



May 28, 2019

The Honorable Floyd Prozanski, Chair  
The Honorable Kim Thatcher, Vice Chair  
Senate Committee on Judiciary  
Oregon State Legislature  
900 Court Street NE  
Salem, Oregon 97301

Dear Chairperson Prozanski and Vice Chairperson Thatcher:

Advocates for Highway and Auto Safety (Advocates), an alliance of consumer, safety, medical and public health groups, and insurance companies working together to pass highway and auto safety laws that prevent crashes, save lives and reduce injuries, urges you to support Senate Bill (SB) 7. This legislation will lower the 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 Oregon families. In 2017, there were 437 fatalities on the state's roads and thirty-six percent of those deaths (136) were alcohol-related (National Highway Traffic Safety Administration (NHTSA)). Traffic crashes also cost Oregon taxpayers nearly \$1.8 billion annually. Drunk driving is a serious problem that requires urgent attention and action. Advancing .05 percent BAC legislation will deter dangerous drinking and driving across all levels of impairment as well as curb needless highway deaths and injuries that threaten the safety of everyone – Oregon families and visitors.<sup>i</sup>

The average male (170 pounds) does not reach the current legal limit for alcohol impaired driving until having consumed a substantial amount of alcohol, approximately five alcohol drinks within two hours.<sup>ii</sup> However, laboratory evidence found that most adults are significantly impaired at .05 percent BAC.<sup>iii</sup> When behind the wheel of a car, driving skills are degraded resulting in reduced coordination, decreased ability to track moving objects, difficulty steering and diminished response to emergency driving situations.<sup>iv</sup> The risk of being killed in a single-vehicle crash with BACs of .05 to .079 percent is seven to 21 times higher than for drivers without measurable alcohol.<sup>v</sup>

In 2017, nearly 11,000 people died in crashes caused by impaired driving across the nation.<sup>vi</sup> According to 2010 NHTSA data, these tragic yet preventable crashes resulted in \$201 billion in comprehensive costs to society. Traffic crashes also impact businesses. Motor vehicle crashes cost U.S. employers up to \$47.4 billion annually in direct expenses. Drunk driving crashes cost employers \$6 billion each year. Nearly 83 percent of drunk driving costs to employers, \$5 billion, are due to “off the job” alcohol use.<sup>vii</sup>

Since the mid-1990s, the percentage of drunk driving fatalities has plateaued, indicating that progress has stagnated or even reversed.<sup>viii</sup> It is time to implement proven countermeasures that have yet to be widely employed in our nation but are strongly supported by the public.<sup>ix</sup> If all states adopted a .05 percent BAC or lower law, our nation would experience an 11 percent decline in fatal alcohol crashes and 1,790 lives would be saved.<sup>x</sup> A survey conducted by the AAA Foundation found that 63 percent of Americans support .05 percent BAC laws.<sup>xi</sup> A Texas Medical Center Health Policy Institute national poll found 55 percent of Americans approve lowering the BAC limit while driving to .05 percent (2018).<sup>xii</sup>

Reducing BAC limits does not discourage alcohol consumption.<sup>xiii</sup> It does deter deadly drinking and driving. Moreover, studies show that when states lowered their BAC limits from .10 to .08 percent, there were no adverse impacts on the operation of the criminal justice system. The data are clear, the lifesaving benefits are certain, the support is documented and the justification for action is compelling.

Oregon has proven itself a leader in adopting verified impaired driving countermeasures after becoming the second state to enact legislation lowering the BAC from .10 to .08 percent in 1983. Lowering BAC again will build on this past leadership and improve traffic safety. Each person killed in a preventable alcohol-related crash on Oregon roads forever changes the lives of families and communities.

We urge you to take this critical step to seriously address the death and injury toll of alcohol-impaired driving by advancing SB 7. Thank you for consideration of Advocates' views.

Sincerely,



Catherine Chase  
President

Additional organizations that recommend .05 percent BAC policy:

American Medical Association (AMA)  
Association for the Advancement of Automotive Medicine (AAAM)  
KidsAndCars.org  
Liam's Life Foundation  
Mothers Against Drunk Driving (MADD)  
National Academies of Sciences, Engineering and Medicine (NASEM)  
National Safety Council (NSC)  
National Transportation Safety Board (NTSB)  
World Health Organization (WHO)  
.05 Saves Lives Coalition

cc: Senate Committee on Judiciary Members

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<sup>i</sup> NTSB, *.05 BAC Safety Briefing Facts*, February 2017.

<sup>ii</sup> Fell, Jim C., Voas, Robert B, *The effectiveness of a 0.05 blood alcohol concentration (BAC) limit for driving in the United States*, Pacific Institute for Research and Evaluation. June 2014. Available at: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4448946/pdf/nihms692693.pdf>

<sup>iii</sup> Ibid.

<sup>iv</sup> MADD, *What is .08?* Available at: <http://www.madd.org/drunken-driving/about/understanding-08.html>

<sup>v</sup> 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.

<sup>vi</sup> NHTSA, *Alcohol Impaired Driving 2017 Data*, DOT HS 812 630, November 2018.

<sup>vii</sup> Network of Employers for Traffic Safety (NETS) *Cost of Motor Vehicle Crashes to Employers – 2015*, June 2016.

<sup>viii</sup> NASEM, *Getting To Zero Alcohol-Impaired Driving Fatalities - .05% BAC Safety Brief*, 2018.

<sup>ix</sup> 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.

<sup>x</sup> 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>

<sup>xi</sup> AAA 2014 *Impaired Driving Fact Sheet* Available at: <https://bit.ly/2zWoymq>.

<sup>xii</sup> Governing.com, *How Drunk Is Too Drunk to Drive?* October 2018. Available at: <https://bit.ly/2Et1r6C>.

<sup>xiii</sup> NTSB, *.05 BAC Safety Briefing Facts*, February 2017.