

## Highway Trust Fund Sanctions Are Effective

The federal practice of withholding a percentage of Highway Trust Fund monies from states that have not yet adopted key lifesaving highway safety laws, until they do so – known as “sanctions” -- has worked effectively to speed up the process of passing laws and create a uniform safety policy across all 50 states and D.C.

History is the best teacher:

**21 Drinking Age:** In 1984, 22 states had a legal minimum drinking age of 21; Congress passed the national 21 drinking age law, and 3 years later, all 50 states and D.C. had adopted 21.

**Zero Alcohol Tolerance:** In 1995, 24 states and D.C. had zero alcohol tolerance laws for youth (under 21); Congress adopted sanctions and all 50 states and D.C. adopted zero tolerance by 1998.

**.08% BAC:** In 2000, 19 states and D.C. had .08% BAC laws on the books; Congress combined incentive grants with a sanction to follow after 3 years; by 2005 every state had adopted the law.

Over 20 years of experience with sanctions and highway safety shows that:

- States don't lose any money as a result of a sanction. They pass successful laws, saving thousands of lives and sparing millions of injuries, avoiding the sanction or getting the withheld money back after passing the law.
- States have plenty of time to act. Typically, highway safety bills with sanction language provide several years (3) of generous incentive grants before sanctions are applied. The sanction is usually 5% of certain federal highway funds, growing larger as years of inaction increase.
- States can get the money back if they fail to meet the deadline and “lose” part of their highway money, which is actually held in reserve and returned if the law is adopted within a few years. So, in effect, states have about five years to act before losing funds.
- All states adopt the law that is subject to sanctions within the allowed time period, lives are saved and injuries prevented, and American motorists can rely upon effective national policy that doesn't stop at state borders.
- Without sanctions, the pace of state adoption of key safety laws is glacial. The issue of primary enforcement of seat belt laws is instructive. Although the largest incentive grant program in history designed to encourage states to pass these proven and effective belt laws was adopted in 2005, only a handful of States (4) have adopted laws thus far. 26 States and D.C. currently have the law, leaving 24 with weaker secondary enforcement laws and far lower seat belt use rates.