

# United States Senate

WASHINGTON, DC 20510

March 28, 2024

The Honorable Pete Buttigieg  
Secretary  
U.S. Department of Transportation  
1200 New Jersey Avenue, SE  
Washington, D.C. 20590

Dear Secretary Buttigieg:

We write to support Department of Transportation action on section 24220 of the Infrastructure Investment and Jobs Act (IIJA) on advanced impaired driving technology.

In 2021, an estimated 42,915 people died in motor vehicle crashes<sup>1</sup>. As the National Highway Traffic Safety Administration (NHTSA) notes in the Advanced Notice of Proposed Rulemaking (ANPRM) on Advanced Impaired Driving Prevention Technology published on December 12<sup>th</sup>, 2023, approximately 12,600 of those fatalities were caused by alcohol impairment<sup>2</sup>. As of 2020 data, crash deaths involving alcohol-impaired drivers had an economic impact of about \$123.3 billion annually in the United States<sup>3</sup>. In 2021, Congress took action to put an end to these preventable tragedies by passing the HALT/RIDE Act as part of the Infrastructure Investment and Jobs Act. The HALT/RIDE Act requires that impaired driving technologies be in all new cars after 2026. This is an opportunity to save thousands of lives, potentially cutting the number of fatalities on our roadways by one third.

We concur with NHTSA that public and private investments have resulted in “significant progress on technologies that are capable of measuring and quantifying driver state and performance.”<sup>1</sup> We are encouraged by the recent examples we have seen of in-car technology to detect impairment, and by the automotive industry’s demonstrated commitment to working with the Department to get this done in a number of comments. This innovative technology has the potential to make our roadways safer for all road users by preventing individuals from operating a car while impaired, whether from alcohol, other drugs, or from drowsiness and distraction.

In continuing to get this rulemaking to the finish line, we urge the Department to work as closely as possible with industry partners who are developing research and technology to ensure the Department has all of the information needed to develop a rule that saves as many lives as possible. Collaboration between the Department, industry, academia, and safety advocates is the surest way to develop and implement the sophisticated solutions necessary to address this

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<sup>1</sup> National Highway Traffic Safety Administration. 2022. “Newly Released Estimates Show Traffic Fatalities Reached a 16-Year High in 2021 | NHTSA.” [www.nhtsa.gov](https://www.nhtsa.gov/press-releases/early-estimate-2021-traffic-fatalities). May 17, 2022. <https://www.nhtsa.gov/press-releases/early-estimate-2021-traffic-fatalities>.

<sup>2</sup> Review of Advanced Impaired Driving Prevention Technology. 2023. December 12, 2023. <https://www.nhtsa.gov/sites/nhtsa.gov/files/2023-12/anprm-advanced-impaired-driving-prevention-technology-2127-AM50-web-version-12-12-23.pdf>.

<sup>3</sup> “Impaired Driving: Get the Facts | Transportation Safety | Injury Center | CDC.” [www.cdc.gov](https://www.cdc.gov/transportationsafety/impaired_driving/impaired-drv_factsheet.html#footnotes), 19 July 2023, [www.cdc.gov/transportationsafety/impaired\\_driving/impaired-drv\\_factsheet.html#footnotes](https://www.cdc.gov/transportationsafety/impaired_driving/impaired-drv_factsheet.html#footnotes). Accessed 1 Mar. 2024.

problem. It is vital that all stakeholders are part of this solution, so that the Department is able to move forward with the best possible technological solution to solve this problem—and so this rule can be implemented in a way that improves safety without putting drivers’ privacy and personal identifiable information at risk.

This rulemaking comes at a critical time as America faces a safety crisis on our roadways. The cars on roadways across America are safer today than ever before due to the lifesaving technology NHTSA already requires, from seatbelts to airbags—and this rulemaking is the next step. We cannot let this opportunity go by without taking meaningful steps forward to save lives. We remain committed to supporting the Department’s work to put an end to impaired driving deaths, and look forward to working together to put impaired driving technology in every new car after 2026.

Sincerely,

A handwritten signature in blue ink that reads "Ben Ray Lujan". The signature is written in a cursive style and is positioned above a thin horizontal line.

Ben Ray Luján  
United States Senator

A handwritten signature in blue ink that reads "Shelley Moore Capito". The signature is written in a cursive style and is positioned above a thin horizontal line.

Shelley Moore Capito  
United States Senator

cc: Sophie Shulman, Deputy Administrator, National Highway Traffic Safety Administration