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FISCAL IMPACT REPORT

ORIGINAL DATE 02/27/09

SPONSOR Campos, P. LAST UPDATED _____ HB _____

SHORT TITLE Drunk Driving Reduction Technologies SM 39

ANALYST Moser

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY09	FY10		
	NFI		

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Administrative Office of the Courts (AOC)

SUMMARY

Synopsis of Bill

Senate Memorial 39 requests the major automobile manufacturers and the federal government to research and develop new unobtrusive technology to reduce drunk driving to ensure the safety of all New Mexicans.

SIGNIFICANT ISSUES

The AOC reports that in 2008, a cooperative research agreement between the industry and the national highway traffic safety administration was entered into to explore such options. The technologies suggested would include tissue spectrometry, which allows the estimation of blood alcohol content by measuring how much light has been absorbed at a particular wavelength from a beam of near-infrared light reflected from the subject's skin, or touch-based system that required skin contact. Another technology would include distant spectrometry, which uses a near-infrared or laser light that is transmitted to the subject from a source that receives and analyzes the reflected and absorbed spectrum, to assess chemical content of tissue or liquid in vapor, and no skin contact is required. An additional technology would include electrochemical means, by which chemical-reaction-based devices such as transdermal and breathalyzer-based systems, or alcohol in the presence of reactant chemical systems that produce colorimetric changes measured by spectral analysis or semi-conductor sensors. A final recommended technology would be detection systems that detect impaired driving through objective behavioral measures, including ocular gaze movement, gaze, eye movement and driving performance measures.

Senate Memorial 39 – Page 2

The 2008 cooperative agreement calls for a five-year program (February 8, 2008 – February 8, 2013) to develop and test prototypes that may be considered for vehicle integration. These devices are intended to prevent alcohol impaired drivers BAC \geq 0.08 from driving their vehicles. A website for this cooperative agreement was developed (www.dadss.org) to provide updates on the project developments.

The AOC indicates that if these new emerging technologies prove to be viable, the courts will need to be aware of the effectiveness and limitations when imposing penalties to DWI offenders.

GM/svb