



Stacey Stewart
Chief Executive Officer
Mothers Against Drunk Driving
Testimony in Support of HB105
House Judiciary Committee
February 21, 2024

Thank you, Mr. Chairman and Members of the Committee, for allowing me to testify in support of HB105. My name is Stacey Stewart, Chief Executive Officer, with Mothers Against Drunk Driving (MADD). MADD represents the millions of victims and survivors of drunk and impaired driving crashes. MADD's mission is a future with no more victims. MADD thanks Delegate Vanessa Atterbeary for authoring and introducing this lifesaving legislation.

MADD has advocated for ignition interlock devices for drunk driving offenders since 2006, when MADD changed its focus on license suspension, punishment, and incarceration to focus on research-backed countermeasures like mandating the use of ignition interlocks for all drunk drivers beginning with the first arrest. Today, a top priority for MADD is enacting all-offender ignition interlock laws. To date, 35 states plus Washington, D.C. have these laws in place.

Noah's Law, enacted in 2016, made Maryland one of the 35 states with an all-offender ignition interlock law, however, like many states, some loopholes allow for drunk drivers to bypass installing an ignition interlock device. In Maryland, that loophole is "probation before judgment" (PBJ). If a drunk and impaired driving offender receives a PBJ, they are not required to install an ignition interlock device in their car. This loophole allows just over half (51%) of first-time offenders to avoid an interlock, thereby undermining the "all-offender interlock" law. This loophole must be closed by passing HB105. An ignition interlock should not be seen as a punishment, but as a tool that can change the behavior of a drunk driver and protect everyone around them. Every time an offender gets in their car and must blow into the device to start their vehicle, they are not only stopped from driving drunk and potentially causing harm to themselves and others but they are also reminded of the dangerous and potentially deadly choice they made to drive drunk.

We are currently in a crisis on our roadways. In 2021, 195 Marylanders lost their lives in drunk driving crashes, an increase of 17% from 2019.ⁱ Drunk and impaired driving is a choice, not a mistake. The average drunk driver will have driven drunk at least 80 times before their first arrest.ⁱⁱ License suspension alone cannot change drunk driving behavior because 50-75% of individuals with a suspended license choose to drive anyway.ⁱⁱⁱ Drunk and impaired driving behavior can be modified by requiring ignition interlocks for all DUI offenders.

The positive outcomes of mandatory ignition interlock laws have been documented and well-studied. According to the Insurance Institute for Highway Safety, mandatory interlock laws reduce drunk driving deaths by 16%.^{iv} Additionally, interlocks change the behavior of drunk drivers and cut down on recidivism by 75%.^v In Maryland, interlocks stopped over 73,000 attempts to drive drunk, including over 7,000 in 2022 alone.^{vi}

PBJ gives a drunk driver a second chance, but the current system does not seek to change the behavior of a drunk driver to ensure they do not become repeat offenders. The goal of HB105 is to remedy this failure. Mr. Chairman, and Members of the Committee, please pass HB105 to give PBJ drunk drivers a true second chance by mandating ignition interlocks for all offenders. Thank You.

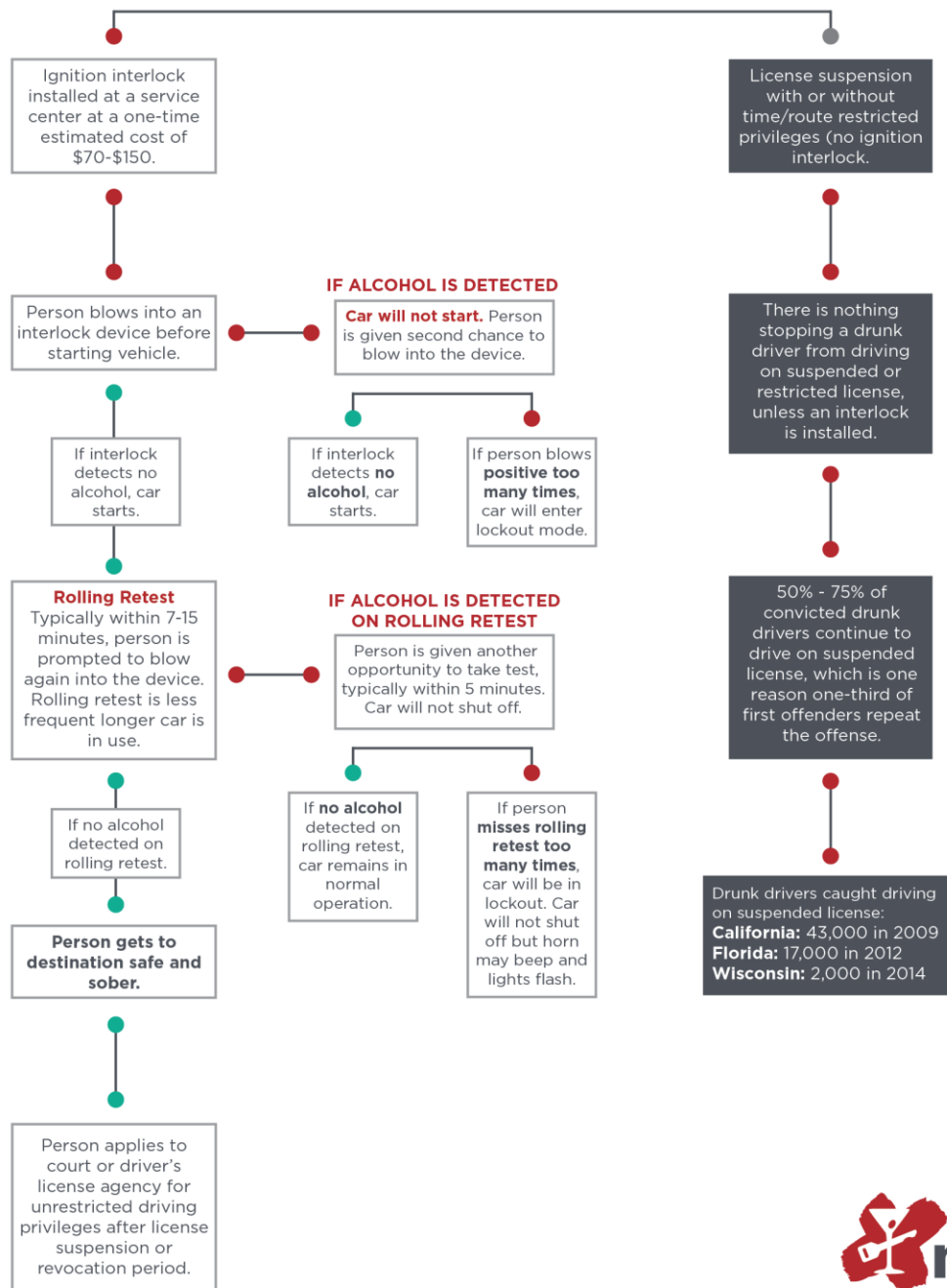
Drinking and Driving Attempts Stopped by an Ignition Interlock in 2022

State	Total	.08 BAC and over stops	.02 to .079 BAC Stops
Alabama	19,843	1,579	18,264
Alaska	14,209	1,474	12,735
Arizona	92,351	8,663	83,688
Arkansas	150,987	19,749	131,238
California	278,571	34,623	243,948
Colorado	114,805	11,116	103,689
Connecticut	77,023	10,986	66,037
Delaware	3,821	924	2,897
D.C.	16	3	13
Florida	62,619	11,819	50,800
Georgia	48,619	8,206	40,413
Hawaii	10,344	683	9,661
Idaho	22,384	2,419	19,965
Illinois	63,803	10,566	53,237
Indiana	22,165	3,915	18,250
Iowa	206,874	28,279	178,595
Kansas	62,411	8,473	53,938
Kentucky	22,758	3,251	19,507
Louisiana	79,628	13,339	66,289
Maine	8,465	1,662	6,803
Maryland	72,309	7,783	64,526
Massachusetts	19,520	3,401	16,119
Michigan	18,013	1,488	16,525
Minnesota	88,124	8,037	80,087
Mississippi	8,619	1,103	7,516
Missouri	66,902	10,009	56,893
Montana	5,487	968	4,519
Nebraska	37,464	5,365	32,099
Nevada	48,894	6,008	42,886
New Hampshire	11,940	1,513	10,427
New Jersey	150,967	32,832	118,135
New Mexico	70,299	7,277	63,022
New York	49,855	8,224	41,631
North Carolina	14,834	1,704	13,130
North Dakota	9,688	717	8,971
Ohio	22,292	3,809	18,483
Oklahoma	43,218	6,230	36,988
Oregon	32,042	3,563	28,479
Pennsylvania	65,216	8,076	57,140
Rhode Island	12,393	1,881	10,512
South Carolina	25,125	2,773	22,352
South Dakota	391	62	329
Tennessee	136,569	13,492	123,077
Texas	276,309	38,409	237,900
Utah	20,536	2,375	18,161

Vermont	12,817	966	11,851
Virginia	41,375	4,826	36,549
Washington	103,470	10,731	92,739
West Virginia	19,924	1,143	18,781
Wisconsin	254,856	24,521	230,335
Wyoming	12,837	1,499	11,338
Total	3,113,981	402,514	2,711,467

Data collected from interlock vendors. The time period is from January 1, 2022 to December 31, 2022

Ignition Interlock vs. License Suspension After DUI



People who use an interlock are less likely to reoffend. Compared to license suspension alone, interlocks reduce repeat offenses by 67% while the device is installed and 39% after the device is removed. Compliance Based Removal could help decrease repeat offenses even more.

MADD supports ignition interlocks for ALL apprehended drunk drivers. Interlocks accomplish what license suspension and other monitoring technologies do not — separate drinking from driving.

- **Interlock Service Center:** Person must get interlock serviced every 30 days.
- **Lockout Mode:** If person blows positive for alcohol too many times or misses a rolling test, device may need to be taken to get serviced sooner than 30 days.
- **Extra time on interlock possible.** The interlock service center may report any violations, too many positive blows or missed rolling retests to a monitoring agency which may result in extra time on interlock if the state has a **Compliance Based Removal** aspect to the interlock law. Many states require offenders to show proof of installation and/or compliance with the interlock order to the court/driver's license agency in order to have device removed.



Studies on the Effectiveness of Ignition Interlocks

Teoh et al, Insurance Institute for Highway Safety, “State Ignition Interlock Laws and Fatal Crashes,” March 2018.

- The number of impaired driving crashes falls 16 percent when states enact all-offender ignition interlock laws.
- If all states mandated interlocks for all DUI offenders, more than 500 of those deaths would have been avoided.

McGinty, Emma E. American Journal of Preventative Medicine, “Ignition Interlock Laws: Effects on Fatal Motor Vehicle Crashes, 1982–2013,” January, 2017

- Ignition interlock laws reduce alcohol-involved fatal crashes. Increasing the spread of interlock laws that are mandatory for all offenders would have significant public health benefit.
- Laws requiring interlocks for all drunk driving offenders with a blood alcohol concentration (BAC) of .08 or greater were associated with a seven percent decrease in the rate of drunk driving fatal crashes.
- Laws requiring interlocks for first-time offenders with a BAC of .15 or greater were associated with an eight percent decrease in the rate of drunk driving fatal crashes.
- Laws requiring interlocks for segments of high-risk drunk driving offenders, such as repeat offenders, may reduce alcohol-involved fatal crashes after two years of implementation.

California DMV Study of Four-County Ignition Interlock Pilot Program, June 2016

- Ignition interlocks are **74% more effective in reducing DUI recidivism** than license suspension alone for first offenders during the first 182 days after conviction.
- **Interlocks are 45% more effective** in preventing a repeat DUI incidence when compared to license suspension alone during days 183 to 365 after conviction. (Many first-time offenders have the device removed after 182 days of use.)
- Ignition interlocks are **70% more effective than license suspension** alone in preventing repeat offenses for second-time offenders, compared to license suspension alone, for the first 364 days of use.
- Interlocks are **58% more effective in preventing a repeat DUI incidence during days 365 to 730** days of use for second-time offenders.
- **Third-time offenders who only had a suspended license were 3.4 times more likely to have a fourth DUI** conviction or incidence compared to the interlocked offender group.
- Because interlocked offenders are able to be a part of society and provide for their family by driving to work, grocery stores, restaurants and any anywhere else, their crash risk is most likely similar to the general driving population in California, but higher than offenders whose licenses were suspended or revoked and not permitted to drive.

Kaufman, University of Pennsylvania, “Impact of State Ignition Interlock Laws on Alcohol-Involved Crash Deaths in the United States,” March 2016

- DUI **deaths decreased by 15%** in states that enacted all-offender interlock laws.
- States with mandatory interlock laws saw a **0.8 decrease in deaths for every 100,000 people** each year – which is comparable to lives shown to have been saved from mandatory airbag laws (0.9 lives saved per 100,000 people).



Ignition Interlocks Save Lives

Ignition interlocks are effective in reducing repeat drunk driving offenses by 67 percent while the device is installed compared to license suspension alone. (CDC)

Interlocks help reduce repeat offenses even after the device is removed by 39 percent compared to offenders who never installed an interlock. (Marques, 2010)

First-time offenders are serious offenders. Research from the CDC indicates that first time offenders have driven drunk at least 80 times before they are arrested.



All-offender ignition interlock laws stop drunk drivers with a blood alcohol concentration (BAC) .08 or greater from reoffending.

The FACTS

- An interlock is more effective than license suspension alone, as 50 to 75 percent of convicted drunk drivers continue to drive on a suspended license.
- All-offender interlock laws are widespread. Thirty-four states plus DC have laws requiring ignition interlocks for all first-time convicted drunk drivers.
- As of December 2017, there are approximately 349,030 interlocks in use in the United States.

Ignition interlock laws saves lives. Due in part to laws requiring interlocks for all convicted drunk drivers, drunk driving deaths have declined dramatically and at a better pace compared to the national average decline:

- | | | |
|------------------------------------|------------------------------|----------------------------------|
| ✓ West Virginia: 60 percent | ✓ Vermont: 40 percent | ✓ Oklahoma: 29 percent |
| ✓ Louisiana: 41 percent | ✓ Arizona: 34 percent | ✓ Arkansas: 25 percent |
| ✓ Delaware: 40 percent | ✓ Kansas: 32 percent | ✓ Mississippi: 19 percent |

Public supports Interlocks for all convicted drunk drivers. Three surveys indicate strong public support of ignition interlocks for all convicted drunk drivers.

- 88 percent (Center for Excellence in Rural Safety, 2010)
- 84 percent (Insurance Institute for Highway Safety, 2009)
- 76 percent (American Automobile Association, 2012)

ⁱ NHTSA Crash Stats, 2021. <https://crashstats.nhtsa.dot.gov/Api/Public/Publication/813450>

ⁱⁱ CDC “Vital Signs: Alcohol-Impaired Driving Among Adults — United States, 2010.”

<http://www.cdc.gov/mmwr/preview/mmwrhtml/mm6039a4.htm>

ⁱⁱⁱ American Association of Motor Vehicle Administrators, Reducing Suspended Drivers and Alternative Reinstatement, 2021.

<https://aamva.org/getmedia/b92cc79d-560f-4def-879c-6d6e430e4f4d/Reducing-Suspended-Drivers-and-Alternat%20ive-#:~:text=The%20National%20Cooperative%20Highway%20Research,sole%20solution%20to%20gaining%20compliance%20>

^{iv} Coalition of Ignition Interlock Manufacturers, Industry Research, 2018. <https://interlockciim.org/industry-research/#:~:text=The%20IIHS%20research%20reported%20that,in%20fatal%20alcohol%2Dinvolved%20crashes.>

^v Effectiveness of Ignition Interlocks for Preventing Alcohol-Impaired Driving and Alcohol-Related Crashes: A Community Guide Systematic Review, 2011.

https://www.researchgate.net/publication/49849514_Effectiveness_of_Ignition_Interlocks_for_Preventing_Alcohol-Impaired_Driving_and_Alcohol-Related_CrashesA_Community_Guide_Systematic_Review

^{vi} Maryland's Ignition Interlock Program: FY20202 Status Report, 2021. <https://mva.maryland.gov/Documents/Interlock-Program-Status-Report.pdf>