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Locking Out Drunks Ignites Debate

Critics call a proposed law to put anti-drunk locks on all New Mexico cars unrealistic. The bill's author sees it as a way for tech to help ease society's ills. Jason Silverman reports from Santa Fe, New Mexico.

SANTA FE, NEW Mexico -- The "think before you drink" campaign didn't work so well in New Mexico, which remains one of the deadliest places to drive. So frustrated lawmakers proposed a new approach: blow before you go.

A bill introduced this week at the New Mexico state legislature would have mandated the installation of blood-alcohol-testing devices in every new car by 2008, and in every used car by 2009.

More than 40 states already require convicted drunken drivers to have these so-called ignition-interlock devices installed in their cars. But in the scenario proposed by the bill, HB126, every New Mexico driver would need to pass a breathalyzer test before firing up their engines.

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HB126 passed through the state's House of Representatives by a 45-22 vote, but did not reach the Senate before the legislative session ended on Thursday. Though HB126 died, its sponsor, Democratic state Rep. Ken Martinez, considers his effort a success.

"Honestly, I put forward this bill to start some dialogue," Martinez said. "And it became a very thought-provoking process.... We want New Mexico to be a leader at using technology to curb some societal ills."

The bill's path through the New Mexico legislature was carefully monitored by Detroit automakers, some of which had representatives in attendance. As one might expect, the potentially expensive HB126 was not popular with the auto industry, including General Motors executive Dave Barthmuss.

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"All of the automakers go to great lengths to ensure that the equipment we put in our vehicles is extremely reliable, and the ignition interlocks are not even close," said Barthmuss, who works in General Motors' government policy, environment and technology communications department. "I don't think the concept of this bill -- that everyone needs to pass a breathalyzer to start and continue to operate their car -- is very well thought out."

Of course, the automakers resisted, for years, the implementation of airbags, and Martinez foresees a day when interlock-ignition technology will be passive and nearly invisible. The ignition interlock, Martinez said, could become the seatbelt of the 21st century -- a required, familiar safety device.

He said he hoped HB126 would accelerate research into devices that could monitor blood-alcohol levels either with ambient air in the car or through the touch of a finger. Such devices could stop, *Minority Report*-like, accidents before they happen.

"We think about DWI and criminal justice issues in terms of what we do after someone dies or is hurt," Martinez said. "But that's already too late."

The question should be, what can we do up front to prevent these accidents?"

A skeptical Barthmuss found Martinez's proposal to be dependent on pie-in-the-sky technologies.

"We are more likely to be driving hydrogen-fuel-cell cars in 2020 than cars with interlock-ignition devices," he said, adding that he had heard of no research indicating that passive devices were being tested.

Timothy Hallford, CEO of Santa Fe's Adobe Interlock, which installs interlock-ignition devices, described the provisions of HB126 as "wishful thinking." He blames the judicial system for New Mexico's drunken-driving epidemic. His research indicated that only 2,000 of the nearly 14,000 drunken-driving convictions in 2003 resulted in the installation of interlocks, despite laws requiring them.

"If we got just 30 percent enforcement from our judges, I'd dance in the street," Hallford said.

However, Martinez sees still-to-be-invented breathalyzer technologies as a key to safer roads. He even suggested that a bill like HB126 could force Detroit's hand.

"Policy drives safety issues, and then those safety issues become marketing issues," he said. "When auto manufacturers were required by law to have airbags, they complained about the burden that imposed. But then they complied, and now they are arguing (about) who has the safest cars and who has extra airbags. I can see the day when they do the same about which cars have ignition-interlock devices."