

0.08 or 0.10? Iowa's legal blood alcohol concentration (BAC) limit

IN THE LAST 10 or 15 years, stricter "operating while intoxicated" (OWI) laws and enforcement have helped reduce alcohol-related traffic injuries and fatalities significantly in Iowa (see related article). However, coupling these measures with the lower legal BAC limit recommended by the federal government (0.08 percent instead of Iowa's current 0.10 percent) could help reduce the numbers even more, according to studies by the National Highway Traffic Safety Administration (NHTSA) and others.

In the most recent evaluation of 0.08 percent BAC limits (*Journal of Safety Research 2002*), an Illinois study researched the effect of the state's 1997 reduction of legal BAC limit from 0.10 to 0.08 percent. The study found that the reduction in BAC limit was associated with a 13.7 percent decline in the number of drinking drivers involved in fatal crashes.

Iowa's BAC bill

For several years, the Iowa Department of Public Safety (DPS) has supported a bill to lower Iowa's legal BAC limit for drivers from 0.10 to 0.08 percent. In 2001 the state senate passed the bill (48-1); the state house of representatives declined to debate the issue.

The bill has broad support. It has been part of both former Governor Branstad's and Governor Vilsack's legislative agendas. Many organizations, including those in medical professions, emergency response, insurance, law enforcement, prosecution, substance abuse, victim services, counseling,

and safety education, support it. Polls have also shown broad citizen support.

Some groups and individuals, however, see the bill as an attempt by the federal government to regulate state policy. The federal government awards grants for safety programs to states that have adopted the 0.08 percent BAC limit. (Currently 34 states have reduced their legal BAC limits to 0.08 percent.)

In addition, some groups in the alcoholic beverage and hospitality industries, as well as those philosophically opposed to lowering the current 0.10 percent BAC limit, also oppose the bill.

The bill will be introduced again during the 2002 legislative session, and the Iowa DPS will continue to work with supportive groups and individuals to educate Iowans about the lifesaving aspects of lowering the legal BAC limit to 0.08 percent.

For more information

For information about Iowa's 0.08 percent BAC limit bill, contact the Iowa DPS, 515-281-5261, or visit its website, www.state.ia.us/government/dps.

The Illinois study, by Robert B. Voas et al., can be found in the *Journal of Safety Research*, Vol. 33 (2002), pp.73-80. See also a summary of a NHTSA study by Dr. Robert Apsler et al., www.nhtsa.dot.gov/people/injury/alcohol/limit.08/Klein08/KleinExc.html.

To learn about legislators' perspectives on 0.08 percent BAC limit or to provide your input about this issue, contact your elected state official, www.state.ia.us/government/official.htm. •

Sobering facts:

alcohol-related injuries and fatalities

(Italicized items indicate reductions in alcohol-related traffic crashes, injuries, and/or fatalities in Iowa.)

U.S. injuries

- Each year at least 300,000 persons are injured annually in police-reported alcohol-related traffic crashes.

Iowa injuries

- *Iowa alcohol-related traffic injuries totaled 2,443 in 2000, down 38 percent since 1990.*
- During 2000, about 30 percent of all people injured in alcohol-related crashes in Iowa were between 14 and 25 years old.

U.S. fatalities

- Traffic fatalities are the leading cause of death among persons 1-34 years old, and alcohol is the leading cause of traffic fatalities by an overwhelming margin.
- Nationally, over 16,600 people were killed in alcohol-related traffic crashes during 2001. Nearly 40 percent of all traffic deaths in the United States are alcohol-related.
- The over 16,600 people killed in alcohol-related crashes during 2001 represent an average of one alcohol-related fatality every 32 minutes.

Reducing alcohol-related crashes in Iowa: Successful initiatives

IOWA'S operating-while-intoxicated (OWI) laws and enforcement have become stronger during the last 20 years. According to the Iowa Department of Public Safety (DPS), studies indicate that various OWI sanctions, strictly enforced, enhance each other and contribute to Iowa's overall decline in alcohol-related fatalities. Iowa statistics support such a conclusion.

Administrative license revocation (ALR)

Iowa's implied consent law enacted in 1964 gives police officers the authority to revoke a driver's license immediately if the motorist refuses a breath, blood, or urine test. A 1982 amendment to the law extends this authority to situations in which a driver fails a chemical test.

ALR laws provide "faster, surer, and more effective penalties to OWI offenders," according to an Iowa DPS spokesperson. The Iowa DOT administers the ALR process.

OWI penalties

During the last 10 years, Iowa has enacted stricter OWI penalties. First-time offense penalties include

- a minimum of 48 hours in jail,
- up to \$1,000 fine or community service, and
- revocation of driver's license for a minimum of 180 days.

First-time offenders can apply for a temporary driving permit after 30 days; however, if the permit is granted, they are restricted to driving vehicles with an ignition interlock device (a breath alcohol analysis device that controls ignition operation).

Second-offense penalties include

- a minimum of seven days in jail,
- a \$1,500 to \$5,000 fine, and
- license revocation for a year.

Second-time offenders can apply for a temporary driving permit after 90 days. If the permit is granted, they are restricted to driving vehicles with an ignition interlock device.

Any subsequent offense is considered a felony punishable by a minimum of 30 days in jail and a fine up to \$7,500. Offenders' driver's licenses are revoked for a minimum of one year. (Temporary permit may be issued after one year.)

Zero tolerance

In 1995 Iowa enacted a "zero-tolerance" law for drivers under age 21. First-time offenders in this age group with a blood alcohol concentration level as low as 0.02 percent lose their licenses for 60 days to a year. This is not a criminal offense.

Other factors

In Iowa, combining strong, cooperative law enforcement with public information and education, along with an increase in citizens' health concerns, has had a "sobering" effect on drinking and driving.

For more information

For information about OWI penalties, contact the Iowa DPS, 515-281-5261, or visit its website, www.state.ia.us/government/dps. Or contact the Iowa DOT's Office of Driver Services, 515-237-3153. Also, see the Code of Iowa (Section 321J). •

Iowa fatalities

- *The number of Iowa alcohol-related traffic fatalities in 1996 through 2000 represents the lowest five years on record. For the year 2000, the percent of Iowa traffic fatalities that were alcohol-related was the second lowest in the nation.*
- *During 2000, 112 alcohol-related traffic deaths were reported in Iowa, down 15 percent from the 1999 total of 132.*
- During 2001, there were 118 alcohol-related traffic deaths, up 5 percent from the 2000 total of 112.

- Nearly 30 percent of all victims who died in alcohol-related crashes in Iowa from 1990 to 2000 were 25 years old or younger.
- Drivers 16–25 years old represent only 16 percent of all registered drivers in Iowa, but they comprise nearly 30 percent of all drinking drivers who were involved in fatal crashes during 1992–2000.

These statistics were adapted from information on the Iowa Department of Public Safety's website, www.state.ia.us/government/dps/gtab/gtsft_3, and NHTSA's website, www.nhtsa.dot.gov.