

**Statement of Jan Withers
MADD National President Elect
Before the House Subcommittee on Highways and Transit
Transportation & Infrastructure Committee
Hearing on Improving and Reforming the Nation's Surface Transportation Programs
March 29, 2011**

Thank you Chairman Duncan and Ranking Member DeFazio for giving me the opportunity to speak on behalf of MADD to share our organization's priorities as you look to reauthorize the nation's surface transportation programs.

As you can imagine, MADD is very interested in how this committee will address highway safety in your upcoming legislation and we look forward to continuing the dialogue with both you and your staff as we seek ways to save lives and prevent injuries on our nation's roadways.

Drunk driving continues to be the leading cause of death on our nation's roads. In 2009, 10,839 people were killed in drunk driving crashes representing 32 percent of all highway fatalities. In Tennessee and Oregon, 303 and 115 people respectively were killed in drunk driving crashes. As a nation, we should find these numbers inexcusable.

I came to MADD in 1992 after my 15-year-old daughter, Alisa Joy, was killed by an underage drinker who chose to drive after consuming numerous beers. Alisa was a gift of sunshine to us. She was a kind and funny person, evoking a gracefulness of spirit as well as movement. I loved watching her friends naturally gravitate to her as much as I loved watching her dance. In both, she radiated joy.

On a balmy evening during spring vacation, Alisa and two of her friends decided to go out with two senior boys. While out, the guys drank a couple of "six-packs" they had previously hidden in the woods. On the way home, when the driver's judgment and reactions were impaired, he lost control of the car. As the car was vaulted into the air after hitting a guardrail, the right side was sliced away and Alisa was ejected from the car. She sustained massive injuries as her body was hurled through the forest of trees.

The driver had a blood alcohol concentration of .08 – just at the illegal limit. I personally know what the effects of a .08 BAC sound like as I listened to a respirator pump air into Alisa's lungs in the emergency room. I personally know what the effects of *underage drinking* feel like when Alisa was declared dead. A piece of me died with her at that moment.

The statistics we often hear are not just numbers to me. Alisa Joy Withers was *my* baby. She had a face and a story to tell. Now *I* must tell her story, instead. Many of you have children with stories to tell. We want them to be able to tell their *own* stories – not have their mother telling it for them after they died. This is why I am here representing MADD.

Campaign to Eliminate Drunk Driving

In 2006, following research and strategies proven to work, MADD announced its Campaign to Eliminate Drunk Driving which:

- First, supports more resources for high-visibility law enforcement;
- Second, requires convicted drunk drivers to install an ignition interlock device; and,
- Lastly, turns cars into the cure through the development of advanced in-vehicle technology.

Interlocks Save Lives

An ignition interlock is a breath test device linked to a vehicle's ignition system. The interlock allows a DUI offender to continue to drive wherever they need to go -- they just can't drive drunk. The research on interlocks is crystal clear and irrefutable. Since New Mexico and Arizona implemented all offender interlock laws, DUI fatalities in those states have been reduced by over 30 and 40 percent respectively.

What's more, interlocks are fair. Under most current laws, convicted DUI offenders will lose their drivers license causing them to miss work and to be unable to provide for their family. With an interlock, the offender can go to work, school, treatment, or anywhere else they would like to go. They just can't drive drunk and hurt your family or mine.

Every American should be protected under an all-offender interlock law. Currently, 13 states require all drunk drivers to use these devices. Eleven states require these devices for high BAC offenders, or those convicted with a BAC of over .15.

MADD is now hitting roadblocks from the alcohol industry and DUI defense attorneys as we try to pass this law in state legislatures. In my home state of Maryland, we have one particular DUI defense attorney who refuses to hold a vote on meaningful ignition interlock legislation. I believe that if a vote was held, Maryland would pass a law requiring interlocks for all convicted drunk drivers. I have submitted for the record an April 21, 2010 Editorial from the Washington Post describing in detail Delegate Vallario's brazenness to kill good DUI policy.

I point out this story because there are other Joe Vallario's across the country and MADD needs this Committee's help. Interlocks are proven effective and they work. A few weeks ago the Centers for Disease Control acknowledged the effectiveness of interlocks by recommending them for all convicted drunk drivers. Unfortunately, without the help of this committee, these lifesaving devices will never realize their full potential.

Therefore, we strongly urge this Committee to work to find ways to increase the number of DUI offenders required to use an ignition interlock device. This lifesaving measure is sound policy.

Advanced Alcohol Detection Technology

While interlocks are currently the most proven technology available to stop drunk driving, a program is underway to provide an advanced in-vehicle option for consumers. This technology could potentially eliminate drunk driving. The Driver Alcohol Detection System for Safety, or DADSS, is the result of a research agreement between NHTSA and many of the world's leading auto manufacturers.

The purpose of this project is to research, develop, and demonstrate non-invasive in-vehicle alcohol detection technologies that can very quickly and accurately measure a driver's BAC. The Insurance Institute for Highway Safety estimates that over 8,000 lives could be saved if the technology is widely deployed in the U.S.

Last Congress, Rep. Vern Ehlers and Rep. John Sarbanes, along with Senator Tom Udall and Senator Bob Corker, introduced bipartisan legislation, called ROADS SAFE, which would authorize an additional \$12 million per year for DADSS.

On January 28, both Secretary LaHood and Administrator David Strickland attended a press event at the DADSS lab in Boston to witness first-hand how this technology works and how quickly the project is progressing. They were joined by MADD National President Laura Dean-Mooney and by Shane Karr of the Alliance for Automobile Manufacturers. Everyone showed a high level of support and enthusiasm for this project. I would like to submit for the record a copy of the Department of Transportation's press release on this event.

ROADS SAFE was included as part of the Motor Vehicle Safety Act (MVSA) in both the House and the Senate. Unfortunately, the legislation never passed the House or Senate. MADD would ask this committee to authorize \$12 million per year to continue the DADSS program. It is our hope that one day consumers will be able to purchase this technology as an option for their car. MADD believes it would be very appealing to many consumers, starting with parents of teen drivers, and for those who would like to ensure that they do not illegally operate their vehicle, putting themselves and others at risk.

State DUI Coordinator

MADD urges the committee to retain a provision included in the last Congress's Surface Transportation Authorization Act that requires states to appoint a statewide DUI coordinator.

The concept is based on a New Mexico model in which then Governor Richardson appointed a DUI Czar as a cabinet level official. The goal is to have one key person who can help coordinate DUI efforts.

This is important because of the many different agencies involved in reducing DUI fatalities. Law enforcement and probation officers, prosecutors, judges, treatment professionals, and others would be much more effective working together if their efforts were more coordinated.

Reevaluating the Highway Safety Grant Formula Program

Turning to the grant programs, MADD agrees with the Governors Highway Safety Association (GHSA) that highway safety grant programs need to be streamlined. It is also critical that dollars are spent on programs that work. SAFETEA-LU traffic safety grants represent the majority of funds that states spend on drunk driving prevention. With respect to the impaired driving grant program, MADD recommends doing away with the qualifying criteria so that all states automatically receive their funding. But funding must be spent on activities that save the most lives, with meaningful performance and activity measures in place to gauge program effectiveness. NHTSA must have the authority to ensure states are moving in the right direction.

A series of DOT Office of the Inspector General (IG) and Government Accountability Office (GAO) reports have been released, showing what is needed to improve traffic safety grant programs. The IG and GAO have made several recommendations to NHTSA, including the development of performance measures in coordination with the states. While NHTSA has since worked with the states to develop performance measures, MADD does not feel that these measures are meaningful enough to fulfill the intent of the IG and GAO.

MADD appreciates the work this Committee has done over the years in directing GAO and the IG to review NHTSA's programs, and outlining steps that NHTSA can take to improve its oversight functions and the effectiveness of state expenditures. I would also like to submit for the record a memo outlining specific recommendations from both the IG and GAO reports which I hope the committee finds useful. We look forward to working with the Committee to make additional improvements.

Conclusion

With this Committee's leadership, we will eliminate drunk driving. MADD asks the committee to consider ways to make ignition interlocks an important part of the next reauthorization bill.

We also ask for the support of Congress to turn cars into the cure for drunk driving by passing the ROADS SAFE Act.

And by revamping highway safety grant programs, changes can be made to ensure states receive funding, and spend it on activities that will save the most lives and prevent the most injuries.

Thank you to this Committee, and thank you to Chairman Duncan and Congressman DeFazio for holding this important listening session, and for your leadership on this issue.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE
Truth in Testimony Disclosure

Pursuant to clause 2(g)(5) of House Rule XI, in the case of a witness appearing in a nongovernmental capacity, a written statement of proposed testimony shall include: (1) a curriculum vitae; and (2) a disclosure of the amount and source (by agency and program) of each Federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two previous fiscal years by the witness or by an entity represented by the witness. Such statements, with appropriate redaction to protect the privacy of the witness, shall be made publicly available in electronic form not later than one day after the witness appears.

(1) Name:

Jan Withers

(2) Other than yourself, name of entity you are representing:

Mothers Against Drunk Driving

(3) Are you testifying on behalf of an entity other than a Government (federal, state, local) entity?

YES

If yes, please provide the information requested below and attach your curriculum vitae.

NO

(4) Please list the amount and source (by agency and program) of each Federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two previous fiscal years by you or by the entity you are representing:

- ① DOT- NHTSA - State and Community Highway Safety
\$299,943
- ② DOT- NHTSA - State and Community - \$423,563
- ③ DOT- NHTSA - State and Community - \$39,698
- ④ DOT- NHTSA - State and Community - \$658,618

Signature

Janice M. Withers

Date

Mar. 29, 2011

Jan Withers



Jan Withers joined MADD in 1992, after her 15-year-old daughter, Alisa Joy, was killed by an underage drinker who chose to drive after consuming numerous beers. She first volunteered by sharing her story and lobbying for tougher legislation. Her new focus in life was to try to make a difference by helping to stop this preventable violent crime. She actively participated in campaigning to lower the illegal limit of blood alcohol content for drivers from a .10 BAC to a .08 BAC, both on the national level and in Maryland. She was privileged to be present in the Oval Office when President Clinton signed the federal bill into law.

Her passion, though, is providing support for other victims of this violent crime. She is a certified victim advocate as well as a certified trainer for National MADD victim services. Jan serves as a victim advocate for MADD Maryland. In this capacity she facilitates a support group for victims of homicide and vehicular manslaughter. She serves on the MADD Maryland Operations Council, and is the chairperson for the Victim Services Committee and the Public Policy Committee. She was elected to the MADD National Board of Directors in 2005 and serves on various committees.

Her prior service was as the Director of Victim Services with the Maryland Crime Victims' Resource Center. She graduated with a Bachelor of Arts in Psychology from Colorado Women's College, and has been trained in group facilitation, crisis response, victimization, bereavement, and trauma. Jan was born and raised in Colorado. She is married to Joe Sikes, MADD Chesapeake Region Council Chairperson. They reside in Upper Marlboro, Maryland. Together they have 5 surviving children and 5 grandchildren.