



ADVOCATES
FOR HIGHWAY
& AUTO SAFETY

April 12, 2022

The Honorable Steven Bradford, Chair
The Honorable Rosilicie Ochoa Bogh, Vice Chair
Senate Public Safety Committee
California State Legislature
State Capitol, Room 545
Sacramento, California 95814

Dear Chair Bradford and Vice Chair Bogh:

Advocates for Highway and Auto Safety (Advocates), an alliance of consumer, safety, medical, public health and law enforcement groups, and insurance companies working together to pass highway and auto safety laws that prevent crashes, save lives, reduce injuries, and curb costs, supports Senate Bill (SB) 1021. The bill would require the use of ignition interlock devices (IIDs) by first time offenders, including drunk driving violators who have been placed in a diversion program, and make additional improvements to prevent drunk driving.

Under current law in California, drunk drivers are permitted to enter into diversion or plea agreements an unlimited number of times, regardless of whether it is a first or subsequent offense. SB 1021 would add sensible safeguards to the current law by limiting diversion agreements to first time offenders once every ten years, requiring use of IIDs by diversion participants and first-time offenders not granted diversion, and impose a compliance-based removal of the IID.

Drunk driving is a deadly and costly threat to California families. In 2020, there were 3,847 fatalities on state roads and thirty percent of those deaths (1,158) involved an alcohol-impaired driver (National Highway Traffic Safety Administration (NHTSA)) above .08 percent blood alcohol concentration (BAC). Traffic crashes also cost California taxpayers over \$24 billion annually when adjusted for inflation. This is a serious issue on California roads which requires urgent attention and proven countermeasures including an all-offender IID law.

A common misconception is that most people who are convicted of their first drunk driving offense are social drinkers who made one mistake. However, studies show that the average first offender will have driven drunk 87 times before getting arrested.ⁱ According to the Centers for Disease Control and Prevention (CDC), adult drivers admitted they drank too much and got behind the wheel approximately 111 million times in 2014, which equals over 300,000 incidents of drinking and driving each day.ⁱⁱ However, only 1.1 million, or approximately one percent of that 111 million, were arrested for driving under the influence that year.ⁱⁱⁱ

Information from Mothers Against Drunk Driving (MADD) on the effectiveness of IIDs in California notes that over the past 13 years, IIDs prevented more than 2.26 million attempts to drive after drinking on state roads. Expanding the law to include all first-time offenders would improve the effectiveness of the IID program and help prevent drunk driving. Arizona, Oregon, New Mexico and Louisiana have all experienced dramatic decreases of more than 30 percent in drunk driving deaths after enacting an all-offender IID law (MADD). In addition, when West Virginia adopted its IID program, recidivism was reduced by 77 percent among first-time offenders.^{iv}

In 2020, fatalities involving an alcohol impaired driver increased 14 percent. An average of one alcohol impaired driving fatality occurred every 45 minutes in the United States resulting in a total of 11,654 deaths (NHTSA). According to MADD, one in three people will be involved in a drunk driving crash in their lifetime. These tragic, preventable crashes also create a financial burden. The total comprehensive costs of drunk driving are more than \$242 billion when accounting for inflation.^v They impact business as well. The total cost to employers of motor vehicle crashes with an alcohol-impaired employee or dependent driving (both on-the-job and off-the-job) was \$8 billion in 2018 (expressed in 2019 dollars).^{vi}

The American public strongly agrees that the use of IIDs is needed to address this public health crisis. Nearly eight in ten Americans support requiring ignition interlocks for all convicted DUI offenders, even if it's their first conviction.^{vii} Furthermore, 82 percent of offenders themselves believe the IID was effective in preventing them from driving after drinking.^{viii}

Unfortunately, California participated in the national upward trend in traffic fatalities in 2020, with 128 more people killed on state roads than in 2019. Now is the time to take decisive action to curb these deadly incidents. We urge you to advance SB 1021 to upgrade California's IID law and require this commonsense, lifesaving technology for all offenders.

Thank you for your time and consideration.

Sincerely,



Catherine Chase
President

cc: Senate Public Safety Committee Members

ⁱ Drinking and Driving Trips, Stops by the Police, and Arrests: Analyses of the 1995 Survey of Drinking and Driving Attitudes and Behavior, NHTSA, Dec. 2000, DOT HS 809 184, available at https://rosap.nhtl.bts.gov/view/dot/1779/dot_1779_DS1.pdf?

ⁱⁱ CDC Impaired Driving: Get the Facts, June 16, 2017, available at https://www.cdc.gov/transportationsafety/impaired_driving/impaired-driv_factsheet.html?CDC_AA_refVal=https%3A%2F%2Fwww.cdc.gov%2Fmotorvehiclesafety%2Fimpaired_driving%2Fimpaired-driv_factsheet.html

ⁱⁱⁱ Crime in the United States: Table 29, Estimated Number of Arrests, US 2014, U.S. Department of Justice, Federal Bureau of Investigation, available at <https://ucr.fbi.gov/crime-in-the-u.s/2014/crime-in-the-u.s.-2014/tables/table-29>.

^{iv} Tippetts, A. Scott and Robert Voas. *The Effectiveness of the West Virginia Interlock Program*. Journal of Traffic Medicine 26 (1-2) (1998): 19-24.

^v CPI Inflation Calculator, BLS, available at https://www.bls.gov/data/inflation_calculator.htm.

^{vi} Cost of Motor Vehicle Crashes to Employers 2019; Network of Employers for Traffic Safety, available at <https://trafficsafety.org/road-safety-resources/public-resources/cost-of-motor-vehicle-crashes-to-employers-2019/>.

^{vii} Caution Ahead: New Year's Ranks As Deadliest Day On US Roads, Dec. 26, 2012, AAA article available at <http://newsroom.aaa.com/tag/ignition-interlock-devices>.

^{viii} Morse, BJ and DS Elliott. Hamilton County Drinking and Driving Study: 30 Month Report. Boulder, Colorado: University of Colorado, 1990.