AMENDMENT TO RULES COMMITTEE PRINT 116–54

OFFERED BY MR. BISHOP OF UTAH

Page 499, after line 22, insert the following:

SEC. 1632. RESERVATION OF CERTAIN FUNDS.

(a) OPEN CONTAINER REQUIREMENTS.—Section 154(c)(2) of title 23, United States Code, is amended—

(1) in the paragraph heading by striking “2012” and inserting “2021”;

(2) by striking subparagraph (A) and inserting the following:

“(A) RESERVATION OF FUNDS.—

“(i) IN GENERAL.—On October 1, 2020, and each October 1 thereafter, in the case of a State described in clause (ii), the Secretary shall reserve an amount equal to 2.5 percent of the funds to be apportioned to the State on that date under each of paragraphs (1) and (2) of section 104(b) until the State certifies to the Secretary the means by which the State will use those reserved funds in accordance
with subparagraphs (A) and (B) of paragraph (1) and paragraph (3).

“(ii) States described.—A State referred to in clause (i) is a State—

“(I) that has not enacted or is not enforcing an open container law described in subsection (b); and

“(II) for which the Secretary determined for the prior fiscal year that the State had not enacted or was not enforcing an open container law described in subsection (b).”; and

(3) in subparagraph (B) in the matter preceding clause (i) by striking “subparagraph (A)” and inserting “subparagraph (A)(i)”.

(b) Repeat Intoxicated Driver Laws.—Section 164(b)(2) of title 23, United States Code, is amended—

(1) in the paragraph heading by striking “2012” and inserting “2021”;

(2) by striking subparagraph (A) and inserting the following:

“(A) Reservation of funds.—

“(i) In general.—On October 1, 2020, and each October 1 thereafter, in the case of a State described in clause (ii),
the Secretary shall reserve an amount equal to 2.5 percent of the funds to be apportioned to the State on that date under each of paragraphs (1) and (2) of section 104(b) until the State certifies to the Secretary the means by which the State will use those reserved funds in accordance with subparagraphs (A) and (B) of paragraph (1), and paragraph (3).

“(ii) STATES DESCRIBED.—A State referred to in clause (i) is a State—

“(I) that has not enacted or is not enforcing a repeat intoxicated driver law; and

“(II) for which the Secretary determined for the prior fiscal year that the State had not enacted or was not enforcing a repeat intoxicated driver law.”; and

(3) in subparagraph (B) in the matter preceding clause (i) by striking “subparagraph (A)” and inserting “subparagraph (A)(i)”.
(c) Effective Date.—Notwithstanding section 1001, the amendments made by this section shall take effect on October 1, 2020.