

STATEMENT OF THE U.S. DEPARTMENT OF TRANSPORTATION
DEPUTY ASSISTANT SECRETARY FOR POLICY AND INTERNATIONAL AFFAIRS
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BEFORE THE
SENATE COMMITTEE ON COMMERCE, SCIENCE AND TRANSPORTATION
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Mr. Chairman and Members of the Committee:

I appreciate the opportunity to appear before this Committee to discuss Title II of S. 1108, the "Highway Safety Act of 1983". Secretary Dole has asked me to express her regrets that she cannot be here personally to testify on this matter, to which she attaches the highest importance. Unfortunately, previously made commitments kept her away from Washington today. With me today is Mr. George Reagle, the National Highway Traffic Safety Administration's Associate Administrator for Traffic Safety Programs.

As you know, Mr. Chairman, transportation safety in all of the transportation modes is a high priority of Secretary Dole's and is a matter in which she has the greatest personal interest. Transportation safety, and highway safety in particular, are subjects on which she has spent a great deal of time since assuming her responsibilities as Secretary of Transportation.

I would like to express for the Secretary, Mr. Chairman, her appreciation for the initiative which you have taken in developing this important legislation. I can assure you, on behalf of Secretary Dole, that we will continue to work cooperatively with you and your staff in addressing this broad and comprehensive bill. In that regard, I would like to express our appreciation to the Committee staff for their willingness to meet and discuss issues related to the bill.

My testimony today will concentrate on the provisions of Title II and a related grant program in Title I which deals with child passenger safety seats. The problems which these provisions are designed to address are very real and are ones to which the National Highway Traffic Safety Administration has been devoting a great deal of attention.

Before turning to the specifics, I should note, Mr. Chairman, that although the Department totally shares your view as to the seriousness of these problems and the desirability of the States addressing them, the question of whether the Administration can support new Federal level categorical grant programs, as proposed in Title II and Title I, is still under internal discussion. We will convey the Administration's position to you as soon as it is determined.

DRUGGED DRIVING, § 204.

Moving on to the substance of the Bill, Mr. Chairman, I would first like to comment briefly on the provision in Title II which adds a new criterion to the list of supplemental criteria in the Section 408 alcohol safety grant program. This would make the creation of treatment programs for those convicted of driving under the influence of certain drugs one of the supplemental criteria States may meet in order to receive supplemental grant funds.

Clearly, anyone driving under the influence of certain drugs poses a serious threat to highway safety. Although the extent to which marijuana and other "psychoactive" drugs contribute to highway safety problems is currently unknown, we strongly believe the States should be encouraged to: first,

determine the scope of their highway safety problems due to inappropriate use of drugs by drivers; second, examine their existing laws and, if appropriate, revise them to deal effectively with drugs and driving; and, third establish treatment programs for those convicted of driving under the influence of drugs.

We support adding drug treatment programs to the list of supplemental criteria, and would like to work with Committee staff to develop an acceptable definition of "drugs which impair driving ability".

MINIMUM LEGAL DRINKING AGE, § 205

Section 205 of the bill provides two years of incentive grants for each State that enacts or has enacted laws which: (1) establish a minimum legal drinking age of 21; (2) prohibit persons licensed by the State from selling, vending, giving away, or supplying alcoholic beverages to a person under 21, or to any person who is or appears to be intoxicated (i.e., a "dram shop" law); and (3) provide a general prohibition against any person procuring, selling, giving away or supplying any alcoholic beverage in any quantity to any person who is under 21 or who is or appears to be intoxicated. Contract authority is provided in the amount of \$10 million for FY 1984 and \$20 million for FY 1985, out of the Highway Trust Fund.

As you recognized in introducing your bill, Mr. Chairman, drunk driving by young people is one of our biggest highway safety problems. Of the 25,000 Americans who are killed each year in alcohol-involved traffic accidents, approximately 5,700 or 23% are under the age of 21. Teenagers are two and one-half times as likely to be in a crash in which alcohol is involved on their part as the average driver.

Research has shown that increasing the legal drinking age produces a significant decrease in deaths due to drunk driving among young people. A study using the fatal accident data collected by NHTSA showed that, in eight States, raising the legal drinking age produced an average annual reduction of 28% in nighttime fatal crashes involving 18-to-21-year-old drivers.

The Department has already recognized the importance of funding efforts to encourage States to raise their minimum legal drinking age to 21 under the Supplemental Grant portion of the § 408 Alcohol Traffic Safety Incentive Grant Program established by Congress last year. Under that program, one of the ways that a State can qualify for a supplemental grant is to raise its minimum drinking age to 21. To date, 17 States have minimum drinking age laws of 21.

As I indicated, we will have to report back to you on whether we can support a new categorical grant program in this area. I should note, however, that we are concerned about linking the minimum drinking age issue together with the "dram shop" and the general prohibition provisions. These provisions are very controversial. We do not know enough yet about the general effectiveness of "dram shop" laws and we have some problems with the general prohibition provision. Frankly, the controversial nature of these provisions could overshadow the importance of the minimum drinking age provision and thus frustrate the positive purpose of the initiative. In a basic grant program of this type, we believe it is important to make the link to highway safety as clear as possible without any unnecessary complications.

COMPUTERIZATION OF TRAFFIC RECORD SYSTEMS, § 206.

Section 206 of the bill provides three years of incentive grants for each State that upgrades and improves its computerized traffic records systems. This program would be funded at \$20, \$25, and \$30 million, by appropriations out of the Highway Trust Fund, for fiscal years 1984, 1985, and 1986, respectively.

The intent of this provision is to provide Federal support for the States' efforts to upgrade their automated traffic records systems, which will be needed to ensure the effective and early operation of the projected on-line National Driver Register system. We believe that this upgrading by the States is an important initiative, although again, we cannot say at this point whether we can support a new categorical grant at the Federal level to accomplish these objectives.

CHILD PASSENGER SAFETY SEATS, § 107.

The child passenger safety seat provisions provide a one-year incentive grant for each State that enacts or has enacted child safety seat legislation. Contract authority of \$10 million for FY 1984 and \$20 million for FY 1985 is provided, out of the Highway Trust Fund.

Child safety seat legislation is an area where considerable progress has been made in just the last few years. We are very encouraged by the fact that 36 States and the District of Columbia have already enacted mandatory child restraint laws, and three more bills have passed State legislatures and are awaiting the Governor's signatures.

In addition to reviewing the need for a separate grant program and the level and source of funds, we are reviewing the need for specific criteria to ensure effective implementation by the States. There are several other matters that we wish to analyze and we will provide you with the results of our analysis when it is completed.

SUMMARY.

To wrap it up, Mr. Chairman, the efforts you have gone to in preparing this legislation obviously reflects a real commitment on your part to finding ways to address critical highway safety issues. I can assure you that Secretary Dole also shares your concern and commitment. The issues raised by these provisions are important to all of us and we look forward to continued discussions with you and the Committee staff. We would ask that the Committee briefly postpone final decisions on these provisions until we have had a further opportunity to provide formal comments to you.

This completes my prepared statement. Mr. Reagle and I would be pleased to respond to your questions.