

104TH CONGRESS
1ST SESSION

H. R. 2319

To amend title 23, United States Code, to establish a national standard to prohibit the operation of motor vehicles by intoxicated minors.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 13, 1995

Mrs. LOWEY introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend title 23, United States Code, to establish a national standard to prohibit the operation of motor vehicles by intoxicated minors.

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. OPERATION OF MOTOR VEHICLES BY INTOXI-**
4 **CATED MINORS.**

5 (a) IN GENERAL.—Chapter 1 of title 23, United
6 States Code, is amended by adding at the end the follow-
7 ing:

1 **“§ 161. National standard to prohibit the operation of**
2 **motor vehicles by intoxicated minors**

3 “(a) WITHHOLDING OF APPORTIONMENTS FOR NON-
4 COMPLIANCE.—

5 “(1) FISCAL YEAR 1999.—The Secretary shall
6 withhold 5 percent of the amount required to be ap-
7 portioned to any State under each of paragraphs
8 (1), (3), and (5) of section 104(b) on October 1,
9 1998, if the State does not meet the requirement of
10 paragraph (3) on such date.

11 “(2) THEREAFTER.—The Secretary shall with-
12 hold 10 percent (including any amounts withheld
13 under paragraph (1)) of the amount required to be
14 apportioned to any State under each of paragraphs
15 (1), (3), and (5) of section 104(b) on October 1,
16 1999, and on October 1 of each fiscal year there-
17 after, if the State does not meet the requirement of
18 paragraph (3) on such date.

19 “(3) REQUIREMENT.—A State meets the re-
20 quirement of this paragraph if the State has enacted
21 and is enforcing a law that makes unlawful through-
22 out the State the operation of a motor vehicle by an
23 individual under the age of 21 who has a blood alco-
24 hol concentration of 0.02 percent or greater.

25 “(b) PERIOD OF AVAILABILITY; EFFECT OF COMPLI-
26 ANCE AND NONCOMPLIANCE.—

1 “(1) PERIOD OF AVAILABILITY OF WITHHELD
2 FUNDS.—

3 “(A) FUNDS WITHHELD ON OR BEFORE
4 SEPTEMBER 30, 2000.—Any funds withheld
5 under subsection (a) from apportionment to any
6 State on or before September 30, 2000, shall
7 remain available until the end of the third fiscal
8 year following the fiscal year for which such
9 funds are authorized to be appropriated.

10 “(B) FUNDS WITHHELD AFTER SEPTEMBER
11 BER 30, 2000.—No funds withheld under this
12 section from apportionment to any State after
13 September 30, 2000, shall be available for ap-
14 portionment to such State.

15 “(2) APPORTIONMENT OF WITHHELD FUNDS
16 AFTER COMPLIANCE.—If, before the last day of the
17 period for which funds withheld under subsection (a)
18 from apportionment are to remain available for ap-
19 portionment to a State under paragraph (1), the
20 State meets the requirement of subsection (a)(3),
21 the Secretary shall, on the first day on which the
22 State meets such requirement, apportion to the
23 State the funds withheld under subsection (a) that
24 remain available for apportionment to the State.

1 “(3) PERIOD OF AVAILABILITY OF SUBSE-
2 QUENTLY APPORTIONED FUNDS.—Any funds appor-
3 tioned pursuant to paragraph (2) shall remain avail-
4 able for expenditure until the end of the third fiscal
5 year following the fiscal year in which such funds
6 are so apportioned. Sums not obligated at the end
7 of such period shall lapse or, in the case of funds
8 apportioned under section 104(b)(5), shall lapse and
9 be made available by the Secretary for projects in
10 accordance with section 118.

11 “(4) EFFECT OF NONCOMPLIANCE.—If, at the
12 end of the period for which funds withheld under
13 subsection (a) from apportionment are available for
14 apportionment to a State under paragraph (1), the
15 State does not meet the requirement of subsection
16 (a)(3), such funds shall lapse or, in the case of
17 funds withheld from apportionment under section
18 104(b)(5), such funds shall lapse and be made avail-
19 able by the Secretary for projects in accordance with
20 section 118.”.

21 (b) CLERICAL AMENDMENT.—The table of sections
22 at the beginning of such chapter is amended by adding
23 at the end the following:

“161. National standard to prohibit the operation of motor vehicles by intoxi-
cated minors.”.

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