



Senate Bill 7: 0.05% DUII Limits

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Background

In Oregon you are considered to be Driving While Under the Influence of Intoxicants (DUII) if your blood alcohol concentration (BAC) is 0.08% or higher. In 2013 the National Transportation Safety Board (NTSB) recommended that states decrease BAC limits to 0.05 to reduce fatal crashes caused by drunk driving.

Summary

SB 7 provides that a person commits offense of Driving While Under Influence of Intoxicants (DUII) if the person drives a vehicle or boat and has 0.05% or more by weight of alcohol in that person's blood.

Reduced Oregon's BAC limits for purposes of DUII from 0.08% to 0.05%.

Notes

- BAC limits have been changed before, and fairly recently. Oregon and Utah were the first states to move from a 0.10 to 0.08 in 1983, Delaware was the last state to adopt 0.08 in 2014.
- Utah enacted a .05 limit in December 2018.
- Many countries have enacted a .05 BAC limit, including Australia, most of the EU, Hong Kong, Israel, and South Africa.
- A 160-pound man would have to drink 4 alcoholic drinks an hour to reach a BAC of 0.08, versus 3/hour to reach 0.05.
- Drivers with a BAC of 0.05-0.79 are 7 times more likely to be in a fatal crash than drivers with no alcohol in their system.*
- According to the NTSB, lowering BAC limits from .10 to .08 reduced annual alcohol related fatalities by 10.4% nationwide. NTSB estimates a reduction from .08 to .05 would result in an 11.1% decline in fatal crashes.*
- Decreasing BAC limits does not reduce average alcohol consumption.*

*source: <https://www.nts.gov/news/speeches/t-bella-dinh-zarr/documents/05bac-safety-briefing-facts.pdf>

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