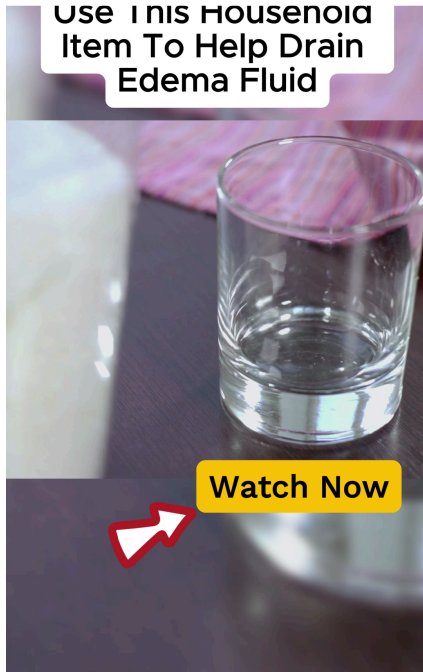


Commentary

Truth About Mandatory 'Safety Device' Biden Signed Into Law - This Is the Power Government Wants Over You



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By [Warner Todd Huston](#) • January 1, 2023 at 9:11am

Correction: A previous version of this article stated the legislation in question requires car makers to install “safety devices” capable of preventing or limiting motor vehicle operation in “every new vehicle starting in 2026.” That year is incorrect. Due to the legislation’s wording, implementation is required to begin no later than 2029. The article also referred to “remote kill switches.” We have removed the word “remote” and clarified that control of the devices could be remote because of the legislation’s vague wording and will certainly not be under control of the driver in the vehicle.

used in the legislation: “[new] passenger motor vehicles.” We have also added a small number of clarifying phrases.

Finally, one line incorrectly referred to “former Rep. Bill Barr.” Of course that former congressman’s name is Bob Barr.

We regret these errors and apologize to former Rep. Barr.

Many Americans are unaware that buried in the Democrats’ 2021 infrastructure bill is a measure to take just a little more of our freedom away from us that liberals have been trying to force on car manufacturers for years.

With President Biden’s signature on bill in November of 2021, they finally got it.

The Democrats sold the measure as a “safety device” to prevent drunk driving, one they will now require for every new passenger motor vehicle beginning no later than 2029. The device is essentially a kill switch that could conceivably allow the government, the police, or even [car makers](#) to disable your car, possibly from the comfort of their offices. This potential nightmare is due to the legislation’s incredibly non-restrictive language. Without significant revision from Congress, almost anything could go.

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You can see the alarming wording in the [Infrastructure Investment and Jobs Act](#) itself. It does not fully describe what this device will be able to do, if it doubles as a monitoring device outside the legislation, and how and when it can be used against citizens other than in the vague wording below.

The bill says on page 135 is that the device must “passively monitor the performance of a driver of a motor vehicle to accurately identify whether that driver may be impaired” and “prevent or limit motor vehicle operation if an impairment is detected.”

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The devices are also to be mandatory.

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The language in the bill means that the system is “passive,” meaning it is always on and cannot be shut off. It also means that the device will be able to completely shut down your privately-owned vehicle against your will and without your say.

It all sounds like a new level of [state-sponsored surveillance](#).

Would you ever drive a car with a kill switch?

Yes No

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As

former Rep. Bill Barr wrote at the [The Daily Caller](#) shortly after Biden signed the bill, there is a lack of clarity to all this. What if a driver is drowsy and not drunk, but is locked out of his vehicle before being able to get to a hotel or other safe place to take a nap?

The operation of cars will be in the hands of computer algorithms. And as we have seen with [how badly](#) algorithms work on social media, how can that fill anyone with any confidence?

The legislation has also not been vetted for its [constitutionality](#). Will this intrusion into our lives and this curtailment of freedom pass muster with the Fifth or Sixth amendments? The former assures the right not to self-incriminate and the latter is the right to face one’s accuser.

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There is another problem with this legislation. Definitions of “impairment” can vary by state. Can these devices tell the difference from one state or locality to another? And what does “impairment” even mean? Legally drunk? Or does the “passive” device have its own standards?

The legislation also does not exactly specify who will be collecting this data. Will it include locations that drivers were driving through? And, will this data be held against you if your car had been shut off one time too many? Will you be prevented from getting a license or buying another car if the shut-off had been employed a certain number of times?

And if not now, how can we be assured this won't be added to the capabilities later? Like the problems with [Big Tech](#), this legislation is fraught with issues and unanswered questions.

Also, will this data be sold to advertisers and other entities that can use the data to enrich themselves? Is this just going to be another case of an [invasion](#) of our privacy like [Google](#) or [Facebook](#)?

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This is not to even mention how this legislation curtails our freedom of movement and condemns us to potential punishment without a trial or charges being leveled against us in a court.

There is yet another major problem with this "law." It doesn't even tell us what sort of technology will be employed in these switches. Indeed, the law leaves the technical details to the National Highway Traffic Safety Administration (NHTSA) to determine over the next few years. And so far, the actual technology does not quite exist.

Those involved in this new law have tried to wave off criticism.

Jeffrey Michael, a researcher at Johns Hopkins University's Center for Injury Research and Policy, [told the AP](#) in a March report that the devices won't be able to be accessed by the police. As one of those involved in developing the tech, he claims the devices are not supposed to be for law enforcement use.

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"I've been associated with this technology since the beginning of its development and it has always been viewed as a prevention device rather than an enforcement device," Michael said, adding that the new legislation has "nothing to do with giving law enforcement access to a kill switch."

According to the AP, Robert Strassburger, president and CEO of the Automotive Coalition for Traffic Safety, claimed the NHTSA is pursuing rules that would prevent third parties from gaining access to the devices.

But neither Michael's nor Strassburger's assurances are reflected in the law itself because it does not preclude law enforcement or third parties from having access to the mandated devices. Indeed, the actual law is silent on those issues, meaning anything could happen and anything could change after implementation.

are driving and cause life-threatening accidents, like the dangers of the supposed [self-driving technology](#) that have already been so problematic?

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Since there was never any debate in Congress about these issues, there won't be any answers to them until we are already suffering the ill effects of the law. This was all very ill-conceived. But it is just another example of how regulations that limit our freedoms are slid into massive bills over and over again with no debate on their merits.

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Warner Todd Huston has been writing editorials and news since 2001 but started his writing career penning articles about U.S. history back in the early 1990s. Huston has appeared on Fox News, Fox Business Network, CNN and several local Chicago news programs to discuss the issues of the day. Additionally, he is a regular guest on radio programs from coast to coast. Huston has also been a Breitbart News contributor since 2009. Warner works out of the Chicago area, a place he calls a "target-rich environment" for political news. Follow him on Truth Social at [@WarnerToddHuston](#).

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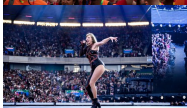
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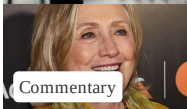
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