

## Lowering the legal blood alcohol concentration (BAC) limit for impaired driving: is it effective prevention?

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### ASK MPRC RESPONSE

#### **What does academic research say?**

The Pacific Institute for Research and Evaluation conducted a literature review on blood alcohol concentrations (BAC) and found “strong evidence” for states to lower the legal limit from 0.08 to 0.05 (Fell & Voas, 2014).

View the [research abstract here](#). For access to the full author’s manuscript, contact [info@mprcmn.org](mailto:info@mprcmn.org).

#### **What do public safety organizations and advocates say?**

The National Transportation Safety Board, an independent federal agency, recommends states lower the legal BAC level to 0.05.

Source: [NTSB 2017-2018 Most Wanted List of Transportation Safety Improvements](#)

Mothers Against Drunk Driving has identified five strategies, which does not include lowering the legal blood alcohol content level from .08. The changes recommended for the state of Minnesota are:

- Require ignition interlocks for all convicted DWI offenders with a blood alcohol content (BAC) of .08 or greater. *Minnesota law currently mandates ignition interlocks for all first time offenders with a BAC of .15 or greater.*
- Legalize sobriety checkpoints. *These have been ruled unconstitutional in Minnesota.*
- Enact a law which makes child endangerment a felony.

Source: [2018 Report to the Nation](#), see page 21.

#### **Have states taken any action on this issue?**

- **Utah:** The bill which reduces the legal BAC limit to 0.05 was signed by the governor on March 23, 2017. The law will take effect on December 30, 2018. Source: [H.B.155](#)
- **Washington:** [H.B. 1874](#) was introduced in February 2017 to lower the legal BAC level to 0.05. The bill was reintroduced in 2018 and retains its status from the previous session. There is not a companion bill in the Senate at this time.
- **Hawaii:** Bills have been filed in the House and Senate during the 2018 legislature. They propose BACs between .05-.08, “...be considered with other competent evidence in determining whether the defendant was under the influence of alcohol...” Source: [H.B. 2210](#), [S.B. 2841](#)

### ADDITIONAL INFORMATION

392 motor vehicle traffic fatalities occurred in Minnesota in 2016.

- 275 (60%) had no alcohol involved.
- 24 (6.1%) had drivers with a BAC of 0.01-0.07.
- 26 (6.6%) had drivers with a BAC of 0.08-0.14.
- 67 (17%) had drivers with a BAC of 0.15 and greater.

Source: [NHTSA Traffic Safety Facts: 2016 Data](#)



The Minnesota Prevention Resource Center (MPRC) works to enhance the capacity of substance abuse prevention professionals in Minnesota. MPRC often receives research questions and prepares in-depth answers. Many of these questions, such as the one found above, deserve to be shared widely and are published as part of this series.

**Do you have a question for MPRC? Email [info@mprc.org](mailto:info@mprc.org) or call 651-646-3005.**