

**SAFETY INCENTIVES TO PREVENT OPERATION OF MOTOR VEHICLES
BY
INTOXICATED PERSONS**

Year	1997(ISTEA)	1998	1999	2000	2001	2002	2003
Authorization	0	\$55M	\$65M	\$80M	\$90M	\$100M	\$110M

Program Purpose

Section 1404 of TEA-21 established a new program of incentive grants (under Section 163 of chapter 1 of Title 23) to encourage States to establish 0.08 percent blood alcohol concentration (BAC) as the legal limit for drunk driving offenses. A State may use these grant funds for any project eligible for assistance under Title 23.

Eligibility

Any State that has in effect and is enforcing a 0.08 percent BAC law, before the end of the fiscal year, is eligible to receive incentive funds for that fiscal year. The law must provide that any person with a blood alcohol concentration of 0.08 per cent or greater while operating a motor vehicle in the state shall be deemed to have committed a *per se* offense of driving while intoxicated (or an equivalent *per se* offense).

For purposes of this section, those jurisdictions defined as "States" in chapter 1 of Title 23 are eligible to receive Section 163 incentive funds; this includes the 50 States, the District of Columbia, and Puerto Rico.

Funding

Authorizes \$500 million over 6 years. Available funding each year is apportioned among all eligible States according to the Section 402 formula. The Federal share of a project funded under this section is 100 percent.

Formula

The Section 402 formula is:

- 75 percent based on the ratio of the State's population in the latest Federal census to the total population in all States.
- 25 percent based on the ratio of the public road miles in the State to the total public road miles in all States.

The apportionment to each State is no less than one-half of one percent.

Program Administration

This program will be administered by the National Highway Traffic Safety Administration and the Federal Highway Administration.