

## PUBLIC LAW 117–58—NOV. 15, 2021 135 STAT. 833

SEC. 24220. ADVANCED IMPAIRED DRIVING TECHNOLOGY. (a) FINDINGS.—Congress finds that— (1) alcohol-impaired driving fatalities represent approximately 1/3 of all highway fatalities in the United States each year; (2) in 2019, there were 10,142 alcohol-impaired driving fatalities in the United States involving drivers with a blood alcohol concentration level of .08 or higher, and 68 percent of the crashes that resulted in those fatalities involved a driver with a blood alcohol concentration level of .15 or higher; (3) the estimated economic cost for alcohol-impaired driving in 2010 was \$44,000,000,000; (4) according to the Insurance Institute for Highway Safety, advanced drunk and impaired driving prevention technology can prevent more than 9,400 alcohol-impaired driving fatalities annually; and (5) to ensure the prevention of alcohol-impaired driving fatalities, advanced drunk and impaired driving prevention technology must be standard equipment in all new passenger motor vehicles. (b) DEFINITIONS.—In this section: (1) ADVANCED DRUNK AND IMPAIRED DRIVING PREVENTION TECHNOLOGY.—The term “advanced drunk and impaired driving prevention technology” means a system that— (A) can— (i) passively monitor the performance of a driver of a motor vehicle to accurately identify whether that driver may be impaired; and (ii) prevent or limit motor vehicle operation if an impairment is detected; (B) can— 49 USC 30111 note. Public information. Analysis. Deadlines. 23 USC 503 note. 49 USC 30301 prec. VerDate Sep 11 2014 12:21 Jan 03, 2022 Jkt 029139 PO 00058 Frm 00403 Fmt 6580 Sfmt 6581 E:\PUBLAW\PUBL058.117 PUBL058 whamilton on LAPJF8D0R2PROD with PUBLAW 135 STAT. 832 PUBLIC LAW 117–58—NOV. 15, 2021 (i) passively and accurately detect whether the blood alcohol concentration of a driver of a motor vehicle is equal to or greater than the blood alcohol concentration described in section 163(a) of title 23, United States Code; and (ii) prevent or limit motor vehicle operation if a blood alcohol concentration above the legal limit is detected; or (C) is a combination of systems described in subparagraphs (A) and (B). (2) NEW.—The term “new”, with respect to a passenger motor vehicle, means that the passenger motor vehicle— (A) is a new vehicle (as defined in section 37.3 of title 49, Code of Federal Regulations (or a successor regulation)); and (B) has not been purchased for purposes other than resale. (3) PASSENGER MOTOR VEHICLE.—The term “passenger motor vehicle” has the meaning given the term in section 32101 of title 49, United States Code. (4) SECRETARY.—The term “Secretary” means the Secretary of Transportation, acting through the Administrator of the National Highway Traffic Safety Administration. (c) ADVANCED DRUNK AND IMPAIRED DRIVING PREVENTION TECHNOLOGY SAFETY STANDARD.—Subject to subsection (e) and not later than 3 years after the date of enactment of this Act, the Secretary shall issue a final rule prescribing a Federal motor vehicle safety standard under section 30111 of title 49, United States Code, that requires passenger motor vehicles manufactured after the effective date of that standard to be equipped with advanced drunk and impaired driving prevention technology. (d) REQUIREMENT.—To allow sufficient time for manufacturer compliance, the compliance date of the rule issued under subsection (c) shall be not earlier than 2 years and not more than 3 years after the date on which that rule is issued. (e) TIMING.—If the Secretary determines that the Federal motor vehicle safety standard required under subsection (c) cannot meet the requirements and considerations described in subsections (a) and (b) of section 30111 of title 49, United States Code, by the applicable date, the Secretary— (1) may extend the time period to such date as the Secretary determines to be necessary, but not later than the date that is 3 years after the date described in subsection (c); (2) shall, not later than the date described in subsection (c) and not less frequently than annually thereafter until the

date on which the rule under that subsection is issued, submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report describing, as of the date of submission of the report— (A) the reasons for not prescribing a Federal motor vehicle safety standard under section 30111 of title 49, United States Code, that requires advanced drunk and impaired driving prevention technology in all new passenger motor vehicles; (B) the deployment of advanced drunk and impaired driving prevention technology in vehicles; Reports. Extension. Deadline. Determinations. Compliance. Time period. Deadline. VerDate Sep 11 2014 12:21 Jan 03, 2022 Jkt 029139 PO 00058 Frm 00404 Fmt 6580 Sfmt 6581 E:\PUBLAW\PUBL058.117 PUBL058 whamilton on LAPJF8D0R2PROD with PUBLAW PUBLIC LAW 117-58—NOV. 15, 2021 135 STAT. 833 (C) any information relating to the ability of vehicle manufacturers to include advanced drunk and impaired driving prevention technology in new passenger motor vehicles; and (D) an anticipated timeline for prescribing the Federal motor vehicle safety standard described in subsection (c); and (3) if the Federal motor vehicle safety standard required by subsection (c) has not been finalized by the date that is 10 years after the date of enactment of this Act, shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representative a report describing— (A) the reasons why the Federal motor vehicle safety standard has not been finalized; (B) the barriers to finalizing the Federal motor vehicle safety standard; and (C) recommendations to Congress to facilitate the Federal motor vehicle safety standard

