can detect the presence of a child in a vehicle
622 and alert drivers and caregivers. The ability of the system to
623 detect is a critical component, especially since on average over
624 25 percent of vehicular heatstroke deaths happen as a result of
625 the child getting into the car on their own. I would like
626 to now show a brief video to highlight this feature from just
627 a couple companies. I have been told that the audio might not
628 work, but I still think it is important that you see that the
629 technology is in existence.

630

631 [Video.]

632

633 Ms. Chase. So, here, the detection system is in the roof
634 -- you can't see it -- and the alarm system was going off. If
635 you could hear this it is quite loud and there are multiple
636 components. There is an audio, a visual, and also an app. In
637 this instance, the child is getting into the car unbeknownst to
638 the parents. The dad gets out. There is the visual. And now

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

639 what you can't hear is a very loud honking noise because the car
640 detected that the child was hiding in the car.

641 As you can see from the clips, lives can be saved now using
642 technology on the market today which, according to suppliers,
643 costs approximately twenty to forty dollars. And the cost will
644 go down even further once it becomes standard equipment as we
645 have experienced with other safety technologies like rearview
646 cameras and airbags. We commend Chairwoman Schakowsky along with
647 Representatives Tim Ryan and Peter King for introducing the Hot
648 Cars Act, and call on Congress to swiftly enact it.

649 Secondly, the invention of keyless ignition systems, also
650 known as push button starts, has resulted in unintended deadly
651 consequences. This feature is now standard in nearly two-thirds
652 of vehicles sold, up from just over ten percent in 2008. Without
653 needing to turn and remove a key to disengage the vehicle, drivers
654 can park their car in the garage, exit the car, and go inside
655 their home with their key in hand or handbag, all the while
656 thinking they have turned the car off. This scenario can lead
657 to a fatal level of carbon monoxide being emitted from the parked,
658 running car.

659 Stories like this continue to devastate families across the
660 country including Susan who bravely recounted the recent deaths
661 of her parents. The PARK IT Act will require new cars with keyless
662 ignitions to have an automatic shutoff before carbon monoxide

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

663 can accumulate to a dangerous level. Additionally, the
664 legislation would help prevent vehicle roll-aways which happen
665 when a driver exits the car while it is still in gear. These
666 incidents can lead to a driver being struck by their own vehicle
667 or the car continuing unabated, potentially striking objects or
668 people in its path. We applaud the leadership of the chairwoman
669 and other co-sponsors in introducing the PARK IT Act, and urge
670 Congress to enact it.

671 Thirdly, impaired driving continues to kill more than 10,000
672 people every year. My written testimony includes a number of
673 actions Congress should take including getting passive sensor
674 technology such as DADSS into cars, incentivizing states to lower
675 their BAC laws and enact all offender ignition interlock laws,
676 and providing funds to accelerate research, training, and
677 solutions to the growing problem of drug impaired driving.

678 In conclusion, these remedies address a few of the
679 fallibilities of humans. Some claim that driverless cars will
680 be the panacea and we hope they are correct. However, when this
681 subcommittee decides to consider driverless car legislation, we
682 urge you to require safeguards including minimum performance
683 standards for technologies to protect those in AVs and everyone
684 around them. Proven technologies in addition to the ones being
685 discussed today such as automatic emergency braking, blindspot
686 detection, and lane departure warning should be in all new cars

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

687 now. They will both pave the way toward AVs and save lives along
688 the way. Advocates looks forward to continuing to work with
689 the subcommittee to make cars, drivers, and roads in America
690 safer. Thank you so much.

691 [The prepared statement of Ms. Chase follows:]

692

693 *****INSERT 3*****

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

694 Ms. Schakowsky. I thank the excellent testimony of all our
695 witnesses. So we have concluded the opening statements and now
696 we will move to member questions. Each member will have 5 minutes
697 to ask questions of our witnesses, and I will start by recognizing
698 myself.

699 So one death may be an anomaly, but over three dozen
700 documented deaths prove that keyless ignition systems can be
701 deadly and dangerous, and without appropriate safeguards in place
702 anyone with a keyless ignition vehicle could be in danger. So,
703 Ms. Livingston, you yourself have accidentally left your keyless
704 ignition vehicle running -- I have done it as well -- for 9 hours
705 while you were at work; is that right?

706 So what I wanted to ask you though is if you could explain
707 how easy it is for a distracted driver to inadvertently leave
708 keys in the ignition and the car running.

709 Ms. Livingston. Yes, so in my case I have had it happen
710 three times. And I dropped my car off at Wonderland T Station
711 to go into Boston and parked my car at Lucky's, an outdoor garage,
712 but my radio continued running. I listen to Bloomberg on the
713 way to work and the radio was going. I grabbed my bag. I stepped
714 out. There is quite a bit of traffic by the way as well so you
715 can't hear the engine.

716 I locked the car, and there is absolutely no indication,
717 went into work, and when I came back to the car I got in and I

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

718 looked at the dashboard and I thought, wait a minute. I think
719 my car is running. And I just felt really lucky I didn't run
720 out of gas. And I have heard so many stories now since this
721 happened to my parents of other people who came and their car
722 had run out of gas.

723 One time I did the old valet trick where I valeted the car
724 at the United Way Women's Breakfast in Boston and they took the
725 car. I had the key fob in my purse. Went to the breakfast and
726 I came out to the valet and waited and waited, and all these people
727 were leaving. I was like, I have another meeting, where is my
728 car? And they said, "Oh, you never gave us the key fob." So again,
729 this has happened.

730 And I had a friend who they rented a car and he drove the
731 car up and his son took the rental car from here, from D.C. up
732 to New York, and his son got to New York and realized his dad
733 still had the key in his pocket. So these are things that happen
734 that are inconvenient and annoying, but usually not fatal. And
735 I would suggest this happens a lot.

736 Now when there are two-thirds of new vehicles all have this
737 keyless technology we really do need better systems and GM and
738 Ford have embraced it.

739 Ms. Schakowsky. Thirty-six deaths that we have documented.
740 There may be more that we don't know about.

741 Ms. Livingston. There are many more, I am sure.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

742 Ms. Schakowsky. Exactly. Mistakes obviously should not
743 cost lives. Ms. Livingston, should technologies that
744 automatically shut off a keyless ignition vehicle if the engine
745 has idled for a dangerous period of time be required in all cars
746 and do you support the PARK IT Act?

747 Ms. Livingston. Yes, I support the act. And I have noted
748 that if the car had run just 30 minutes and turned off, my parents
749 would still be alive. I rented a GM down in Sarasota when I was
750 cleaning out the condo, which is not an easy job to do, and it
751 was so hot. It was 103 degrees, so I understand people saying,
752 "Oh, I want to leave the a/c on." I had to grab papers to
753 go to the lawyer and I walked out of the car and the horn honked.
754 I mean that was a really great reminder that I had the key.
755 I intentionally was just running into the condo and back. I think
756 these things are so easy to install, I can't get my head around
757 why the other car manufacturers have just ignored it.

758 Ms. Schakowsky. Thank you.

759 So I want to switch to a different topic right now.
760 Twenty-one children have tragically died this year -- this is
761 a record -- inside a hot car. A majority of these tragic deaths
762 are accidents, distracted parents merely going about their busy
763 lives accidentally leaving their children inside a rapidly
764 warming car.

765 So, Ms. Chase, the technologies exist today that can detect

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

766 the presence of a child left in a car. We saw your video. Why
767 is it important, so important, to adopt technologies that can
768 detect -- I am talking about detection systems now -- the presence
769 of a child, and why this is an element that is essential?

770 Ms. Chase. Thank you for the question. It is so important
771 that there is a detection system. First of all, no parent or
772 caregiver thinks that this will happen to them. Nobody wakes
773 up in the morning and thinks they are either going to leave their
774 child unintentionally or that a child will climb into a car, but
775 it is happening.

776 And we have the technological solutions, especially as you
777 mentioned, Madam Chairwoman, the detection system, because that
778 can say there is somebody in this car, or a pet, and action needs
779 to be taken. If there is just an alarm, that can be accomplished
780 with different technologies such as door sequencing and it won't
781 detect all of the children that are dying now. So we want the
782 effective solution to take place and Hot Cars will do that.

783 Ms. Schakowsky. Thank you. Time flies, I yield back, and
784 now recognize the ranking member of the subcommittee, Mrs.
785 Rodgers.

786 Mrs. McMorris Rodgers. Thank you, Madam Chair.

787 Dr. Nordstrom, why is it important for NHTSA to study drug
788 impaired driving including the opioid impairment? Are there
789 holes in the data we have today that we could learn more about

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

790 with a targeted study?

791 Dr. Nordstrom. Indeed. Thank you for the question.

792 First, there are holes in the data, I think, because that really
793 speaks to one of the fundamental challenges that we have. When
794 we think about the Fatality Analysis Reporting System, which looks
795 at drugs that might be present in somebody after a fatal car crash,
796 what we see is that the way that is it implemented is very different
797 from state to state. And it is used in two percent of cases
798 in some states, up to 96 percent in other states, so there is
799 not any uniformity to it. And then, furthermore, when the drugs
800 are actually looked for, different cutoffs are used as well and
801 so we get uneven reporting and so we are kind of constantly
802 comparing apples to oranges. It makes it really hard to know
803 the actual full extent of the problem.

804 The reason why it is very important is because there are
805 large educational holes that probably need to be filled. We know
806 that when it comes to people's beliefs about using different
807 medications or different recreational drugs, there is not any
808 really clear sense from the population, the using community, about
809 what is safe and what isn't safe. And so we have to understand
810 the scope of the problem, so then we can actually target finding
811 out what kinds of countermeasures we need to do and then measure
812 them to see if they are working so we know how to allocate those
813 resources in the future.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

814 Mrs. McMorris Rodgers. Good. What do you think is the most
815 important aspect to be studying as far as the drug related impaired
816 driving?

817 Dr. Nordstrom. So I think that there are a number of things
818 that are really important and I think that a big one is looking
819 at the prevalence of things. And so, looking at doing things
820 like oral fluid analysis where -- and expanding opportunities
821 to do that like is being done in Michigan, I think, would be very,
822 very important so that we can understand what is happening on
823 the roads.

824 And then that also leads to, I think, the next thing that
825 is really important which is a very, very good assessment and
826 screening for everybody who is found to be driving while impaired,
827 so that we can understand what their treatment needs are and what
828 their supervision needs are so that we can individualize plans
829 so that we know that we are targeting the underlying causes of
830 very lethal criminal behavior.

831 Mrs. McMorris Rodgers. Great, I appreciate that. Would
832 you share with the committee what polydrug use is and what risk
833 it poses to the public? Is this an issue that NHTSA should focus
834 on during the study in our bill and if so, how would improving
835 data on this issue help state and federal officials?

836 Dr. Nordstrom. Thank you, yes. So polydrug use is just
837 the use of more than one psychoactive substance at the same time.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

838 So that could be alcohol and marijuana which seems to be the
839 most common combination that is being detected in the FARS data.

840 But it could also be, you know, cocaine or methamphetamine and
841 alcohol or it could be opioids and marijuana. It could be lots
842 of different things.

843 And the reason why that is very important is again those
844 substances are going to interact in the brain and create kind
845 of unpredictable at this point effects on driving. We know that
846 sometimes it is a one plus one equals two, and so people have,
847 smoke a little bit and do some opioids, and sometimes it is
848 actually multiplicative, and so you will get a one plus one equals
849 like a three kind of effect out of it.

850 And so this is the sorts of things that we need to understand
851 better in terms of how these drugs affect people and then we also
852 have to be able to communicate that to the public so that they
853 know what is safe.

854 Mrs. McMorris Rodgers. One last question. Based on your
855 experience with impaired driving, do you believe it is important
856 to treat drug impaired driving as seriously as driving under the
857 influence of alcohol?

858 Dr. Nordstrom. Well, I certainly think it is every bit as
859 lethal. Now we know that drunk driving is still far more
860 prevalent of behavior, but as people's drug use patterns change
861 over time, we are going to see those changes in our statistics

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

862 as well. And it is every bit as lethal, so it deserves as much
863 attention.

864 Mrs. McMorris Rodgers. Okay, thank you very much. I yield
865 back.

866 Ms. Schakowsky. Thank you. I do want to acknowledge in
867 the audience today we have Helen Witty who is the head of MADD,
868 Mothers Against Drunk Driving, who for decades has been helping
869 to make our roads safer.

870 And now I recognize Chairman Pallone for 5 minutes of
871 questioning.

872 The Chairman. Thank you, Madam Chair.

873 Consumers have an expectation that safety is ingrained in
874 every component of their car, even features like keyless ignition
875 systems. But I wanted to start out by asking Ms. Livingston,
876 were you or your parents aware of the potential dangers posed
877 by keyless ignition vehicles, and even if your parents were
878 notified of the potential dangers do you believe that that
879 awareness alone would have saved their lives, if I can ask?

880 Ms. Livingston. No. They were not aware as far as I know,
881 nor was I. And in fact, Sherry purchased this particular car
882 based on its safety features. So the keyless ignition has been
883 marketed and sold as a convenience without any real notification
884 of the potential dangers. I think education does help, but as
885 Ms. Chase suggested humans make mistakes, and I still think with

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

886 a very inexpensive technology we really could protect people and
887 save lives.

888 The Chairman. Well, thank you. I am not even sure I
889 understand how it is a convenience, but whatever, thank you.

890 Ms. Livingston. Me neither. It wasn't that hard to turn
891 a key.

892 The Chairman. I know.

893 Ms. Livingston. Do you agree? Okay.

894 The Chairman. I agree. Ford and General Motors have
895 installed technologies automatically shutting off the engine of
896 a keyless ignition vehicle if it has idled for an unsafe period
897 of time, and Toyota has pledged to do the same with its 2020-year
898 model vehicles.

899 So I wanted to ask Ms. Chase, with industry beginning to
900 adopt some of these safety features, why do you think it is still
901 important to have a robust federal standard on the books? We
902 always ask the question do we need to do this.

903 Ms. Chase. We need to do this. And we need to do it because
904 these are voluntary measures and there is no requirement without
905 a federal mandate that this technology that has been proven to
906 save lives be in all cars. It is also not happening quickly
907 enough. With every passing day we are endangering people
908 throughout this country unnecessarily, when there is proven
909 technology that can be saving lives.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

910 The Chairman. Thank you. And vehicle roll-aways are
911 another hidden danger tied to keyless ignition systems. With
912 a traditional ignition system, a driver is unable to physically
913 remove the key from the ignition until the vehicle is in park.

914 But with keyless ignition systems, drivers are reporting that
915 they can shut off and leave the vehicle with the car still in
916 gear.

917 So let me again, Ms. Chase, what safeguards can be deployed
918 to prevent these sorts of issues with that?

919 Ms. Chase. And I am sorry, Mr. Chairman. Are you talking
920 about the roll-away issue?

921 The Chairman. Yeah, the roll-away.

922 Ms. Chase. So the PARK IT Act would solve this problem.

923 There are five conditions that if a car isn't in park, if the
924 door is open, if the driver is out, then the car will be stopped.

925 And this is essential legislation that should be passed
926 expeditiously, and that is a really hard thing to say.

927 But we really thank you for your leadership. And when we
928 know that people are dying when there is a solution at hand, it
929 is all the more tragic, so let's get this technology into cars.

930 We urge Congress to take immediate action on the PARK IT Act
931 as well as the Hot Cars Act to stop these preventable fatalities.

932 The Chairman. Again, thank you, because I think we really
933 should spare no expense to protect our nation's kids.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

934 Ms. Chase, again, how expensive is the technology used to
935 detect the presence of a child in a vehicle and alert the driver
936 or parent?

937 Ms. Chase. I have spoken with a few of the suppliers and
938 I have heard that it can range from twenty to forty dollars.
939 But the key of that is once they are required as standard
940 equipment, we all know that the price significantly goes down.
941 So that is why this legislation is so essential, to get it as
942 standard equipment into all cars.

943 The Chairman. Now we know that during our May hearing, Mr.
944 Harrison shared the heartbreaking story of the death of his son,
945 Chase, who tragically died after being accidentally left in a
946 hot car. So let me go back to Ms. Chase. Do you believe that
947 Mr. Harrison or any of the hundreds of other parents who have
948 lost a child to vehicular heatstroke would have been willing to
949 pay for these technologies?

950 Ms. Chase. Absolutely. Miles's story is heartwrenching.
951 We worked very closely with him and KidsandCars.org, and all
952 of the incredibly brave families that come up to Congress who
953 have been coming for years and talk about the worst thing that
954 has ever happened to them and their families over and over again.
955 It is time for this technology to be put in all cars now.

956 The Chairman. Just let me ask one more question. Do you
957 believe that child detection technologies are sophisticated

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

958 enough to accurately and reliably detect the presence of a child
959 in the vehicle?

960 Ms. Chase. I do believe that. And in fact, we are working
961 on holding another demonstration so that all members of Congress
962 and members of the public can come see how this technology works.

963 We had one a couple months ago and we are going to keep showing
964 this technology which gets better and better over time. But we
965 believe that it is there now. And we also know that the rulemaking
966 process takes some time, so then what that period of time,
967 technology will continue to evolve. When we are talking in the
968 same breath about driverless cars, certainly we can get a
969 detection system into cars.

970 The Chairman. Thank you. Thank you, Madam Chair.

971 Ms. Schakowsky. I now recognize Mr. Latta for 5 minutes
972 for his questions.

973 Mr. Latta. Well, thank you, Madam Chair. And thank you
974 very much for our witnesses for being with us in today's hearing.

975 Dr. Nordstrom, in your testimony you spoke about the need
976 to implement a comprehensive approach that includes innovative
977 solutions to eliminate impaired driving. Two of the bills that
978 we are discussing today aim to improve motor vehicle safety and
979 prevent impaired driving. In addition to these proposals, I
980 believe we should also be examining and encouraging the deployment
981 of self-driving technologies which have the potential to save

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

982 tens of thousands of lives that are lost every year to impaired
983 driving. Over ten thousand people lost their lives in 2017 in
984 alcohol impaired driving crashes.

985 We have also seen a significant increase in the number of
986 American drivers killed in vehicle crashes which drugs were
987 detected. According to the Governors Highway Safety Association
988 in 2016, the number of drivers who were fatally injured in
989 accidents with drugs in their systems surpassed the number of
990 those with alcohol in their system for the first time ever.

991 Ninety-four percent of the accidents are attributed to human
992 error including through impaired driving. These statistics are
993 staggering and show that we must work together to prevent more
994 tragedies. And that is why last Congress I introduced the SELF
995 DRIVE Act which would have clarified the federal and state rules
996 in regulating the self-driving vehicles, ensured consumer safety,
997 reduced traffic related fatalities and injuries, and improve
998 mobility for individuals with disabilities.

999 This legislation also included legislation from a previous
1000 version of our chair, Chair Schakowsky's legislation to prevent
1001 the tragedies we heard about today when a child is left in a hot
1002 car. The SELF DRIVE Act passed unanimously out of this committee
1003 and on the floor, and I hope that we and our Democrat colleagues
1004 will continue to work with me to make this a priority again.

1005 Self-driving cars are our future and without congressional

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

1006 action the U.S. will be at a competitive disadvantage and
1007 Americans will lose out in its lifesaving benefits. We have this
1008 opportunity to work towards ending senseless deaths on our roads
1009 by making investments in our vehicle technology.

1010 So, Dr. Nordstrom, have you considered the self-driving
1011 vehicles as a component of the comprehensive approach to
1012 addressing impaired driving?

1013 Dr. Nordstrom. So thank you for the question. I think you
1014 are absolutely right. I think that there is a lot that will be
1015 gained when we get there and I think that it is, you know, that
1016 could be a massive boon for saving thousands of lives on American
1017 roadways. The challenge is it is going to take a while to get
1018 there.

1019 And so, in the meantime, you know, I am very heartened to
1020 see the time and attention this committee is putting into all
1021 of the incremental steps between now and when we finally get to
1022 where you are describing so that we can save as many lives as
1023 possible in the interim.

1024 Mr. Latta. Okay, so I just want to make sure. So in your
1025 studies right now you haven't been taking in the thought of
1026 driverless technologies, or you have been considering it as you
1027 are doing the research?

1028 Dr. Nordstrom. Well, I think that, you know, we see that
1029 as something that is pretty far in the future for us, and

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

1030 especially when you think about the way that the fleet is going
1031 to turn over for the -- that when we think about this and how
1032 we are going to sort of allocate our efforts, we are concerned
1033 about the nearer term.

1034 So even though I completely agree with you that that is
1035 ultimately something that I think is going to be perhaps even
1036 sort of solving the problem definitely, until we get there, we
1037 have to be doing these other things.

1038 Mr. Latta. Okay. If I could just follow up with another
1039 question. You focused on increasing dangers of drivers being
1040 impaired by opioids across the country, and especially in my home
1041 state of Ohio the opioid and drug addiction crisis has devastated
1042 our communities. And you pointed out that the government,
1043 especially the FDA, can do more to increase awareness of the safety
1044 risks of driving while impaired by opioids.

1045 What are some of the ways that the FDA can do this and how
1046 can the federal government, in general, help to improve the
1047 understanding of opioid impaired driving?

1048 Dr. Nordstrom. So it is a great question and I think that
1049 ultimately one of the things that we really need to do is have
1050 much better efforts at educating physicians on how to talk to
1051 patients about risk when they are prescribing and also to talk
1052 with pharmacists about how to talk about risks when they are
1053 dispensing to people.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

1054 I can tell you from having been in clinical practice for
1055 years, the number of patients who would express surprise when
1056 I would tell them, "Do not drive after you start taking this
1057 medication until you know exactly how it affects you and it is
1058 going to take several days for you to know that," they would say,
1059 "Well, nobody has ever told me that before."

1060 And it is the kind of thing that we really need to be pushing
1061 so that people understand what these risks are, because I think
1062 that there is a lot of this that people just kind of assume that
1063 if their doctor or pharmacist isn't saying something or if they
1064 are just putting a little sticker on the bottle it must not be
1065 that serious, and it really is. So I think we need to be doing
1066 more in terms of educating.

1067 Mr. Latta. Well, thank you very much.

1068 Madam Chair, my time has expired and I yield back.

1069 Ms. Schakowsky. The gentleman yields back. I now
1070 recognize Congresswoman Dingell for 5 minutes for questions.

1071 Mrs. Dingell. Thank you, Madam Chair.

1072 As I mentioned, this week I will be introducing a bill that
1073 calls for commercializing and standardizing a passive alcohol
1074 detection system. This technology needs to be the standard in
1075 all new vehicles and it will save 7,000 to 10,000 lives every
1076 year. It also calls for a significant field test and a reasonable
1077 rulemaking process leading towards making driver-impaired

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

1078 technology a federal standard. I hope my colleagues can join
1079 me in supporting this measure and I ask the chairwoman if she
1080 would consider another hearing in September when the legislation
1081 is introduced.

1082 Ms. Schakowsky. Yes.

1083 Mrs. Dingell. Thank you, Madam Chair.

1084 I am a car girl, everybody knows that. And I believe the
1085 U.S. auto industry is home to some of the best and the brightest
1086 engineers in the world. They have solved complex problems and
1087 they are working on new and amazing safety features all the time,
1088 and we all agree that we need to see some of them put on the vehicles
1089 themselves.

1090 You know, Frank asked, do we need regulation -- well,
1091 unfortunately, sometimes we do, and here is an example of when
1092 we do. It is just when it comes to advancing technology in
1093 vehicles that will prevent those who drink and drive, like the
1094 driver alcohol detection system for safety, we have got to get
1095 it done faster, because if the technology was in use today, the
1096 Abbas Stop Drunk Driving Act and legislation wouldn't be
1097 necessary.

1098 So I want to first ask a couple of questions on DADSS because
1099 we have been hearing about this program for so long, before I
1100 ever got to Congress, to tell you the truth. And while we know
1101 there is room for improvement, we really need to get this

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

1102 technology tested at scale in front of consumers so we can start
1103 saving lives.

1104 Dr. Nordstrom, these questions are for you. Do you have
1105 an estimate on how many vehicles the DADSS program currently is
1106 being tested on?

1107 Dr. Nordstrom. I don't know right off the top of my head.

1108 Mrs. Dingell. Can you get that for the record, please?

1109 Dr. Nordstrom. Yes.

1110 Mrs. Dingell. And in your opinion, what is needed to finally
1111 -- it is not a lot though, is it?

1112 Dr. Nordstrom. No, ma'am.

1113 Mrs. Dingell. It is like a minimal. But could you, just
1114 so that -- I know what it is, but can you give other people a
1115 sense about of how many vehicles it is really being tested on?

1116 Dr. Nordstrom. I think it is just a handful, ma'am.

1117 Mrs. Dingell. Right, thank you. And in your opinion, what
1118 is needed to finally move this technology from the lab and that
1119 limited field testing to something that can be placed in vehicles
1120 and fleet-tested on a larger scale?

1121 Dr. Nordstrom. Well, from my understanding it is additional
1122 money in order to get the technology to finish the development
1123 of it and to start putting it into vehicles.

1124 Mrs. Dingell. It is only money?

1125 Dr. Nordstrom. Well, money and time.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

1126 Mrs. Dingell. Do you think this technology -- I shouldn't
1127 say only money. Money does matter. Do you think this technology
1128 would be ready for a fleet test of 1,500 cars by 2020?

1129 Dr. Nordstrom. Yes, I am being told by the end of 2020 we
1130 could expect that.

1131 Mrs. Dingell. Okay. I want to change my focus and ask a
1132 few questions about mandatory first offender interlocks. In
1133 states that have mandatory first offender interlock laws, have
1134 you seen a reduced number of alcohol related fatalities?

1135 Dr. Nordstrom. Yes, ma'am.

1136 Mrs. Dingell. Do you have a sense for the cause of the
1137 resistance from states that haven't implemented that mandatory
1138 first offender law?

1139 Dr. Nordstrom. So from my conversations with people, you
1140 know, the things that we kind of hear about are that there is
1141 very frequently difficulties, especially in states that are
1142 fairly rural that getting people to places where they can get
1143 those interlocks installed is difficult. And then the other
1144 thing that we frequently hear is difficulty getting them put in
1145 for indigent people.

1146 Mrs. Dingell. Okay. And one last one, Dr. Nordstrom. If
1147 a police officer is out on patrol and sees someone swerving all
1148 over the road, they hopefully will pull that person over, because
1149 from the outside the car impaired driving tends to look the same.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

1150 It could be a sleepy driver. They could be drunk, high -- I
1151 share my colleagues' concerns about marijuana -- texting
1152 distract, or any combination of these.

1153 Do you think that law enforcement is generally in need of
1154 more resources for enforcement of impaired driving?

1155 Dr. Nordstrom. Yes, ma'am. I definitely do.

1156 Mrs. Dingell. Thank you.

1157 Madam Chair, thanks for holding this hearing again and I
1158 hope we are going to stay very focused on this issue, and I yield
1159 back.

1160 Ms. Schakowsky. The gentlelady yields back, and Mr.
1161 Guthrie, I think, is next. Am I right? Yes.

1162 Mr. Guthrie, you are recognized for 5 minutes.

1163 Mr. Guthrie. Thank you, Madam Chair. I appreciate the
1164 opportunity and thanks for having this hearing.

1165 Thanks for being here and sharing your story and thanks for
1166 being here and sharing your expertise and your advocacy. One
1167 of my big concerns -- and I am really glad we are pursuing the
1168 technology that affected your family, Ms. Livingston, but also
1169 one of the concerns that I have had is impaired driving,
1170 particularly as some states are making the decision to allow
1171 people to use marijuana. And I think that encourages young people
1172 to say it is okay, you know, I mean that for some reason it is,
1173 and that is just my belief.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

1174 And so, the question I hear from law enforcement people,
1175 just the difference is that when you see impaired driving, the
1176 difference is you can do a blood test, a sobriety test with alcohol
1177 that you really can't do with marijuana. And so as more people
1178 are doing it, because it is being -- the word not encouraged,
1179 but saying it is okay, by the state saying it is okay to do, then
1180 more people are doing it.

1181 So, Dr. Nordstrom, just the differences between drunk
1182 driving and, or just impaired driving, one by alcohol and one
1183 by, I will just say marijuana, I know there are other people and
1184 have other -- and how -- I know there is a study underway from
1185 NHTSA to try to differentiate and how you can test for that in
1186 the field test. Could you explain what is going on and how we
1187 could explore further?

1188 Dr. Nordstrom. So the challenge with alcohol versus
1189 cannabis, you know, it is that alcohol is very, very well studied
1190 at this point. It follows a pretty clear dose response curve
1191 that when people drink a certain amount of standard drinks their
1192 blood level will rise a predictable amount.

1193 Alcohol metabolism follows something called zero order
1194 kinetics, which means that a very predictable amount is removed
1195 over time and it is just a much more sort of knowable field.
1196 When it comes to cannabis and THC, which is the psychoactive
1197 component in cannabis, that dose response curve is much trickier

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

1198 to estimate.

1199 That the thing that is also difficult is the amount of THC
1200 in any given product varies wildly. The root of administration
1201 changes, whereas all alcohol is basically swallowed. Sometimes
1202 people are smoking, sometimes people are swallowing and, you know,
1203 orally ingesting cannabis products, so it is very, very hard to
1204 know when the levels are going to rise, and then the metabolism
1205 is different.

1206 The other thing that is different is in alcohol we know that
1207 a certain blood level corresponds to a certain level of
1208 impairment. We don't have that same clear predictability when
1209 it comes to blood levels --

1210 Mr. Guthrie. Because you still have THC in your system but
1211 not be impaired, right, because it lingers in your system longer?

1212 Dr. Nordstrom. So, well, THC itself will -- it is always
1213 going to be intoxicating, that is psychoactive and one of the
1214 first metabolites. So one of the first breakdown steps in THC
1215 is still active, eventually you get to an inactive form and that
1216 inactive form stays around much longer than the active forms do.

1217 Mr. Guthrie. So you know when the active and inactive, and
1218 active is what is intoxicating.

1219 Dr. Nordstrom. So that is what is important.

1220 Mr. Guthrie. It is impairment --

1221 Dr. Nordstrom. For our purposes that is what is important

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

1222 to measure for impairment.

1223 Mr. Guthrie. What is the field test, field sobriety,
1224 because if a police officer suspects alcohol or smells it or
1225 whatever, they can do a field test to see if they are impaired,
1226 then they go to the more -- tests, if you are going to do something
1227 in court, I am sure you have to go further than that.

1228 Does the field tests -- can you tell an impaired driver with
1229 cannabis as you can with --

1230 Dr. Nordstrom. Well, to Congresswoman Dingell's point,
1231 when somebody is weaving around the road that is the first
1232 indication. When they pull them over and they are acting impaired
1233 but they don't smell alcohol, they do a portable breath test and
1234 it is negative, then this is where it gets tricky. If they are
1235 not a specifically trained drug recognition expert, they might
1236 not know necessarily what to look for.

1237 Mr. Guthrie. So the walking heel-to-toe, touching your
1238 nose, with your eyes, because that kind of stuff wouldn't be the
1239 same effect as alcohol?

1240 Dr. Nordstrom. They could do those field sobriety tests
1241 and say, "Yeah, this person is impaired," but not be able to detect
1242 alcohol. So they will say, "Well, something is up," and that
1243 is where the oral fluid testing can be very useful. For somebody
1244 who hasn't gone through all the rigorous training to become a
1245 drug recognition expert they could at least test oral fluid and

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

1246 then say, "Okay, this person does have THC or its active metabolite
1247 present in their system," and then you can start building probable
1248 cause for building a more kind of comprehensive that the person
1249 is driving under the influence of cannabis.

1250 Mr. Guthrie. And I am sure that is inconsistent across
1251 police jurisdictions about how that is applied or not applied?

1252 Dr. Nordstrom. Yes, sir. Yes. There is not a standard
1253 approach. It is not -- that oral fluid testing has not really
1254 been built into standard operating procedure anywhere in the
1255 United States as far as I know.

1256 Mr. Guthrie. Because there is no jurisdiction that does
1257 it now?

1258 Dr. Nordstrom. Not as part of SOP, sir.

1259 Mr. Guthrie. Okay.

1260 Dr. Nordstrom. But it has been done in, I believe, Canada
1261 and Australia. There is precedent.

1262 Mr. Guthrie. Okay, so there are some places that we could
1263 study to see how it works and how it moves forward.

1264 Dr. Nordstrom. Yes, sir.

1265 Mr. Guthrie. Well, thanks for that. And I know it is very
1266 concerning, and thanks for all of you for being here today. I
1267 appreciate it very much, and I yield back.

1268 Dr. Nordstrom. Thank you, sir.

1269 Ms. Schakowsky. The gentleman yields back, and now I

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

1270 recognize Mr. Soto for 5 minutes.

1271 Mr. Soto. Thank you, Madam Chairwoman.

1272 You know, as technology increases in vehicles, we in Congress
1273 have to keep up with those changes. And while it is so exciting
1274 to have vehicles that are keyless and others that turn off and
1275 on for energy efficiency and others that will be plugged in, this
1276 committee's work is going to have to continue to make sure that
1277 we are doing the things we do to keep people safe.

1278 And we hear every week different issues that we have to work
1279 on, and I am really proud to be part of a lot of these bills to
1280 help increase vehicle safety, particularly joining our
1281 chairwoman, Seth Moulton, and Congressman Kennedy, as well as
1282 Congressman Moulton and dealing with issues in the PARK IT Act
1283 of the risks of keyless ignition technology.

1284 I wanted to first start by asking Ms. Livingston, how
1285 important is this bill to protect our seniors, to protect our
1286 children, and other vulnerable populations?

1287 Ms. Livingston. Thank you for the question. I think it
1288 is essential. I can't believe keyless ignition has been around
1289 for over 10 years and we don't have a regulation. The auto
1290 industry sometimes represents, "Oh, we will do it on our own
1291 voluntarily," has not happened. We need the legislation as soon
1292 as possible.

1293 Two more people have died since my parents died in May and

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

1294 it is not just elders. There was a young 20-year-old woman who
1295 died and, sadly, her fiancée survived. Sometimes it is worse
1296 to survive carbon monoxide. But we definitely need a law. NHTSA
1297 is looking for leadership from Congress on this.

1298 Mr. Soto. Do you think most consumers are aware right now
1299 of the dangers of a car remaining on in a keyless ignition
1300 scenario?

1301 Ms. Livingston. I don't think so. I don't think my parents
1302 knew. I know I wasn't really aware of it other than the fact
1303 that I had left my car a few times when it was still running and
1304 I couldn't hear it. And I think this -- so a little confusion
1305 on terminology, but the auto-stop to save gas, as you mentioned,
1306 a number of cars when you get to a red light, the car engine stops,
1307 so people think that the engine is off.

1308 I think very few people are aware and a number of people
1309 after the story came out on my parents mentioned to me that they
1310 had never heard of it, and then more and more stories come out.

1311 We need to do something to protect consumers.

1312 Mr. Soto. Thank you for that. And it is part of the initial
1313 theme which is, you know, all these things are progressing, but
1314 it is the federal government's responsibility with these types
1315 of progress that are in interstate commerce to make sure they
1316 are safe. People assume we are doing our jobs and today this
1317 is part of that. Ms. Chase, how important is the Hot Car

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

1318 technology, and a similar question, are people aware that this
1319 threat is out there, in your opinion?

1320 Ms. Chase. The Hot Car technology is essential because with
1321 every passing day and it is hot outside, and by the way this still
1322 happens when it is not so hot out. It can happen when it is 60
1323 degrees outside. Children are at risk and we have a proven
1324 solution that there is a detection system and alarm system. There
1325 is no reason why this shouldn't be in all cars today.

1326 Mr. Soto. And do you think people are aware of this risk,
1327 particularly if it is 60 degrees out, who would really think that
1328 that could be a risk?

1329 Ms. Chase. You know, I think there is some awareness but
1330 not enough. And nobody wakes up and thinks, oh, I might leave
1331 my child in the car today. And this happens especially when there
1332 is a change in routine where Mom is usually the one who drops
1333 off the child at daycare, but Mom is out of town on a business
1334 trip so Dad is doing it today.

1335 And say Dad is driving to work -- we all kind of go on auto
1336 pilot in a sense, and you start thinking about something at work
1337 or you get a call which you shouldn't answer, but people do, and
1338 then you get distracted and you forget there is a sleeping baby,
1339 rear-facing.

1340 There is no indication, really, there is no sound, there
1341 is no movement. There is technology there that can solve this

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

1342 problem. It is not the fault of the parents.

1343 Mr. Soto. Well, and I am glad you mentioned that because
1344 that is what I would like to end on. The fact that we have this
1345 increasing technology to help with some of the new issues that
1346 other technology causes, it gives me hope that we are going to
1347 be able to resolve these issues and prevent the kind of tragedies
1348 that you all saw with your own eyes with your families. So thanks
1349 for being here today and thanks for your courage.

1350 Ms. Schakowsky. The gentleman yields back and I now
1351 recognize Mr. Bucshon for 5 minutes.

1352 Mr. Bucshon. Thank you, Madam Chairwoman. I just had a
1353 hot car death in my district about a week and a half ago, 3 years
1354 old was apparently asleep. So this is -- it has been devastating
1355 for the family, but also for the community of Evansville, Indiana
1356 to realize that these things do happen. And the parent was a
1357 responsible parent, it just happens. So I am glad the committee
1358 is working towards addressing that particular issue. I think
1359 it is important.

1360 You were talking, Dr. Nordstrom, about THC and impairment.

1361 As you know, opioid abuse is out there, but also just using
1362 opioids for legitimate purposes. And you mentioned, I think,
1363 in your testimony that because of that rise that there is a huge
1364 opportunity for healthcare providers -- and I was a physician
1365 before I was in Congress -- healthcare practitioners to address

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

1366 opioid impaired driving. Can you further expand on the
1367 opportunities available and how education plays a role and how
1368 physicians can help?

1369 Dr. Nordstrom. Absolutely, and thank you for the question,
1370 sir. You know, I am sure as you remember from being in practice,
1371 very frequently you will see people whose medications get added
1372 to, they are seeing a number of different specialists and
1373 sometimes people aren't always thinking about medication
1374 interactions especially when it comes to sort of cumulative
1375 effects on alertness.

1376 Mr. Bucshon. Yeah.

1377 Dr. Nordstrom. So I think one thing that is very important
1378 is to be making sure that we are educating physicians about not
1379 just kind of the pharmacodynamic interactions so how the drugs
1380 relate to each other chemically, but then the pharmacokinetic
1381 actions but also the pharmacodynamic interactions which --

1382 Mr. Bucshon. So it could be, I mean there could be some
1383 impairment with medications that are not opioid related, right?

1384 Dr. Nordstrom. Of course. Yes, sir.

1385 Mr. Bucshon. You could have a couple medications that cause
1386 reactions that would result in impaired driving that are not
1387 traditionally thought of as being causing impairment?

1388 Dr. Nordstrom. Absolutely, sir.

1389 Mr. Bucshon. So that is where pharmacies come into play

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

1390 too, right?

1391 Dr. Nordstrom. And this is where, yeah, that there has to
1392 be sort of levels of intervention here, where if the physician
1393 forgets or doesn't have the conversation that the pharmacist does.

1394 Because somebody is on an antihistamine that is sedating, you
1395 know, that is going to potentially affect their ability to drive,
1396 same as a benzodiazepine, the same as an opioid.

1397 Mr. Bucshon. Right.

1398 Dr. Nordstrom. You know, and so I think that the physicians
1399 need to be thinking about this when they are doing informed consent
1400 with patients about medications. But the other part of it is
1401 that the doctors need to be thinking about when they are
1402 prescribing making sure that they are reviewing the whole of the
1403 med list and for the pharmacists to be doing the same thing as
1404 --

1405 Mr. Bucshon. Yeah, I have seen patients on 20 medicines
1406 before.

1407 Dr. Nordstrom. Exactly.

1408 Mr. Bucshon. Honestly, it is pretty routine. And Buddy,
1409 who is a pharmacist, will tell you that is the case. So do we
1410 have, and you were talking about just THC, but do we have
1411 laboratory tests for drug, other non-THC drugs like opioids that
1412 can hold up in court as it relates to impairment?

1413 Dr. Nordstrom. Well, certainly we have --

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

1414 Mr. Bucshon. Unless you have a zero tolerance. I mean if
1415 you have an opioid and the law is it is zero.

1416 Dr. Nordstrom. And a zero tolerance. And there are per
1417 se standards for opioids in Nevada and Ohio, I believe, and I
1418 think those are the only two --

1419 Mr. Bucshon. But broadly we don't.

1420 Dr. Nordstrom. But broadly we really don't. And part of
1421 this is that there is not that same level of knowledge about what
1422 drug level in blood corresponds to --

1423 Mr. Bucshon. Yeah. But we do have pharmacokinetics.
1424 Probably to get FDA approval, you are going to have to show human
1425 pharmacokinetics for an opioid, right?

1426 Dr. Nordstrom. Sure. Absolutely, sir.

1427 Mr. Bucshon. So I mean that may not necessarily have a
1428 direct correlation though with an impairment to a level which
1429 would make you dangerous.

1430 Dr. Nordstrom. Exactly. And I think that those --

1431 Mr. Bucshon. So how do we get to that? That is why this
1432 money is important, right? How do we get to that?

1433 Dr. Nordstrom. So I think part of it is doing those -- having
1434 those tests be done where they look at specifically driver
1435 impairment at different blood level --

1436 Mr. Bucshon. How did we do it with alcohol? Did we actually
1437 have drivers and have them -- I mean initially, way back.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

1438 Dr. Nordstrom. There are standardized lab sort of
1439 experiments where you can be in a driving lab with lane excursion
1440 and things like that.

1441 Mr. Bucshon. That is what I am saying. Then you have people
1442 literally drink alcohol and --

1443 Dr. Nordstrom. Absolutely. The same methodology --

1444 Mr. Bucshon. -- measure their drug and test. So we don't
1445 do -- we haven't done that for opioids, really?

1446 Dr. Nordstrom. Well, I mean I don't think we --

1447 Mr. Bucshon. Or other drugs?

1448 Dr. Nordstrom. Not to the same extent that we have with
1449 alcohol where the blood level would --

1450 Mr. Bucshon. Correlate.

1451 Dr. Nordstrom. -- definitively correlate and hold up in
1452 court in such a way that it would meet standards.

1453 Mr. Bucshon. Yeah. Yeah, that is one of the things. And
1454 law enforcement are in a pretty stuff spot.

1455 Dr. Nordstrom. Absolutely.

1456 Mr. Bucshon. Because they, the field sobriety tests may
1457 or may not hold up. And the reason I say that I had a case in
1458 my district, again, where a 16-year-old girl was hit as a
1459 pedestrian and killed.

1460 Dr. Nordstrom. Oh, my god.

1461 Mr. Bucshon. And the driver in the field was obviously

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

1462 impaired, but the laboratory tests showed no alcohol, no opioids
1463 and was probably THC, but ultimately they are still trying to
1464 -- this was a couple years ago. They are still trying to prosecute
1465 that case. But there was a blood alcohol level of zero, no
1466 opioids, no benzos, but clearly failed the field sobriety test,
1467 probably on marijuana.

1468 Dr. Nordstrom. Oh, my lord.

1469 Mr. Bucshon. And they have not been able to adjudicate that
1470 case because there is no standard. So anyway, that does happen.
1471 I yield back.

1472 Ms. Schakowsky. The gentleman yields back and I recognize
1473 Mr. McNerney for 5 minutes for his questions.

1474 Mr. McNerney. Well, I thank the chair and I thank the
1475 witnesses this morning, very illuminating testimony. And I want
1476 to thank the ranking member for inviting me to co-lead the Impaired
1477 Driving Study Act. I have thought a lot about this issue,
1478 actually.

1479 And I am going to sort of follow up on Mr. Bucshon. Mr.
1480 Nordstrom, can you envision a field impairment test that tests
1481 manual dexterity that can hold up in court?

1482 Dr. Nordstrom. Yes, sir. I mean, I think that with the
1483 standard field sobriety test we can get to a point where the
1484 officer, especially if it is a drug recognition officer, can
1485 really correlate then what they are seeing in terms of a

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

1486 performance decrement to a specific drug or a class of drugs.

1487 So I think we could get there.

1488 Mr. McNerney. And it would hold up in court?

1489 Dr. Nordstrom. Ideally, sir, yes.

1490 Mr. McNerney. Okay, thank you. How would NHTSA conducting
1491 such a study as proposed in our legislation, help us to reduce
1492 the number of casualties resulting from alcohol impaired and other
1493 impaired driving?

1494 Dr. Nordstrom. Well, I think, sir, that if we have the
1495 opportunity to get people on their first offense and we can really
1496 identify what is going on, what they have been using and then
1497 come up with specific targeted plans for how to intervene to
1498 address the underlying causes of the behavior, then it could
1499 potentially correct the problem later on so that there aren't
1500 multiple reoffenses.

1501 Mr. McNerney. I mean it is my impression that reoffenses
1502 are really the dangerous incidents.

1503 Dr. Nordstrom. That is, you know, the highest sort of risk
1504 are those people that have very high blood alcohol levels, you
1505 know, above 0.15. The multiple reoffenders and the polyusers,
1506 those people account for about 70 percent of the DUI deaths so
1507 that those really high-risk people are the ones that we need to
1508 be focusing on.

1509 Mr. McNerney. Well, thanks. What are some of the things

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

1510 that would be helpful for NHTSA to examine in conducting the study?

1511 Dr. Nordstrom. So I think that there are a number of things,
1512 but I think really being able to get to the point where we can
1513 meet the sort of standards, like the Daubert standards for expert
1514 testimony. And so that is going to take a significant amount
1515 of kind of work to be able to correlate what we are seeing in
1516 terms of performance decrements so that when an expert goes into
1517 court and says that they have noticed that this is the, you know,
1518 what they have observed, that it can hold up to rigorous cross
1519 examination so that we can -- that the jury can have confidence
1520 that there actually was a deficit there.

1521 Mr. McNerney. So there is really opportunity for
1522 improvement in impaired driving?

1523 Dr. Nordstrom. Yes, sir.

1524 Mr. McNerney. Thank you. Thank you.

1525 Ms. Chase, I am going to talk a little bit about cybersecurity
1526 issues with regard to all the safety. Today's cars really are
1527 computers on wheels and they can be hacked. There was an incident
1528 in 2015 where two white hat hackers, cyber commandeered a Jeep
1529 Grand Cherokee, and so that has caused some change in the rules.

1530 As cars become increasingly interconnected, are you concerned
1531 that cybersecurity could pose a threat to safety?

1532 Ms. Chase. We are absolutely concerned about hacking and
1533 threats to cars as they become more and more computerized and

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

1534 there needs to be some federal action on this to protect both
1535 the people in the car and all of us who are surrounding, including
1536 pedestrians, bicyclists, and other road users.

1537 Mr. McNerney. But what steps are the automobile industry
1538 now taking to help prevent that?

1539 Ms. Chase. I can't speak to what the auto industry is doing
1540 right now, but what I can offer is that there should be some federal
1541 requirements that cars are not able to be hacked to the best of
1542 the ability of the intelligence that is available now.

1543 Mr. McNerney. So is NHTSA taking steps?

1544 Ms. Chase. Not to my understanding.

1545 Mr. McNerney. So then it is kind of up to Congress to do
1546 something?

1547 Ms. Chase. I would urge Congress to take steps to move this
1548 along. Mr. McNerney. Okay. I thank the witnesses and I yield
1549 back.

1550 Ms. Schakowsky. The gentleman yields back and now I
1551 recognize Mr. Carter for 5 minutes.

1552 Mr. Carter. Thank you, Madam Chair, and thank all of you
1553 for being here, very important information.

1554 Mr. Nordstrom, as Dr. Bucshon alluded to earlier, currently
1555 I am the only pharmacist serving in Congress. And this is
1556 extremely important to me particularly as it relates to
1557 medications and how they are impairing people, and particularly

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

1558 when they are operating machinery, especially cars and trucks
1559 and that type of thing.

1560 Do you see this on the rise? Do you see a rise in the rate
1561 of drug impaired driving?

1562 Dr. Nordstrom. Yes, sir, absolutely. That, you know, the
1563 National Roadside Survey found that 22 percent of drivers tested
1564 positive for illegal prescription or over-the-counter
1565 medication.

1566 Mr. Carter. Now, illegal prescription, are these
1567 prescriptions --

1568 Dr. Nordstrom. Illegal, comma, prescription, comma, or
1569 over-the-counter medication.

1570 Mr. Carter. So they were prescribed to them?

1571 Dr. Nordstrom. Some of the time. Yes, sir.

1572 Mr. Carter. Okay. Well, okay. Let's just assume they
1573 were prescribed for them and they were taking them like they were
1574 supposed to be, but still they shouldn't have been behind the
1575 wheel and using these medications.

1576 Dr. Nordstrom. I mean absolutely that happens.

1577 Mr. Carter. Okay. And any idea of any factors that led
1578 to this increase or that have led to an increase? I mean --

1579 Dr. Nordstrom. You know, sir, I don't need to tell a
1580 pharmacist how much more medication is being consumed in this
1581 country --

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

1582 Mr. Carter. Right.

1583 Dr. Nordstrom. -- you know, I mean when it comes to opioids
1584 we know we are four percent of the world population and we consume
1585 about 80 percent of the world's opioids, right. More and more,
1586 people are taking medication and they are doing all kinds of things
1587 including driving, you know, and so there is certainly more of
1588 that happening.

1589 Mr. Carter. Outside of opioids and marijuana, any other
1590 particular medication, any other particular class of medications
1591 that you see?

1592 Dr. Nordstrom. No, you know, I mean obviously when we are
1593 talking about medications, the other things that we would worry
1594 about are benzodiazepines and other sedative hypnotics. That
1595 could certainly impair judgment and performance.

1596 Mr. Carter. Let me ask you specifically about marijuana.
1597 In full disclosure, I am not a fan. I am absolutely, adamantly
1598 opposed to the recreational use of marijuana. Nevertheless, I
1599 understand there are states that have legalized it. Do you see
1600 an increase in impaired driving in those states?

1601 Dr. Nordstrom. From the data that we have seen coming out
1602 of especially Washington has done a really incredible job tracking
1603 their data and it is one of the things that we would really
1604 encourage states to do is to look at Washington's example of
1605 measuring so that they can see --

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

1606 Mr. Carter. So how are they measuring?

1607 Dr. Nordstrom. So what Washington actually did is they went
1608 back and they looked at blood samples from before they legalized
1609 for different crashes and cases so that they could see what
1610 happened pre and post. And, you know, they have seen an increase,
1611 and I think it is just very important that other states as they
1612 contemplate legalizing that they think about doing that kind of
1613 rigorous measurement, so that they can see what is happening after
1614 they make a change in policy so that they know then how they are
1615 going to respond.

1616 Mr. Carter. Are there any tests out there? I mean, you
1617 know, we had a breathalyzer and we can test for alcohol. What
1618 about for marijuana? I mean are there any -- I am not familiar
1619 with it. Georgia is not, it is not legal yet in Georgia and I
1620 hope it won't be. But nevertheless, I am just not familiar with
1621 it.

1622 Dr. Nordstrom. So there are oral fluid assays that can be
1623 done and there are portable oral fluid kits that can be done at
1624 the roadside that look specifically for THC and active THC
1625 metabolites. And that is about as -- apart from doing bloodwork
1626 and then GCMS, that is what we have got right now.

1627 Mr. Carter. Okay. I don't mean to be redundant, and I came
1628 in on the tail end of Dr. Bucshon's questions, but in your
1629 testimony, you mentioned there is a huge opportunity for

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

1630 collaboration with healthcare practitioners and pharmacists on
1631 this issue. What do you see as the collaborative process and
1632 how can pharmacists play a role?

1633 Dr. Nordstrom. Well, I certainly think that the
1634 communication between physicians and pharmacists could always
1635 be better. You know, that as an addiction psychiatrist I have
1636 great relationships with our pharmacists, because frequently
1637 people would act one way in front of me and then when they are
1638 in a retail setting that they would act in a very different way
1639 and they forgot that there was a licensed healthcare professional
1640 who is still assessing them.

1641 So we would get very, very good information back from the
1642 pharmacists, and because we had them sign the HIPAA releases we
1643 could speak with pharmacists. And so, I mean I think that that
1644 kind of communication though needs to really happen between
1645 prescribers, so not just physicians but any prescriber and the
1646 pharmacist on the dispensing end to make sure that if -- because
1647 if I made an oversight or an omission the pharmacist would catch
1648 it, would call me, and we made sure that the communication was
1649 tight.

1650 Mr. Carter. Great. Well, and, you know, just when I was
1651 still practicing pharmacy, you know, it was routine when I would
1652 dispense the medication I would tell them, "Look, this is going
1653 to make you drowsy. Be careful if you are driving." I mean that

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

1654 was just routine of what we did for patient counseling.

1655 Dr. Nordstrom. And I think that is the kind of thing we
1656 need to be doing more of, sir.

1657 Mr. Carter. Right, okay. Well, thank you very much and
1658 I yield back.

1659 Ms. Schakowsky. I now recognize Congresswoman Castor for
1660 5 minutes.

1661 Ms. Castor. Well, thank you, Madam Chair, for calling this
1662 hearing on how we make our cars safer, and I want to thank the
1663 witnesses for sharing your expert points of view. And, Ms.
1664 Livingston, thank you for sharing your very personal story of
1665 your wonderful parents. I am sorry.

1666 You know, automobile defects were identified over 10 years
1667 ago; 10 years ago the Society of Automotive Engineers identified
1668 the dangers posed by keyless ignition systems; 2 years later NHTSA
1669 proposed a rule that would require automobiles to provide
1670 supplementary warnings when a driver inadvertently left a keyless
1671 ignition vehicle running; and yet 8 years later, now there is
1672 still no final rule.

1673 The result has been at least 21 documented cases of people
1674 dying from carbon monoxide poisoning after accidentally leaving
1675 a keyless ignition vehicle running. I mean automobile defects
1676 that were identified over 10 years ago should not be causing deaths
1677 in 2019.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

1678 Ms. Livingston, the vehicle that killed your parents was
1679 a 2017 Toyota Avalon which was manufactured several years after
1680 automakers identified carbon monoxide hazards tied to keyless
1681 ignition systems and several years after NHTSA proposed standards
1682 to reduce those risks. Do you believe that the auto industry
1683 failed to protect your parents? Do you believe that NHTSA failed
1684 to protect your parents?

1685 Ms. Livingston. Absolutely.

1686 Ms. Castor. Ms. Chase, I am concerned that NHTSA's
1687 hands-off approach to addressing safety issues like keyless
1688 ignition systems is costing lives. Why, you know, 10 years, why
1689 has NHTSA not finalized the rule to protect the public? I mean
1690 it is going to take an act of Congress now to do this? But they
1691 have had all of the evidence. How can we ensure that NHTSA
1692 proactively identifies and addresses these sorts of automobile
1693 safety issues?

1694 Ms. Chase. You have identified the issue perfectly. And
1695 the inaction at the agency is why the PARK IT Act and other pieces
1696 of legislation that we have discussed today are critical because
1697 it is not moving and people are dying. And there is technology
1698 that is existent and inexpensive that could be put in all cars
1699 today.

1700 So I urge this subcommittee and then to move these bills
1701 through and let's get them to the floor and start saving lives.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

1702 Ms. Castor. So that is the PARK IT Act and hopefully it
1703 will be moving. On the Hot Cars Act, a friend of mine, I went
1704 grocery shopping with a friend of mine recently. They have a
1705 new vehicle and they, you know, this is Tampa, Florida we are
1706 talking about. They wanted to make another stop at a different
1707 store and I said, "But you can't. Your groceries are going to
1708 bake and they are going to be ruined."

1709 And they said, "No, look at this." In this vehicle there
1710 is -- the temperature will, the air conditioning will come on
1711 as it is parked if the temperature in the car goes up too high.

1712 Is that one of the answers?

1713 Ms. Chase. That is one of the answers. So what is needed
1714 is a detection system, so there must have been in whatever vehicle
1715 that was a detection system that --

1716 Ms. Castor. If it hit a certain temperature internally then
1717 the a/c would come on for --

1718 Ms. Chase. So that is one solution. So it has the detection
1719 system, it kicks in the a/c, or it could also kick in the horn
1720 beeping, or, you know, you getting a notification on your phone.

1721 There are a number of different ways that this problem can be
1722 solved.

1723 And what is so critical about the Hot Cars bill is that it
1724 doesn't mandate one over the other, it just mandates that the
1725 problem be solved. And there are different ways. There are

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

1726 different innovators that can solve this problem including the
1727 one that you just mentioned.

1728 Ms. Castor. And we were just talking about groceries, but
1729 children are dying.

1730 Ms. Chase. Children are dying, animals are dying, and it
1731 is unnecessary.

1732 Ms. Castor. And again, it looks like it is going to take
1733 an act of Congress when it shouldn't. The agency should be more
1734 proactive.

1735 Ms. Chase. I agree with you.

1736 Ms. Castor. A person's gender should not determine whether
1737 he or she is injured or killed in an automobile crash, but
1738 researchers have found that a woman is -- that women are 73 percent
1739 more likely to die or suffer severe injuries in a car crash than
1740 a man. And a study from the University of Virginia suggests that
1741 female crash dummies may contribute to this troubling trend.

1742 According to the study, female crash dummies do not
1743 appropriately account for the size and weight of an average woman.

1744 Inaccurate test dummies can lead to ineffective safety measures.

1745 Are you aware of this study, and what factors do you think are
1746 contributing to the discrepancy here between men and women and
1747 car crashes?

1748 Ms. Chase. In honesty, I have read the highlights of the
1749 study but not the extensive study. Some of my staff have. But

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

1750 I am aware of the problem and there needs to be more different
1751 types of crash dummies that are more reflective of people's body
1752 sizes and weights so that the equipment that is put into cars
1753 will be responsive and protect them as they should.

1754 Ms. Castor. Thank you very much.

1755 And I hope, Madam Chair, you will look into this with me.
1756 Thank you.

1757 Ms. Schakowsky. Fascinating questions and answers, or
1758 things that need to be answered.

1759 Ms. Schakowsky. I now recognize Congresswoman Kelly for
1760 5 minutes of questioning.

1761 Ms. Kelly. Thank you, Madam Chair. And I want to thank
1762 you and the ranking member for holding this hearing. It is so
1763 important. I too have left my car running and both times -- one
1764 time I was trying to make the train and when I came back, I wondered
1765 why my gas was so low. And the second time I had actually parked
1766 it under Cook County's building and left the car running all day,
1767 so I can relate to what you guys are saying.

1768 Ms. Livingston, you made a comment, "Thanks for having the
1769 hearing and you know it is a busy day today," but I could say
1770 on behalf of this committee, we are never too busy to save lives.

1771 That is what this committee is about, so thank you for being
1772 here.

1773 Safety should be a standard feature of every new vehicle,

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

1774 not an add-on that a consumer has to pay for. The level of safety
1775 in your car should not depend on the size of your wallet. But
1776 many existing and emerging safety technologies such as automatic
1777 emergency brakes where automatic braking, blind spot detection,
1778 and lane departure warnings are sold as luxury items which must
1779 be purchased for an extra fee or as part of an expensive add-on
1780 package, these additional costs may put these lifesaving
1781 technologies out of reach for many Americans. Automatic
1782 emergency brakes are not the same as leather seats. Lane
1783 departure warnings are not the same as a Bluetooth-enabled stereo.

1784 Do you believe that selling safety-enhancing features such
1785 as backseat warnings or a keyless ignition override as part of
1786 accessory packages with a bunch of other gear like luxury floor
1787 mats and wheel locks discourages consumers from buying cars with
1788 crucial safety features? Any of you can answer.

1789 Ms. Chase. I could not have said it better than you just
1790 did that these safety features should be in all new vehicles and
1791 they should not be packaged with a moon roof or a heated steering
1792 wheel. They should be -- these are proven technologies to reduce
1793 crashes, save lives, and prevent injuries. The only reason that
1794 they are not being put into all new cars now is that more money
1795 can be made from selling them as luxury packages or they are in
1796 some high-end vehicles that not everyone can afford.

1797 Ms. Kelly. Sure.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

1798 Either one of you, any comments?

1799 Ms. Livingston. I totally agree with you. These are things
1800 that are readily available, should be in every car, and we do
1801 need an act of Congress. That is just the way it is. And the
1802 car industries have proven over more than a decade that for the
1803 keyless ignition that they haven't voluntarily put these
1804 protections in and some say that it could be only 60 cents a car
1805 in that particular case. But to call things that are for safety
1806 a luxury is just wrong.

1807 Dr. Nordstrom. Well, ma'am, it is a bit outside my lane
1808 as the Director of Responsibility.org, but certainly, I mean as
1809 a consumer I couldn't find fault with a single word that has been
1810 said here.

1811 Ms. Kelly. And in the panel's opinion are there certain
1812 advanced safety technologies that should no longer be an option,
1813 but should be standard on all vehicles?

1814 Ms. Chase. Obviously the hot cars technology and the cutoff
1815 switch for the keyless ignition switch, additionally, automatic
1816 emergency braking, lane departure warning, blind spot detection
1817 just to name a few that have been proven by the Insurance Institute
1818 for Highway Safety to reduce crashes. We know that these are
1819 effective. They should be in all cars as standard equipment and
1820 there should be performance standards for them, so that if
1821 somebody calls something a particular name, we know that it will

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

1822 respond the way that it is expected to.

1823 Ms. Kelly. Okay, going back to watching people's
1824 pocketbooks, what do you think can be done to retrofit all cars?
1825 Everybody can't afford to buy a new car or, you know, everybody
1826 can't afford some of the luxury cars.

1827 Ms. Chase. I think there needs to be some more research
1828 and studies done on how retrofits can be affected. I can say
1829 in terms of the hot cars I have seen some aftermarket products.
1830 I don't know the verification of them, but I have seen them.

1831 And so, the problem therein though is that no one really
1832 thinks that they are going to leave their child or that their
1833 child is going to climb in, so that would put it incumbent upon
1834 the consumer to go out and buy the aftermarket product. That
1835 is why it needs to be standard, so that people, you know, have
1836 that safety insurance without even thinking about it.

1837 Ms. Livingston. I just wanted to mention on the keyless
1838 ignition on how both GM and Ford embraced going in and making
1839 a change and did a recall so that the older vehicles would have
1840 it put in. It is possible to do. Technically, I think Toyota's
1841 announcement that the new cars will have it is great, however,
1842 there are a lot of cars out there and they will be on the road
1843 7 or 8 years and I think a recall is in order for that so more
1844 people don't die.

1845 Ms. Kelly. Good idea.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

1846 Madam Chair, I yield back.

1847 Ms. Schakowsky. The gentlelady yields back and I now
1848 recognize Mr. Rush for 5 minutes.

1849 Mr. Rush. I want to thank you, Madam Chair and the ranking
1850 member for conducting this hearing. It has been fascinating to
1851 witness and I certainly want to join with all my colleagues in
1852 commending Ms. Livingston whose courage to take her pain and turn
1853 it into a pursuit of well-being for all Americans is totally
1854 commendable and we certainly want to express our appreciation
1855 to you. You didn't have to do it, but you are doing it and we
1856 thank you so much for all your work and your effort.

1857 Ms. Chase, in your testimony you discussed the role that
1858 technology can play in increasing vehicle and pedestrian safety,
1859 specifically technologies like the AEB, the Automatic Emergency
1860 Braking, are important factors in decreasing crash related
1861 injuries. That is why I was pleased to see the 2016 voluntary
1862 agreement implemented in AEB from 20 vehicle manufacturers.

1863 In one instance, NHTSA has announced that it will accelerate
1864 its research into advanced AEB systems that include pedestrian
1865 and bicyclists application. They have not done enough. And that
1866 is why this morning I, along with seven of my Democratic colleagues
1867 on this subcommittee, sent a letter to NHTSA asking for an update
1868 on implementation of this advanced technology.

1869 That being said, can you please expand upon why this

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

1870 technology is so important to pedestrian and bicyclist safety
1871 and what other technologies should also be considered.

1872 Ms. Chase. Congressman, thank you for your leadership and
1873 I look forward to reading your letter after the hearing is
1874 concluded.

1875 Mr. Rush. Right.

1876 Ms. Chase. AEB is an essential piece of technology that
1877 should be in all cars because the problems of impairments like
1878 we discussed, and distraction among others, is prevalent in our
1879 motoring public. And AEB if someone is distracted or impaired
1880 will detect is it object or a person in front -- hopefully a person
1881 -- that is an advanced AEB system -- is in front of them, and
1882 if a person doesn't brake, it will brake for them.

1883 I would just like to make a side note about the voluntary
1884 agreement. While it may seem like a step forward, we really would
1885 like to see a minimum performance standard because with a
1886 voluntary agreement a company can walk away from it. A company
1887 can also call something a system, name it something, but we don't
1888 know how it truly performs.

1889 So we would like to see the added step of it first being
1890 required as a standard equipment and then also there being a
1891 minimum performance standard for the technology.

1892 Mr. Rush. Thank you.

1893 Congresswoman Kelly asked a lot of questions that I want

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

1894 to pursue. Most of my constituents don't have new cars. Most
1895 of them have used cars. And 5 years down the road, new cars that
1896 are online that will be purchased today and tomorrow will also
1897 be used cars, and cars that may or may not have this advanced
1898 technology. And I understand that there are -- there could be
1899 possibly be devices that will be marketed for to deal with some
1900 of these issues that we have been discussing.

1901 But what I would like you to inform this committee about
1902 is what role can the Congress play in addressing the issues of
1903 some of the older model cars in terms of how can we use this
1904 legislative perspective that we have to address the issues of
1905 older cars that are still a threat to life, limb, and safety?

1906 Ms. Chase. As the proud owner of a 15 year old minivan,
1907 I hear you. And what I would encourage Congress to do is to find
1908 out what NHTSA is doing on this issue. And then also I would
1909 like to work with you and your staff to see if there any legislative
1910 solutions to this problem, because it is a problem. There are
1911 a lot of used or secondhand vehicles on the road and they should
1912 not be, you know, they should not have -- they should have the
1913 advances that are available in new cars. So I look forward to
1914 working with you to see where we can go on this.

1915 Mr. Rush. Thank you. Madam Chair, I yield back.

1916 Ms. Schakowsky. I want to thank all of the witnesses. This
1917 was just really wonderful testimony today. Thank you for your

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

1918 participation. There is a lot of follow-up that we need to do.

1919 I want to remind members that pursuant to committee rules,
1920 they have 10 business days to submit additional questions for
1921 the record to be answered by witnesses who have appeared. And
1922 I want to ask each of the witnesses to, please, if you get questions
1923 to respond as promptly as possible to those questions.

1924 At this time, the -- let's see. Before that -- so these
1925 are things I would ask unanimous consent to insert into the record
1926 -- where are we? Okay. We have a letter from the College Church
1927 -- oh, I am sorry. Okay, we have a letter from Colleen Church,
1928 Advisor and Counsel to Responsibility.org; a letter from the
1929 daughter of a carbon monoxide poisoning victim; a letter from
1930 the son of a carbon monoxide poisoning victim; a letter from the
1931 American Property Casualty Insurance Association. Is that it?

1932 So, without objection, so ordered.

1933 [The information follows:]

1934

1935 *****COMMITTEE INSERT*****

This is a preliminary, unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker. A link to the final, official transcript will be posted on the Committee's website as soon as it is available.

1936 Ms. Schakowsky. And the committee is now adjourned.

1937 [Whereupon, at 12:18 p.m., the subcommittee was adjourned.]

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com