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Get MADD: America's Battle to Overcome Drunk Driving

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Abstract

Alcohol induced impaired driving has been an increasing concern in the United States since the post era Prohibition. Drunk driving has caused loss of lives, horrific and catastrophic injuries, and concurrent economic losses that have reached epidemic proportions. With little success, state governments have attempted to deal with this problem by legislating increased penalties, coupled with more vigorous law enforcement efforts. One organization, Mothers Against Drunk Driving (MADD), was specifically established to address the concerns of grieving family members and victims and to assist in, and to put forth, lobbying efforts for new legislation designed to reduce incidents of drunk driving. This paper will address and critically evaluate the proffered legislation endorsed by MADD. Each organizational proposal will be critically analyzed.

Get MADD: America's Battle to Overcome Drunk Driving

Candace Lightner was the mother of three children. Among them were identical twins, Cari and Serena. On May 3rd, 1980, thirteen year old Cari was walking to a carnival with a friend. Unbeknownst to her, a man, at the same time, fresh off a three day drinking binge at a nearby bar would get behind the wheel of his car and rob her of her life. The driver, intoxicated to the point of significant impairment, barreled down the road, weaved off into the bicycle lane, striking and killing Cari. Subsequently, the driver lost consciousness. After awaking, he abandoned the scene of the crash, leaving Cari alone to die. In horror, Cari's companion observed the event, traumatized as she watched Cari pass away before her eyes. The neighborhood postman was the first to arrive on the scene. He heroically and miraculously revived Cari for a short period, but her injuries were far too extensive for her to survive.

The emotional trauma and attendant psychological sequelae to her twin sister, as well as her brother and parents, was beyond comprehension. From that moment on, her mother Candace Lightner became determined to ensure that her daughter's death was not in vain. She decided that Cari's tragic demise should serve as a springboard for national attention and awareness. Cari's story quickly spread across the nation. Cari would eventually become the face and child for one of the biggest anti-drunk driving organizations in the world.

Roughly six months prior to Cari's death, on November 10, 1979, Cindie Lamb decided to run some errands and was driving with her six-month old infant daughter. Around 11:00 a.m., on a two-lane highway, Cindie noticed a car approaching in the distance. The driver was driving erratically, crossing over traffic lines in the roadway. She estimated the car was doing about 70 mph and was headed straight in her direction. Cindie's vehicle was traveling at about 50mph. Cindie frantically glanced towards the roadside desperate to find some safe retreat to avoid the

oncoming driver. With no safe harbor in sight and only seconds remaining before collision, Cindie braced herself for the inevitable. The driver crashed into Cindie's car, head-on, violently bringing both cars to a deafening and sudden stop. Cindie's head smashed against the windshield and she began bleeding profusely. Witnesses to the crash rushed to the scene fearing Cindie was dead. Cindie's face was covered in blood, and she had sustained a four inch long gash on her forehead. Upon regaining consciousness, her immediate inquiry was to ask about Laura. Unfortunately, the seatbelt from Laura's car seat had snapped in half upon impact. The six-month old infant lay on the floorboard of the car, crying wildly while gasping for air. Mother and daughter were both rushed to the nearest hospital. Cindie had numerous injuries, though none were life-threatening. However, doctors estimated only a seventy-two hour life expectancy for her baby girl. Miraculously, Laura fought for life and lived. As the nation's youngest paraplegic, Laura's spent her life confined to a wheelchair with limited use of one arm. Instead of engaging in activities like other children her age, she spent her life in and out of hospitals and undergoing rehabilitation. As Laura got older, she became increasingly despondent about her immobility. Laura eventually died at merely seven-years old.

After her death, Cindie met Candace and they joined efforts to bring their respective stories to a worldwide audience. On October 1, 1980, these two women held a national press conference in Washington D.C.. This event served as a catalyst to a movement that would forever change the way citizens viewed drunk driving.

Method

The methodology utilized for evaluation in this paper is known to social scientists as a critical analysis. This methodology permits multiple hypotheses to be examined systematically. Critical analysis requires utilization procedures which interprets information through a deliberate and methodical practice. Through this process, a decision supporting or opposing a particular position is critically thought out, and the conclusions are only offered after the information has been scrutinized and evaluated.

Degrees of support and opposition for proposals as well as suggested improvements are noted where applicable. The evidence is set forth in support or opposition and attendant relevant content is discussed. The evidence cited in this text comprises only a small portion of the total content within a larger body of research.

Critical thinking is substantially more than subjective opinion. It is the application of logical reasoning as the primary basis for critical analysis. Accordingly, critical analysis functions not only as a predicate methodology for logical reasoning but additionally examines the credibility biases and purported expertise of sources cited.

Although the term critical is sometimes associated with a negative connotation when used to express some sense of disagreement, the connotation in this context is simply one of intense evaluation. The critical analysis employed, does not convey uniform depiction for the favoring proposals in a positive or negative fashion. Instead, each position is analyzed separately after critical thinking.

The topic at issue is whether or not the proposals advanced by MADD are reasonable and viable solutions for local, state and federal implementation.

Analysis

MADD has taken a position on nearly every issue, present and putative, involving alcohol abuse in today's society. This paper analyzes not only the viability of MADD's proposals, but also sets forth alternative solutions that have been promulgated and examined in past studies. This process is a meta-analysis of sorts, wherein multiple studies are investigated and cited in an effort to reach the most effective global solutions.

It should be conceded that MADD has indeed made significant progress in reducing alcohol-related traffic deaths. MADD contends that it has decreased the number of alcohol-related traffic fatalities significantly, thereby saving thousands of lives. One estimate suggests that more than 300,000 lives may have been saved as a result of their political and educational efforts during their thirty year history. (<http://www.madd.org/statistics>, last updated November 2010). Traffic accidents remain the number one cause of death amongst teens. One in three of these accidents are alcohol-related. (<http://www.madd.org/statistics>, last updated November 2010).

Understanding why individuals drive under the influence and impairment of alcohol is the starting point for our analysis. An examination of the decision-making processes that an individual engages in after consuming alcohol lends intelligence as to potential alternative solutions. For example, one study examined the decision to drink and drive by conducting factorial surveys to examine alcohol impaired driving judgments made by 528 adults that engage in drinking (Thurman, Jackson & Zhao, 1993). These results suggest that key factors in determining whether or not to drink and drive include 1. the extent of behavioral impairment, 2. the availability of alternatives to driving, 3. weather conditions and 4. the distance to be driven

after alcohol consumption. Other components relative to any decision to drive after consuming alcohol include potential legal consequences, community response to alcohol related prosecution, the location of alcohol consumption, the use of roadblocks, and the individual familiarity with roads and highways utilized.

To report the results of this critical analysis a numbered format will be utilized. Ten proposals issued by MADD were selected (the numbering of these items is without significance or priority). The ten proposals selected represent a broad range of issues addressed by MADD since their foundation. The topics are as follows:

- 1.) The minimum drinking age law
- 2.) Fake identification/forged licenses
- 3.) Driver's license sanctions for underage purchase and/or possession of alcohol
- 4.) Graduated and/or provisional licensing
- 5.) Alcohol policies for colleges and universities
- 6.) Social host liability
- 7.) Adults providing alcohol to underage persons
- 8.) Alcohol education/prevention
- 9.) Child endangerment
- 10.) Alcohol policies for colleges and universities.

The **first goal** addressed is the minimum drinking age law. The current law for most states requires a person to be twenty-one years of age to consume alcohol. Enforcement efforts are applicable to both the buyer and seller of alcohol. First, any underage buyer may be held criminally responsible for the purchase of alcohol if he or she is under the age of twenty-one. Second, any establishment that knowingly sells any alcohol to a person under the age of twenty-

one faces potential fines, license suspensions, and criminal sanctions. Imposing an increase in fines for such establishments may reduce the number of retailers who engage in illegal alcohol sales to minors.

The health implications of underage drinking include the finding that minors who consume alcohol are often times more at risk than their older counterparts because they have not developed enough maturity to appreciate the effects of impairment (www.madd.com/statistics, last updated November 2010). Past research has highlighted some of the potential damage caused by alcohol consumption in minors. This outcome occurs in part because adolescents and children are more vulnerable to neurological damage than adults, and alcohol has been shown to impact the brain and behavioral conduct differently for adolescents, enhancing the opportunity for impeded memory and learning processes (White, 2003). In addition, more than 40% of individuals who reported that they started drinking before the age of 13 developed alcohol abuse or alcohol dependence at some point later in their lives (Grant & Dawson, 1997). Given this increased susceptibility to alcohol dependency, there exists a concomitant greater potential to operate a car while intoxicated. We can therefore extrapolate that the greater number of alcoholics in society leads to an increase in incidents of driving while under the influence of alcohol.

Clearly effective enforcement of the minimum drinking age law is essential for the safety of all of the public. Notwithstanding the inherent logic of this proposition there are states, such as Wisconsin, where alcohol can legally be obtained by individuals under twenty-one if accompanied by a parent.

To create uniformity and parity among young adults, all states should mandate a twenty-one age drinking alcohol consumption law. In fact, not only should individuals under twenty-

one years of age be barred from buying or consuming alcohol nationwide, a “Zero-Tolerance” law should also be placed in effect in all states prohibiting alcohol consumption by minors driving motor vehicles whose blood alcohol level is greater than 0.02 BAC (Blood Alcohol Content).

It is a well-accepted fact that many teenagers begin experimenting with alcohol before the age of twenty-one and in many cases begin driving vehicles without adult supervision at the age of sixteen. MADD cites a survey revealing that “72.2 percent of high school seniors reported using alcohol (www.madd.org/statistics, last updated November 2010)”. The large majority of this 72.2% will never be detected drinking and driving in part due to the fact that law enforcement can only make a vehicle stop with probable cause. Many sixteen to twenty year olds are therefore able to drive undetected with a BAC level of slightly above .02 because there are usually not obvious signs of impairment which would permit a police officer to initiate a lawful stop.

Finding ways to voluntarily deter youth from drinking and driving is especially difficult, in part because youths often times have trouble believing that anything bad will ever happen to them. However, there is some indication for more success with students who attend colleges in states that have more restrictions on underage drinking, consumption, and sales of alcoholic beverages. These states often times devote more resources to enforcing drunken driving laws (Wechsler, Lee, Nelson, & Lee, 2003). But for many who want to get their hands on alcohol it is far too easy. A survey out of the University of Michigan reported that “82.6% of tenth graders reported that alcohol is ‘very easy’ or ‘fairly easy’ to get (www.madd.org/statistics, last updated November 2010)”. Minors are able to take alcohol from their home, or often times convince an older friend or sibling to buy alcohol for them. Minors will even resort to enlisting the homeless

to purchase their alcohol. The National Highway Traffic Safety Administration issued an estimate in 2006 revealing that annually “17,602 people died in alcohol-related traffic crashes— an average of one every 30 minutes” (2006). Due to this array of findings, I would support MADD’s position on mandating a national minimum drinking age of twenty-one.

MADD’s **second goal** is to deal with fake identifications and forged licenses. A fake identification will contain a misrepresentation of one’s age by assuming another’s identity. A forged identification document is a state and/or federal identification that has been altered. Fake identification documents and forged licenses enable underage persons to fraudulently obtain alcohol. Many underage adolescents are able to pay older college students to hand over their identification. Adding to the problem, it is often difficult for businesses to differentiate between legitimate and illegitimate identification documents. It is commonplace for an individual’s appearance to change over time. Hair-color, hairstyle, colored contacts, and the loss or gain of weight can often times result in legitimate cases where individuals presently look very different than their identification photograph. It is not uncommon for minors to alter a government issued identification by etching out numbers on the birth date to reflect a fraudulent age above twenty-one, once this has been completed the identification would still possess the bar code enabling it to pass a scan test successfully.

It is reasonable to hope that in time future identifications will contain encrypted renditions of particularized personal biometric information such as retinal, fingerprint, or facial scan. Government issued identification cards containing these advanced technological features would make it nearly impossible to steal another’s identity.

MADD presently advocates that driver’s licenses be used as primary sources of identification for alcohol, and that all available measures be taken to discourage falsification. I

support the position MADD has taken on false and fraudulent licenses and support sanctions for those who knowingly falsify identification for the illegal purchase of alcohol.

MADD's **third goal** is the imposition of driver's license sanctions for underage purchase and/or possession of alcohol. Missouri for example has passed such a law. In the state of Missouri, a driver license can be suspended if an individual under twenty-one years of age is found in possession of alcohol while operating a motor vehicle. Alternatively, any minor who has received two citations for possession or consumption of alcohol will have their license suspended. In my opinion, both these punishments seem too harsh. Mandating driving restrictions and sanctions for possession of alcohol when there is no direct nexus to any motor vehicle is impractical and unfair. At least one researcher has opined that there is evidence to suggest that driving under the influence of alcohol cannot be controlled via punishments administered by our criminal justice system (Ross, 1992). For these reasons, I feel this position is well intentioned but misguided.

MADD's **fourth goal** supports the implementation of graduated and/or provisional licensing nationwide. This type of licensing would employ restrictions that would eventually be eliminated after a certain passage of time. Such restrictions would include a reduction in the number of passengers in the vehicle, and the establishment of driving curfews.

In a study conducted by Ross (1992) it was concluded that the uniform driving age of sixteen must be accompanied by further safety measures. Some of these measures include requiring sixteen year-old drivers to ride with no more than one passenger for the first six months (unless an adult is present), and a curfew on solo driving at night until six months has passed without citations. If any person under the age of eighteen is convicted of a DUI offense, a mandatory suspension of driving privileges for some period of time would be mandated. These

restrictions will undoubtedly reduce accidents and very possibly save lives. This would help ensure a more solid driving foundation and ease new drivers into operating a vehicle. I support this position and I would encourage all states to implement these restrictions for new drivers.

MADD's **fifth goal** supports the creation of alcohol-free zones. Alcohol-free zones would be in effect at schools and at gatherings where youth athletic events are hosted. MADD advocates excluding the sale and consumption of alcohol at such events. Ideally, chaperones would help ensure a positive, alcohol free social experience. However, the fact remains that such events are also attended by adults and college students over twenty-one who should have the right to drink. Attempting to sequester all persons under twenty-one from places where alcoholic beverages are served is not realistic. One alternative would be to provide transportation and other incentives to drive sober. Heightened enforcement and DUI checkpoints would also serve as deterrents.

Of course, all universities do not share the same degree of prevalence of alcohol consumption. Wechsler and colleagues found "the occurrence of drinking and driving among college students differ significantly according to the policy environment at local and state levels and the enforcement of those policies. Comprehensive policies and strong enforcement are promising intervention to reduce drinking and driving among college students" (Wechsler, Lee, Nelson, & Lee, 2003, p. 212). For this reason I support alternative measures that target the drivers who are drinking, and do not support the position for the creation of alcohol free zones prohibiting all persons from consuming alcohol.

MADD's **sixth goal** is to create harsher penalties and liabilities for social hosts that serve alcohol. Most states already have in place criminal statutes that prohibit assisting minors in obtaining alcohol. Eliminating the host source of alcohol to minors will lessen its availability.

Unfortunately, parents often do an inadequate job of monitoring the alcohol consumption at parties and more importantly often do not know who among those who have consumed alcohol is driving home. The majority of states allow minors to consume alcohol on private residences as long as a parent or guardian is present. If parents are going to allow underage drinking on their property, they must ensure that no one will be driving after drinking. Punitive sanctions should only be imposed on parents who allow minors to drink and drive. For these reasons, I support the position of allowing underage drinking on private residences with the proviso that there is no driving after drinking.

MADD's **seventh goal** relates to adults who provide alcohol to persons under the legal drinking age. Many adolescents have stated that alcohol is fairly easy for them to obtain. Minors routinely enlist parents, siblings, friends, or other members of the community, all of legal drinking age to purchase alcohol on their behalf. Those who purchase alcohol for minors do so in part based upon the notion that the legal drinking age should be less than twenty-one. This may be because older generations of Americans grew up during a time when the drinking age was eighteen and they still believe it to be an appropriate drinking age. MADD advocates that in order to further limit alcohol-related crashes among youth, it is important for adults to ensure that underage persons do not have access to alcohol. If adults uniformly supported this position, many youthful drinkers would find it increasingly more difficult to acquire alcohol and a reduction in alcohol-related crashes would naturally follow. This proposal seems reasonable and should be adopted by all states. I support this position and would suggest its enforcement.

MADD's **eighth goal** involves an implementation of national alcohol education and prevention programs at the community level to include programs from kindergarten through twelfth grade as well as colleges, universities, and trade schools. Notwithstanding the fact that a

prevention program may be necessary to reduce the nationwide alcohol-driving problem, beginning at the kindergarten level seems absurd. Clearly, children at kindergarten age are not considering consuming alcohol and are nowhere near driving age. Initiating the program at the middle school level is certainly a more reasonable aim. Schools should use a variety of educational methods to make the case for safe and sober driving. For example, enlisting guest speakers, and the victims of alcohol-related crashes will have a stronger impact than a teacher reading from a book. If programs can make the consequences more apparent and real to adolescents, and offer alternative solutions to driving drunk, the program will be more successful.

In addition to admonishing minors not to drink, alternatives to driving under the influence should be offered. For example, many communities now offer drunk-driving hotlines and shuttle services to reduce the temptation to drive impaired. This way, minors who do drink will be armed with viable transportation options. These anti-alcohol programs are analogous to the anti-tobacco campaigns. Once the toxicity and addictiveness of tobacco products were revealed, the public mood substantially shifted against it. This highlights a successful public change of attitude accomplished through providing factual information and education. Collateral governmental action of raising taxes on tobacco also helped reduce its use by forcing people to think about its economic costs. Businesses that promoted non-smokers rights in public places helped to clean up the smoking problem. The anti-smoking campaigns were not fast-track processes nor did it eliminate smoking. Similarly, drunk driving is a long-term nationwide educational endeavor that must focus on curtailing drunk driving as the ultimate goal. For these reasons, I support the position for a nationwide education program but certainly not beginning at the kindergarten

level. The message should be centered on the curtailing of drunk driving and should begin in middle school and continue through high school.

MADD's **ninth goal** involves enhanced sanctions against child endangerment.

Convicted drunk drivers should face enhanced sanctions when the offender was driving in a car with a minor at the time of the traffic stop. Additionally, MADD supports amendments to State Family Law Codes stating that evidence of driving drunk with a minor in the vehicle (as a matter of law) should be considered as conduct which is against the "best interest of the child". A minor has no power to make decisions on his or her own behalf. Accordingly, if the rights of a minor are not recognized until the age of eighteen then the government is responsible for making sure that legislation is in place to protect this class of citizens from undue harm. This proposal is essential to the welfare of everyone under the age of eighteen. This is a proposal that is perfectly reasonable and protects our children from unnecessary risk. I strongly support this proposal and would urge all states to make this a top priority when apprehending drunken driving offenders with minors present in the vehicle.

MADD's **tenth goal** concerns alcohol policies for colleges and universities. MADD supports the enforcement of underage drinking and impaired driving at all college campuses. Additionally, MADD supports the separation of living quarters for all students under twenty-one, as well as a system where students can easily and anonymously report those who have been drinking underage and/or drinking while driving. All campuses should have such a policy in place and known to all students who attend. MADD also recommends that campuses have a policy where times and locations of parties are limited and restricted to those over the age of twenty-one.

Several aspects of this position seem unjust. Excluding people under the age of twenty-one from attending a party where alcohol is present is too restrictive. Not only would this nearly be impossible to enforce but also it sends a wrong message. The message should not be that young adults under age twenty-one cannot attend functions where alcohol is present, instead the message should be, that you are allowed to attend but not to consume alcohol. Another policy that MADD advocates involves mandating that non-alcoholic beverage and foods are available at events where alcohol is served. By offering non-alcoholic beverages those who are driving or those underage will have a viable option for consideration. When food is consumed with alcohol it permits the alcohol to be absorbed more slowly and assists in reducing the level of intoxication.

Another MADD proposal is the banning of keg parties at colleges. MADD contends that the keg parties are too difficult to control. In my opinion, all parties are difficult to control and keg parties are no exception. The contention that keg parties are somehow more dangerous than parties with the same amount of alcohol served in a different form is short sighted.

The final suggestion requires the banning of alcohol at athletic functions. This suggestion also seems misguided. Many people over the age of twenty-one attend college athletic events, including parents, alumni, and upperclassmen. These individuals should be permitted to consume alcohol responsibly. Eliminating the availability of alcohol at sporting events will only encourage people to tailgate or sneak alcohol into the event. MADD professes that it is impractical (in a campus setting) to mix those that can drink with underclassmen who cannot drink. But, forcing students to congregate on these terms, with only those of their same age will not accomplish MADD's stated purpose.

One suggestion I offer is to eliminate alcohol available on campus during the school-week. Limiting consumption to weekends is a more reasonable solution than totally eradicating alcohol on college campuses. In summary, I support a non-alcoholic school week, but do not support the ban of alcohol at college athletic events nor do I support the separating of students predicated on age.

Conclusion/Discussion

The main shortcoming with most of MADD's proposed solutions reviewed herein to reducing drunk driving is the fact that the possibility of becoming impaired and making a decision that is potentially fatal is and will always be a real possibility. The only way to drastically diminish the massive crisis of drunk driving is to implement preventive measures so that operating a car while drunk becomes nearly impossible. If all cars manufactured from this point forward had the technology to prevent the car from even starting if a drunk is detected behind the wheel, then the number of drunken driving accidents should dramatically reduce. This is a safety measure that is in the best interest of all the public. This added technology ensures the safety of all persons by eliminating the main problem, which allows people who have become intoxicated to make a life-changing decision in a matter of seconds while under the influence of alcohol. Just as the government has imposed safety measures on firearms, knives, and other deadly weapons, the automobile must be looked at as a potentially deadly weapon. A gun must have a safety lock, cars likewise should be manufactured with their own built in safety features. Airbags, seatbelts, and I would suggest an ignition interlock device, will likely save lives. The staggering number of injuries and deaths that result from drunk driving offsets the inconvenience and cost associated with implementation of an ignition interlock device. Currently, ignition interlocks are only used for convicted DUI offenders, but requiring these

interlocks to be standard on all cars would in my estimation undoubtedly save thousands of lives every year.

The accidents caused by drunk driving also drain precious resources such as law enforcement, court systems, and probation. With regards to the potential inconvenience, the fact of the matter is that driving is a privilege, not a right, and by adding extra seconds to the process of starting your vehicle, lives lost to drunken drivers should drop significantly. By allowing people to drive drunk without any proactive prevention methods is costing citizens millions of dollars and more importantly, lost lives. Advocacy alone will not eliminate the horror and reality of drunk driving. A proactive dimension that makes it nearly impossible to drive while impaired must be implemented to finally put an end to drunk driving.

Implementation of a policy mandating BAC ignition devices in all cars would be a costly endeavor. However, the BAC-ignition interlock is a one-time investment which could be amortized over the life of every vehicle. Additionally, there would be a reduction in auto insurance claims for drinking-related accidents. Accordingly, vehicle insurance premiums should decline proportionately. Identifying and restricting alcohol impaired drivers from getting behind the wheel is the most effective way of reducing alcohol-related accidents.

In effect, this proposed initiative would stop drunk drivers of all ages before they could begin to operate any vehicle. According to the National Highway Traffic Safety Administration, while young drivers represent only 6% of drivers they represent 13% of those involved in fatal crashes (2008). Underage alcohol use kills more youth than all illegal drugs combined (Grunbaum, 2001). The amount of money spent on curtailing this problem is significant. Although these efforts are well-intentioned, they are not going to offer global solutions to this problem. With the existing technology this proposal is presently viable for implementation.

Each year, substantial money and effort are expended by schools, insurance companies, and law enforcement agencies to educate the public as to the potential injuries, deaths, and legal consequences associated with drunk driving. These efforts simply have not historically been sufficient to eradicate the problem. Clearly, the time has come for a more certain, preventive, measure to be utilized.

Seatbelts and airbags were once looked upon as an unnecessary and expensive inconvenience when thrust on the public by overreaching alarmists. Now, it is abundantly clear that these measures were necessary and appropriate for the public safety. Systems such as “On-star”, General Motor’s interactive communications interface, illustrate that the technological base structure for a foolproof blood alcohol level enforcement device now exists. All the roadside stops and police surveillance outside drinking establishments will not suffice. The best and most common-sense solution is to not be able to start any vehicle if the ignition interlock detects a BAC over the legal limit. The ignition interlock feature should be mandated on all new vehicles. Lives are worth saving, and accordingly this safety feature is worth pursuing.

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