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# Should Cars Have Built-In Breathalyzers?

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## "Interlock Devices" Could Be Coming To A Car Near You

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Each year, 13,000 people are killed by drunk drivers with a blood alcohol level above .08. Advocates of a new standard for in-car breathalyzers say that most, if not all, of those accidents could have been avoided if the drunk driver hadn't been able to turn his or her car on. If Congress and Mothers Against Drunk Driving get their way, could your next new car come with a breathalyzer pre-installed?

Much confusion surrounds in-car breathalyzer devices for those convicted of a DUI (driving under the influence) or DWI (driving while impaired), their nationwide rollout and several bills going through Congress on the matter. Some predict we'll all be driving a car with a similar device in future -- guilty or not -- whereas some say that the way lawmakers are going, that ultimately sobering future isn't too far away. We aim to separate the facts from the fiction.

The nationwide picture

Some 47 states currently have in-car breathalyzer laws where a driver convicted of DUI or DWI may be forced to install an "interlock" device, connected to the ignition, that monitors the amount of alcohol on a driver's breath and prevents the car from starting with a positive reading. An interlock device is mandatory punishment for a first offender in eight states, including New Mexico, Colorado, Illinois and Washington. Only three states -- Alabama, South Dakota and Vermont -- don't impose interlock penalties. Convicted drivers are expected to pay for the units, their installation and a monthly rental fee on top of the fine for DUI. Currently, about 140,000 of the devices are monitoring convicted drunk-drivers nationwide.

Controversy, and some confusion, has emerged recently over the proposed reauthorization of the Highway Bill -- yet to reach the House floor -- which contains a measure that stipulates that states will be denied federal highway funding if a mandatory interlock punishment is not imposed on first-time DUI offenders. A second measure also before Congress includes raising funding for research of non-invasive in-car breathalyzers. The two measures are quite separate, although both are backed by Mothers Against Drunk Driving and the Alliance of Automobile Manufacturers.

Local, national advocates

Carl McDonald, of MADD, is quick to point out that while the campaign group is in favor of mandatory interlock penalties in all cases of DUI or DWI, or for about 1.5 million Americans convicted each year; the group is not in favor of a rollout of breathalyzers in every new car.

"Some say that MADD is in favor of putting interlocks in every car," McDonald said. "This is not the case. An interlock device is a method by which people demonstrate sobriety by actively doing something. We

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would never subject the population to that kind of thing by car. That's only for offenders."

Citing "remarkable progress" in the number of states signing into law mandatory interlocks for all offenders, he says the law is an "easy sell to lawmakers" -- even in the face of opposition from states' rights groups. He adds that [safety](#) legislation on [airbags](#) and seat belts also became a federal issue and puts a timeframe of about ten years on a majority of states adopting, and enforcing, an interlock law for all offenders.

"What happens in real life...there are people who have been arrested and convicted of drunk driving," McDonald said. "Following that conviction they were suspended. People we know violate those laws repeatedly and they may have been picked up repeatedly. We know they're driving without [insurance](#) and often intoxicated. We want to make sure that if they're driving at all, they're driving sober."

New Mexico was the first state to mandate interlock installation for first-time DUI offenders and its governor, Bill Richardson, recently announced a partnership with MADD to expand the program. Chiefly this involves a public relations campaign aimed at state lawmakers and persuading congressional representatives of the merits of withholding federal highway funds from states that do not mandate the interlocks for first offenders.

Rachel O'Connor, New Mexico's DWI "czar," says since the law's 2005 inception, the state has seen a "35 percent reduction in alcohol fatalities," which she attributes to New Mexico's interlock mandate serving as a "deterrent" as well as the state's "increased enforcement, working with bars and restaurants, public awareness campaigns and increasing funding for drug programs."

#### Voices against

Jim Baxter, president of the libertarian-leaning National Motorists Association, is of a different opinion.

"Many of our members are against Congress imposing dictates on the states," said Baxter. "We think the courts are in the best position to make the decision."

"[California](#), back in 1990s, passed legislation requiring ignition interlock devices for people convicted of DUI. They found that when they compared first-time violators who put those devices in their cars, they had significantly more accidents than those that did not. The whole idea of why you have DUI laws is to prevent accidents, so why would you promote a strategy that increases accidents?"

Baxter refers to a study commissioned by California in 2004 that states: "Drivers installing an IID [ignition interlock device] have a lower risk for a subsequent DUI conviction than drivers not installing an IID, indicating that the IIDs prevented DUI recidivism, as designed. However, on the important [traffic](#) safety issue measure of crashes, drivers installing an IID had a higher risk of subsequent crash than did drivers not installing an IID."

The study adds: "The preponderance of evidence suggests that IIDs are effective in reducing DUI recidivism, by as much as 40-95%, at least as long as they remain installed on vehicles. Most of the studies showing positive effects of IIDs also show that there is no social learning associated with the devices, that is, once removed from the vehicle, recidivism climbs back up."

#### Future trends

Russ Rader, at the [Insurance Institute of Highway Safety](#), says his group backs the notion of interlock devices.

"The institute strongly supports interlocks for first-time offenders," he said. "Studies show lower rates of recidivism when an interlock device is installed."

"There is also a cooperative venture underway involving motor vehicle manufacturers, the federal government, and the institute to oversee development of advanced in-vehicle detection technologies that would be suitable for all drivers, not just convicted offenders."

"The goal is to have a device that can quickly, accurately, and unobtrusively measure [blood-alcohol content] through sensors in the steering [wheel](#) or devices that measure ambient air in the vehicle."

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Wade Newton, at the Alliance of Automobile Manufacturers, says his group backs the measure for mandatory interlock installation for first-time offenders, alongside a further measure that seeks to increase funding for research into "non-invasive" devices.

Though the research is at an early stage, Newton says group members that include Ford, GM, [Toyota](#), BMW and [Mercedes](#) are looking at "ways to measure alcohol content through skin or perspiration or a light off a driver's retina, so drivers don't know it's happening.

"It could be a steering wheel or [brake](#) shift or door handle where the skin would come in contact. It's important to be non-invasive so it doesn't hassle the sober driver."

#### Legal matters

Dan Jaffe, a DUI [lawyer](#) and owner of [DUIattorney.com](#), says he believes there is a crucial difference between a first-time, perhaps accidental offender and a habitual drunk-driver caught for the first time, a factor that mandatory imposition of an in-car breathalyzer may gloss over.

"It depends on facts of case," said Jaffe. "Is it a first offense where a person is barely above it, or a first offense where person is four times over the limit? Someone has three beers and makes a mistake and somebody who has 20 beers and finally gets caught?"

He says inability to pay for the device may result in a total ban from driving depending on where you reside. To drive legally in [Arizona](#), Jaffe says, a convicted driver must pay for the device's installation and monthly rental fees, which can each top \$75. In New Mexico, the state covers 50 per cent of the total cost for impoverished or unemployed drivers, which is taken out of fines paid by previous DUI offenders.

"I do have a feeling that they prevent a lot of people from getting DUIs," Jaffe said. "But I have seen a lot of cases where the person has it and they're fine, then [when it's removed] two or three weeks later they're arrested.

"My perspective is, if a device in my vehicle prevents me from driving [over the limit] and it just sensed it - something I didn't have to blow into -- I wouldn't mind it as I don't drink and drive anyway, and as long as the thing doesn't malfunction and cause me inconvenience. But everybody I've talked to hates [the interlock device]. They think it's embarrassing and a burden and expensive and intrusive."

What are your thoughts on interlock devices? Should cars have them installed so that the roads are safer, or is this too much an invasion of our privacy?

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