

105TH CONGRESS  
1ST SESSION

# H. R. 981

To provide for a national standard to prohibit the operation of motor vehicles  
by intoxicated individuals.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 6, 1997

Mrs. LOWEY introduced the following bill; which was referred to the  
Committee on Transportation and Infrastructure

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## A BILL

To provide for a national standard to prohibit the operation  
of motor vehicles by intoxicated individuals.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Safe and Sober Streets  
5       Act of 1997”.

6       **SEC. 2. STANDARD TO PROHIBIT OPERATION OF MOTOR**  
7       **VEHICLES BY INTOXICATED INDIVIDUALS.**

8       (a) IN GENERAL.—Chapter 1 of title 23, United  
9       States Code, is amended by adding at the end the follow-  
10      ing:

1 **“§ 162. National standard to prohibit the operation of**  
2 **motor vehicles by intoxicated individuals**

3 “(a) WITHHOLDING OF APPORTIONMENTS FOR NON-  
4 COMPLIANCE.—

5 “(1) FISCAL YEAR 2001.—The Secretary shall  
6 withhold 5 percent of the amount required to be ap-  
7 portioned to any State under each of sections  
8 104(b)(1), 104(b)(3), and 104(b)(5)(B) on October  
9 1, 2000, if the State does not meet the requirement  
10 of paragraph (3) on such date.

11 “(2) THEREAFTER.—The Secretary shall with-  
12 hold 10 percent (including any amounts withheld  
13 under paragraph (1)) of the amount required to be  
14 apportioned to any State under each of sections  
15 104(b)(1), 104(b)(3), and 104(b)(5)(B) on October  
16 1, 2001, and on October 1 of each fiscal year there-  
17 after, if the State does not meet the requirement of  
18 paragraph (3) on such date.

19 “(3) REQUIREMENT.—A State meets the re-  
20 quirement of this paragraph if the State has enacted  
21 and is enforcing a law that considers an individual  
22 who has an alcohol concentration of 0.08 percent or  
23 greater while operating a motor vehicle in the State  
24 to be driving while intoxicated or driving under the  
25 influence of alcohol.

1       “(b) PERIOD OF AVAILABILITY; EFFECT OF COMPLI-  
2 ANCE AND NONCOMPLIANCE.—

3               “(1) PERIOD OF AVAILABILITY OF WITHHELD  
4 FUNDS.—

5               “(A) FUNDS WITHHELD ON OR BEFORE  
6 SEPTEMBER 30, 2002.—Any funds withheld  
7 under subsection (a) from apportionment to any  
8 State on or before September 30, 2002, shall  
9 remain available until the end of the third fiscal  
10 year following the fiscal year for which such  
11 funds are authorized to be appropriated.

12              “(B) FUNDS WITHHELD AFTER SEPTEMBER  
13 BER 30, 2002.—No funds withheld under this  
14 section from apportionment to any State after  
15 September 30, 2002, shall be available for ap-  
16 portionment to such State.

17              “(2) APPORTIONMENT OF WITHHELD FUNDS  
18 AFTER COMPLIANCE.—If, before the last day of the  
19 period for which funds withheld under subsection (a)  
20 from apportionment are to remain available for ap-  
21 portionment to a State under paragraph (1), the  
22 State meets the requirement of subsection (a)(3),  
23 the Secretary shall, on the first day on which the  
24 State meets such requirement, apportion to the

1 State the funds withheld under subsection (a) that  
2 remain available for apportionment to the State.

3 “(3) PERIOD OF AVAILABILITY OF SUBSE-  
4 QUENTLY APPORTIONED FUNDS.—Any funds appor-  
5 tioned pursuant to paragraph (2) shall remain avail-  
6 able for expenditure until the end of the third fiscal  
7 year following the fiscal year in which such funds  
8 are so apportioned. Sums not obligated at the end  
9 of such period shall lapse or, in the case of funds  
10 apportioned under section 104(b)(5)(B), shall lapse  
11 and be made available by the Secretary for projects  
12 in accordance with section 118.

13 “(4) EFFECT OF NONCOMPLIANCE.—If, at the  
14 end of the period for which funds withheld under  
15 subsection (a) from apportionment are available for  
16 apportionment to a State under paragraph (1), the  
17 State does not meet the requirement of subsection  
18 (a)(3), such funds shall lapse or, in the case of  
19 funds withheld from apportionment under section  
20 104(b)(5)(B), such funds shall lapse and be made  
21 available by the Secretary for projects in accordance  
22 with section 118.”.

23 (b) CLERICAL AMENDMENT.—The table of sections  
24 at the beginning of such chapter is amended by adding  
25 at the end the following:

“162. National standard to prohibit the operation of motor vehicles by intoxicated individuals.”.

