



February 10, 2024

The Honorable Darius K. Kila, Chair
The Honorable Tina Nakada Grandinetti, Vice Chair
House Committee on Transportation
Hawaii State Legislature
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chair Kila and Vice Chair Grandinetti:

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 Senate Bill (SB) 1403/House Bill (HB) 1084 and SB 1643/HB 1387. These bills would lower the *per se* limit of driving while under the influence of an intoxicant to .05 percent blood alcohol concentration (BAC), deter drunk driving and save lives.

Drunk driving is a deadly and costly threat to Hawaii families. In 2022, there were 116 fatalities on state roads, and 32 percent of those (37) involved drunk driving.ⁱ In addition, Hawaii incurred \$580 million in economic harm due to motor vehicle crashes according to a 2019 analysis.ⁱⁱ Updating for inflation only this cost would be \$711 million in 2024 dollars.ⁱⁱⁱ Drunk driving crashes cost employers across the country \$8 billion each year with 81 percent of those costs coming in crashes while off the job.^{iv}

The impact of drunk driving is clearly measurable at .05 percent BAC by research which shows significant impairment.^v Drivers have reduced coordination, decreased ability to track moving objects, difficulty steering and diminished response to emergency situations.^{vi} 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.^{vii}

Solutions which are strongly supported by research and the public health and safety community must be implemented.^{viii} Advancing .05 percent BAC legislation will reduce dangerous drinking and driving across all levels of impairment, including high BACs, to prevent deaths and injuries. If all states adopted a .05 percent BAC or lower law, fatal alcohol crashes are estimated to decline 11 percent, and 1,790 lives would be saved each year.^{ix} Lowering the limit of BAC is a 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.^x

Opponents may claim that lowering the BAC will impact the economy by decreasing alcohol sales, but reducing BAC limits does not discourage alcohol consumption.^{xi} 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. Similarly, when Utah reduced its BAC limit from .08 to .05 percent, alcohol sales and tourism went up while DUI arrests went down.^{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 SB 1403/HB 1084 and SB 1643/HB 1387. Every death caused by an alcohol-related crash on Hawaii roads forever changes the lives of families and communities, and can be prevented. Thank you for your consideration.

Sincerely,

Catherine Chase, President

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- i State Traffic Safety Information for Hawaii (2022), NHTSA, 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 CPI Inflation Calculator, BLS, January 2019 to January 2024 dollars, available [here](#).
- iv 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/>.
- v NTSB, .05 BAC Safety Briefing Facts, February 2017, available at <https://portal.ct.gov/-/media/DOT/documents/dvisionzero/NTSB-05-SafetyBriefingMarch2019.pdf>.
- vi MADD, *What is .08?* Available at: <http://www.madd.org/drunk-driving/about/understanding-08.html>.
- vii 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.
- 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 Safety Compass, *Drink or Drive Pick One*: <https://safetycompass.wordpress.com/2019/04/29/drink-or-drive-pick-one/>.
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>.
- x NTSB, .05 BAC Safety Briefing Facts, February 2017.
- xi Ibid.
- xii 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>.