



ADVOCATES
FOR HIGHWAY
& AUTO SAFETY

January 24, 2024

The Honorable Roger Goodman, Chair
The Honorable Tarra Simmons, Vice Chair
House Community Safety, Justice, & Reentry Committee
Washington State Legislature
Olympia, Washington 98504

Dear Chair Goodman and Vice Chair Simmons:

Advocates for Highway and Auto Safety (Advocates), an alliance of consumer, safety, medical, public health and law enforcement groups and insurance companies working together to pass highway and auto safety laws that prevent crashes, save lives, reduce injuries, and contain costs, supports enactment of House Bill (HB) 2196. This legislation will lower the *per se* limit of alcohol-impaired driving to .05 percent blood alcohol concentration (BAC), deter drunk driving and save lives.

Drunk driving is a deadly and costly threat to Washington families. In 2021, there were 670 fatalities on state roads, and nearly forty percent of those (388) involved drunk driving.ⁱ Traffic crashes also cause \$6.3 billion of economic damage to the state annually.ⁱⁱ Drunk driving is a serious problem that requires urgent action. Advancing .05 percent BAC legislation will reduce dangerous drinking and driving across all levels of impairment, including high BAC, to prevent deaths and injuries.

Nationwide about 30 percent of traffic fatalities involve a drunk driver. In addition to the physical and emotional impact, these crashes impose a financial burden including on businesses. Drunk driving crashes cost employers \$8 billion each year with 81 percent of those costs coming in crashes while off the job.ⁱⁱⁱ We must implement solutions that are strongly supported by research and the public health and safety community.^{iv} If all states adopted a .05 percent BAC or lower law, fatal alcohol crashes would decline 11 percent and 1,790 lives would be saved each year.^v

Research shows significant impairment at .05 percent BAC.^{vi} Drivers have reduced coordination, decreased ability to track moving objects, difficulty steering and diminished response to emergency situations.^{vii} The risk of being killed in a single-vehicle crash with BACs of .05 to .079 percent is up to 21 times higher than for drivers without measurable alcohol.^{viii}

Opponents may claim that lowering the BAC will decrease alcohol sales but reducing BAC limits does not discourage alcohol consumption.^{ix} It does discourage driving after drinking. Further, studies show that when states lowered their BAC limits from .10 to .08 percent, there were no adverse impacts on the criminal justice system or increase in arrests. Similarly, when Utah reduced its BAC limit from .08 to .05 percent, alcohol sales and tourism went up while DUI arrests went down.^x Per capita DUI arrests declined 7 percent since the last full fiscal year before the .05 percent BAC limit went into effect.^{xi}

Lowering the limit of BAC is a research-driven countermeasure successfully employed around the world but underused in the United States. More than 100 countries have .05 percent BAC or lower limits. In these countries average alcohol consumption is equal or higher to that in the United States, but they have less deaths caused by drunk driving.^{xii}

The data are clear, the lifesaving benefits are certain, and the justification for action is compelling. We urge you to take this critical step to seriously address and prevent drunk driving by advancing HB 2196. Every death caused by an alcohol-related crash on Washington roads forever changes the lives of families and communities. Thank you for your consideration.

Sincerely,

Catherine Chase, President

cc: Community Safety, Justice, & Reentry Committee members

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- i State Traffic Safety Information for Washington (2021), NHSTA, available at <https://cdan.dot.gov/stsi.htm>.
- ii The Economic and Societal Impact of Motor Vehicle Crashes, 2019, NHTSA, Feb. 2023, DOT HS 813 403, available at <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813403>.
- iii Cost of Motor Vehicle Crashes to Employers 2019; Network of Employers for Traffic Safety, available at <https://trafficsafety.org/road-safety-resources/public-resources/cost-of-motor-vehicle-crashes-to-employers-2019/>.
- iv Fell, Jim C., Voas, Robert B, *The effectiveness of a 0.05 blood alcohol concentration (BAC) limit for driving in the United States*, PIRE. June 2014. NTSB Safety Compass, *Drink or Drive Pick One*: <https://safetycompass.wordpress.com/2019/04/29/drink-or-drive-pick-one/>.
- v NORC: Fell JC & Scherer M, Estimation of the Potential Effectiveness of Lowering the Blood Alcohol Concentration (BAC) Limit for Driving from 0.08 to 0.05 Grams per Deciliter in the United States, 2017. Available at: <https://bit.ly/2E5pliq>.
- vi NTSB, .05 BAC Safety Briefing Facts, February 2017, available at <https://portal.ct.gov/-/media/DOT/documents/dvisionzero/NTSB-05-SafetyBriefingMarch2019.pdf>.
- vii MADD, *What is .08?* Available at: <http://www.madd.org/drunk-driving/about/understanding-08.html>.
- viii Fell, Jim C., Voas, Robert B, *The effectiveness of a 0.05 blood alcohol concentration (BAC) limit for driving in the United States*, PIRE. June 2014.
- ix NTSB, .05 BAC Safety Briefing Facts, February 2017.
- x Leaver, Jennifer, The State of Utah's Travel and Tourism Industry 2019, Kem C. Gardner Policy Institute University of Utah, September 2020. Utah Department of Alcoholic Beverage Control, Annual Reports 2018, 2019 and 2020, available at: <https://abc.utah.gov/about-dabc/annual-reports/>. 17th Annual DUI Report to the Utah Legislature, Utah Commission on Criminal and Juvenile Justice, 2019. Available at: <https://le.utah.gov/interim/2019/pdf/00004834.pdf>.
- xi 20th annual DUI Report to the Utah Legislature, Utah Commission on Criminal and Juvenile Justice, 2022. Available at: <https://justice.utah.gov/wp-content/uploads/2022-DUI-Annual-Report-Final.pdf>.
- xii NTSB, .05 BAC Safety Briefing Facts, February 2017.