

117TH CONGRESS  
1ST SESSION

# H. R. 3757

To amend title 23, United States Code, to authorize the use of certain Federal funds for multiple substance impaired driving countermeasures, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 8, 2021

Mr. COHEN (for himself and Miss RICE of New York) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend title 23, United States Code, to authorize the use of certain Federal funds for multiple substance impaired driving countermeasures, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Multiple Substance  
5 Impaired Driving Prevention Act of 2021”.

1 **SEC. 2. FINDINGS; SENSE OF CONGRESS; PURPOSE.**

2 (a) SENSE OF CONGRESS.—It is the sense of Con-  
3 gress that—

4 (1) a priority should be placed on creating  
5 State systems, programs, and processes that improve  
6 impaired driving detection in cases in which alcohol,  
7 drugs, and especially multiple substances are in-  
8 volved;

9 (2) States and communities should have access  
10 to a broader range of countermeasures, technologies,  
11 and resources to address multiple substance im-  
12 paired driving; and

13 (3) increased Federal funding should be made  
14 available for efforts to improve public safety through  
15 the approaches described in paragraphs (1) and (2).

16 (b) PURPOSE.—The purpose of this Act is to increase  
17 national investment in, and maximize the use of, innova-  
18 tive programs and technologies to eliminate multiple sub-  
19 stance impaired driving.

20 **SEC. 3. IMPAIRED DRIVING PREVENTION AND REPORTING.**

21 (a) USE OF FUNDS FOR MULTIPLE SUBSTANCE IM-  
22 PAIRED DRIVING.—Section 164(b)(1) of title 23, United  
23 States Code, is amended—

24 (1) in subparagraph (A), by striking “for alco-  
25 hol-impaired” and inserting the following: “for—

1 “(i) alcohol-impaired driving counter-  
2 measures; or

3 “(ii) single or multiple substance im-  
4 paired”.

5 (2) in subparagraph (B), by striking “intoxi-  
6 cated” and all that follows through the period at the  
7 end and inserting the following: “intoxicated, driving  
8 under the influence, driving while multiple substance  
9 impaired, or other related laws (including regula-  
10 tions), including for—

11 “(i) the purchase of equipment dedi-  
12 cated to the enforcement of those laws;

13 “(ii) the training of officers dedicated  
14 to the enforcement of those laws; and

15 “(iii) the use of additional personnel  
16 for specific—

17 “(I) alcohol-impaired driving  
18 countermeasures; or

19 “(II) single or multiple substance  
20 impaired driving countermeasures.”.

21 (b) IMPAIRED DRIVING COUNTERMEASURES.—Sec-  
22 tion 405(d) of title 23, United States Code, is amended—

23 (1) in paragraph (4)—

24 (A) in subparagraph (B)—

1 (i) by striking clause (iii) and insert-  
2 ing the following:

3 “(iii)(I) court support of high-visibility  
4 enforcement efforts;

5 “(II) hiring criminal justice profes-  
6 sionals, including law enforcement officers,  
7 prosecutors, traffic safety resource pros-  
8 ecutors, judges, judicial outreach liaisons,  
9 and probation officers;

10 “(III) training and education of the  
11 criminal justice professionals described in  
12 subclause (II) to assist those professionals  
13 in preventing impaired driving and han-  
14 dling impaired driving cases, including by  
15 providing compensation to a law enforce-  
16 ment officer to replace a law enforcement  
17 officer who is—

18 “(aa) receiving such drug rec-  
19 ognition expert training; or

20 “(bb) participating as an instruc-  
21 tor in such drug recognition expert  
22 training; and

23 “(IV) establishing driving while intoxi-  
24 cated courts;”;

1 (ii) by striking clauses (v) and (vi)  
2 and inserting the following:

3 “(v) improving—

4 “(I) blood alcohol concentration  
5 screening and testing;

6 “(II) the detection of potentially  
7 impairing drugs, including through  
8 the use of oral fluid as a specimen;  
9 and

10 “(III) reporting relating to the  
11 testing and detection described in sub-  
12 clauses (I) and (II);

13 “(vi)(I) paid and earned media in sup-  
14 port of high-visibility enforcement efforts;

15 “(II) conducting initial and con-  
16 tinuing—

17 “(aa) standardized field sobriety  
18 training, advanced roadside impaired  
19 driving enforcement training, and  
20 drug recognition expert training for  
21 law enforcement; and

22 “(bb) law enforcement phle-  
23 botomy training; and

1 “(III) to purchase equipment to carry  
2 out impaired driving enforcement activities  
3 authorized by this subsection;”;

4 (iii) in clause (ix), by striking “and”  
5 at the end;

6 (iv) in clause (x), by striking the pe-  
7 riod at the end and inserting “; and”; and

8 (v) by adding at the end the following:

9 “(xi) testing and implementing pro-  
10 grams and purchasing technologies to bet-  
11 ter identify, monitor, or treat impaired  
12 drivers, including—

13 “(I) oral fluid screening tech-  
14 nologies;

15 “(II) electronic warrant pro-  
16 grams;

17 “(III) equipment to increase the  
18 scope, quantity, quality, and timeli-  
19 ness of forensic toxicology chemical  
20 testing;

21 “(IV) case management software  
22 to support the management of im-  
23 paired driving offenders; and

24 “(V) technology to monitor im-  
25 paired driving offenders.”; and

1 (B) in subparagraph (C)—

2 (i) in the second sentence, by striking  
3 “Medium-range” and inserting the fol-  
4 lowing:

5 “(ii) MEDIUM-RANGE AND HIGH-  
6 RANGE STATES.—Subject to clause (iii),  
7 medium-range”;

8 (ii) in the first sentence, by striking  
9 “Low-range” and inserting the following:

10 “(i) LOW-RANGE STATES.—Subject to  
11 clause (iii), low-range”; and

12 (iii) by adding at the end the fol-  
13 lowing:

14 “(iii) ALL STATES.—

15 “(I) REPORTING OF IMPAIRED  
16 DRIVING CRIMINAL JUSTICE INFORMA-  
17 TION.—A State may use grant funds  
18 for any expenditure designed to in-  
19 crease the timely and accurate report-  
20 ing of crash information and impaired  
21 driving criminal justice information to  
22 Federal, State, and local databases.

23 “(II) IMPAIRED DRIVING COUN-  
24 TERMEASURES.—A State may use  
25 grant funds for any expenditure to re-

1 search or evaluate impaired driving  
2 countermeasures.”; and

3 (2) in paragraph (7)(A), in the matter pre-  
4 ceding clause (i), by inserting “or local” after “au-  
5 thorizes a State”.

6 (c) GAO STUDY ON NATIONAL DUI REPORTING.—

7 (1) IN GENERAL.—The Comptroller General of  
8 the United States shall conduct a study on the re-  
9 porting of impaired driving arrest and citation data  
10 to Federal databases and the interstate sharing of  
11 information about convictions and license suspen-  
12 sions relating to impaired driving to facilitate the  
13 widespread identification of repeat impaired driving  
14 offenders.

15 (2) INCLUSIONS.—The study conducted under  
16 paragraph (1) shall include a detailed assessment  
17 of—

18 (A) the extent to which State and local  
19 criminal justice agencies are reporting impaired  
20 driving arrest and citation data to Federal  
21 databases;

22 (B) any barriers—

23 (i) at the Federal, State, or local level  
24 to the reporting of impaired driving arrest



1 and citation data to Federal databases;

2 and

3 (ii) to the use by State and local

4 criminal justice agencies of—

5 (I) those databases; and

6 (II) any systems for the report-

7 ing of that data;

8 (C) the extent to which States are sharing

9 impaired driving conviction and license-suspen-

10 sion data;

11 (D) any barriers at the Federal, State, or

12 local level to the sharing of impaired driving

13 conviction and license-suspension data;

14 (E) any Federal, State, and local resources

15 available to improve the reporting and sharing

16 of impaired driving data;

17 (F) any recommendations for policies and

18 programs to be carried out by the National

19 Highway Traffic Safety Administration to im-

20 prove—

21 (i) the reporting of impaired driving

22 arrest and citation data to Federal data-

23 bases; or

1                   (ii) the interstate sharing of impaired  
2                   driving conviction and license-suspension  
3                   data; and

4                   (G) any recommendations for programs or  
5                   grant funding to be authorized by Congress to  
6                   improve—

7                   (i) the reporting of impaired driving  
8                   arrest and citation data to Federal data-  
9                   bases; or

10                  (ii) the interstate sharing of impaired  
11                  driving conviction and license-suspension  
12                  data.

13                  (3) REPORT.—Not later than 1 year after the  
14                  date of enactment of this Act, the Comptroller Gen-  
15                  eral of the United States shall submit to the appro-  
16                  priate committees of Congress a report on the re-  
17                  sults of the study conducted under paragraph (1).

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