



**CAMPAIGN TO
ELIMINATE
DRUNK DRIVING**

**Frank Harris
State Legislative Affairs Manager
Mothers Against Drunk Driving
Before the Senate Judiciary Committee
Testimony in Support of Senate Bill 7
26 January 2011**

Chairman Owens and members of the committee, thank you for the opportunity to submit written testimony today in support of Senate Bill 7. My name is Frank Harris, State Legislative Affairs Manager for Mothers Against Drunk Driving.

Drunk driving is a violent crime. It is a 100 percent preventable crime. It is a vicious crime. Kansas has seen an increase in drunk driving fatalities while nationally drunk driving deaths have decreased. In 2008, 138 people were killed in drunk driving crashes in Kansas. In 2009, those preventable deaths in Kansas rose to 154.

With SB 7, this Committee and the Legislature has the opportunity to send this message: violate the public trust and drive drunk, you will receive an ignition interlock on the vehicle you operate. Drunk drivers drive drunk because they can. MADD, the National Highway Traffic Safety Administration, and other top safety groups have found that requiring ignition interlock devices for all convicted DUI offenders is the most effective way to stop drunk driving. SB 7 would have a major impact in reducing drunk driving fatalities and injuries.

In November 2006, MADD launched the Campaign to Eliminate Drunk Driving. The Campaign is moving forward throughout the United States. Prior to the Campaign launching in 2006, only one state, New Mexico, had a law requiring ignition interlocks for all first time convicted drunk drivers. Now, twelve states and pilot program in California have laws requiring interlock usage by all first time convicted DUI offenders.¹ Currently 84 million Americans are protected from repeat drunk drivers through the technology of the ignition interlock device. Sadly, this doesn't apply to over 2.8 million people living in Kansas.

MADD's support of ignition interlocks for all convicted drunk drivers is simple—it is about saving lives. MADD believes that by enacting SB 7, Kansas can become a leader in the fight against drunk driving.

Some may argue that requiring ignition interlocks for first time offenders is too harsh. This is not the case. We know first time offenders have driven drunk before—one particular study showed an average of 87 times before the first arrest.ⁱⁱ Perhaps more importantly, we know it is not enough to simply revoke the license of a convicted drunk driver. Studies show that 50 to 75 percent of convicted drunk drivers continue to drive even while their license is suspended. This is the reason that interlocks are so critical to protecting the public.

SB 7 will protect your constituents and all Kansas residents by requiring convicted drunk drivers to drive sober. The interlock acts as a virtual probation officer riding in the front seat. Interlocks deter those who would drive drunk in the first place because these drivers know the consequences. If you drive drunk, you get an interlock. It should be noted that the convicted drunk driver pays for the device so that the taxpayer is not further burdened with subsidizing drunk drivers.

You will hear some speak of the need for judicial discretion. And on any given day, people in the United States share the roadways with more than 2 million drunk drivers who have had three or more prior convictions. Law enforcement is catching them, but for one reason or another they end up behind the wheel again and again only to hurt our families. This legislation will help prevent future incidences of drunk driving and also send a clear cut message of deterrence: only through compliance based removal should an offender be free of the interlock requirement.

You will also hear talk about punishing those one sip over the illegal limit. The illegal limit in Kansas is a .08 blood alcohol concentration. The National Institute on Alcohol Abuse and Alcoholism notes that to get to a .08 BAC, men must typically consume 5 or more drinks, and women must typically consume 4 or more drinks, in about 2 hours.

One sip over the illegal limit means you are legally drunk and that you should not be driving a car. We all know that drunk drivers kill, so why are some arguing this case? It could be that a select few are putting profits ahead of safety. The fact is that interlocks don't prohibit someone from going to the bar or restaurant, they prevent them from driving home drunk.

In 2008, over 1.4 million drivers were arrested for impaired driving.ⁱⁱⁱ That's less than one percent of the 159 million self-reported episodes of alcohol-impaired driving among U.S. adults each year.^{iv} What this means is that there is not enough law enforcement to catch all of the drunk drivers on the roadways. Law enforcement catch one percent of all drunk drivers on the roadways. With SB 7, a message is sent to the other 99 percent of drunk drivers—violate the public trust and receive an interlock.

There is a great subsidy that taxpayers are providing to drunk drivers. In 2008, the economic cost the Kansas Department of Transportation listed of drunk driving crashes was \$649 million.

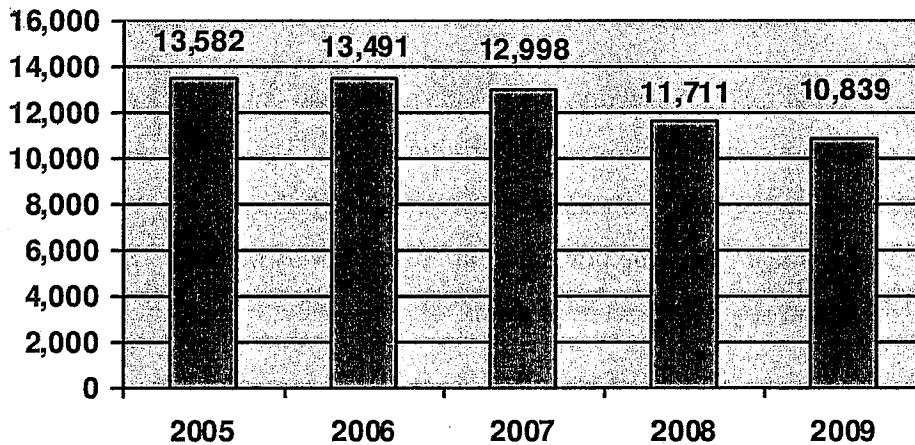
SB 7 is an economically sound public safety measure. A study of New Mexico's interlock program found the cost of an interlock was \$2.25 a day for the offender but for every dollar invested on first offender interlock laws the public saves three dollars.^v

Interlocks work for both society and for the offender—it allows convicted offenders a mobility they would not have with a license suspension or jail time, while keeping the public safe. Drunk drivers will continue to drive drunk and endanger the public unless we stop them. SB 7 will change the status quo and help to eliminate drunk driving. Again, MADD's support of this bill is simple—it is about saving lives. MADD urges this committee to support SB 7.

Enclosed in the testimony is information from the Pacific Institute for Research and Evaluation (PIRE) supporting interlocks.

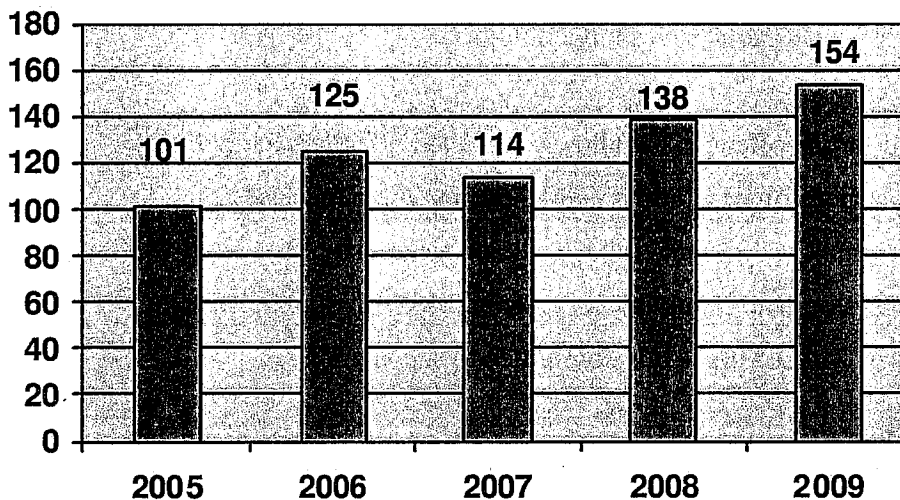
Thank you.

Drunk Driving Fatalities in the United States



In the United States, drunk driving fatalities decreased by 20 percent since 2005

Drunk Driving Fatalities in Kansas



In Kansas, drunk driving fatalities increased from 101 in 2005 to 154 in 2009

Source: National Highway Traffic Safety Administration (www.nhtsa.gov)

ⁱ New Mexico, Arizona, Louisiana, Illinois, Washington, Nebraska, Alaska, Colorado, Arkansas, Utah, Hawaii, New York, Oregon

ⁱⁱ Zador, Paul, Sheila Krawchuk, and B. Moore (1997) "Drinking and Driving Trips, Stops by Police, and Arrests: Analysis of the 1995 National Survey of Drinking and Driving Attitudes and Behavior," Rockville, MD: ESTAT, Inc. 1997.

ⁱⁱⁱ Department of Justice (US), Federal Bureau of Investigation (FBI). Crime in the United States 2008: Uniform Crime Reports. Washington (DC): FBI; 2009 [cited 2009 Nov 5]. Available at URL: http://www.fbi.gov/ucr/cius2008/data/table_29.html

^{iv} Quinlan KP, Brewer RD, Siegel P, Sleet DA, Mokdad AH, Shults RA, Flowers N. Alcohol-impaired driving among U.S. adults, 1993-2002. American Journal of Preventive Medicine 2005;28(4):346-350.

^v Roth, Richard, Voas, Robert and Marques, Paul (2007) 'Interlocks for First Offenders: Effective?', Traffic Injury Prevention, 8:4, 346 – 352 URL: <http://dx.doi.org/10.1080/15389580701598559>

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