

**PART 1313—INCENTIVE GRANT  
CRITERIA FOR ALCOHOL-IM-  
PAIRED DRIVING PREVENTION  
PROGRAMS**

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AUTHORITY: 23 U.S.C. 410; delegation of authority at 49 CFR 1.50.

SOURCE: 63 FR 71700, Dec. 29, 1998, unless otherwise noted.

**§ 1313.1 Scope.**

This part establishes criteria, in accordance with 23 U.S.C. 410, for awarding incentive grants to States that adopt and implement effective programs to reduce traffic safety problems resulting from individuals driving motor vehicles while under the influence of alcohol.

**§ 1313.2 Purpose.**

The purpose of this part is to encourage States to adopt and implement effective programs to reduce traffic safety problems resulting from individuals driving motor vehicles while under the influence of alcohol. The criteria established are intended to ensure that State alcohol-impaired driving prevention programs for which incentive grants are awarded meet or exceed minimum levels designed to improve the effectiveness of such programs.

**§ 1313.3 Definitions.**

(a) *Alcoholic beverage* means wine containing one-half of one percent or more of alcohol by volume, beer and distilled spirits. Beer includes, but is not limited to, ale, lager, porter, stout, sake, and other similar fermented beverages brewed or produced from malt, wholly or in part, or from any substitute therefor. Distilled spirits include alcohol, ethanol, or spirits or wine in any

form, including all dilutions and mixtures thereof from whatever process produced.

(b) *Blood alcohol concentration* or *BAC* means grams of alcohol per deciliter or 100 milliliters blood or grams of alcohol per 210 liters of breath.

(c) *FARS* means NHTSA's Fatality Analysis Reporting System, previously called the Fatal Accident Reporting System.

(d) *Motor vehicle* means a vehicle driven or drawn by mechanical power and manufactured primarily for use on public streets, roads and highways, but does not include a vehicle operated only on a rail line.

(e) *Operating a motor vehicle while under the influence of alcohol* means operating a vehicle while the alcohol concentration in the blood or breath, as determined by chemical or other tests, equals or exceeds the level established by the State that would be deemed to be or equivalent to the standard driving while intoxicated offense in the State.

(f) *Other associated costs permitted by statute* means labor costs, management costs, and equipment procurement costs for the high visibility enforcement campaigns under §1313.6(a); the costs of training law enforcement personnel and procuring technology and equipment, including video equipment and passive alcohol sensors, to counter directly impaired operation of motor vehicles; the costs of public awareness, advertising, and educational campaigns that publicize use of sobriety check points or increased law enforcement efforts to counter impaired operation of motor vehicles or that target impaired operation of motor vehicles by persons under 34 years of age; the costs of the development and implementation of a State impaired operator information system; and the costs of operating programs that result in vehicle forfeiture or impoundment or license plate impoundment.

(g) *State* means any one of the fifty States, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

[63 FR 71700, Dec. 29, 1998, as amended at 71 FR 20568, Apr. 21, 2006]