



ADVOCATES
FOR HIGHWAY
& AUTO SAFETY



FOUNDATION

.05
SAVES LIVES

March 25, 2019

The Honorable Reginald Byron Jones-Sawyer Sr., Chair
The Honorable Tom Lackey, Vice Chair
Assembly Public Safety Committee
California State Legislature
Legislative Office Building
1020 N Street, Room 111
Sacramento, California 95814

Dear Chairman Jones-Sawyer and Vice Chairman Lackey:

As representatives of leading public health and safety organizations working to pass highway and auto safety laws that prevent unnecessary deaths and injuries and contain crash costs, we urge you to support Assembly Bill (AB) 1713. 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 California families. In 2017, there were 3,602 fatalities on the state's roads and thirty-seven percent of those deaths (1,316) were alcohol-related (National Highway Traffic Safety Administration (NHTSA)). Over the ten-year period from 2006 to 2015, 9,226 people were killed on California roads in crashes involving a drunk driver over the current limit of .08 percent BAC, according to NHTSA. Traffic crashes also cost California taxpayers nearly \$20 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 – California families and visitors.ⁱ

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.ⁱⁱ However, laboratory evidence found that most adults are significantly impaired at .05 percent BAC.ⁱⁱⁱ 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.^{iv} 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.^v

In 2017, nearly 11,000 people died in crashes caused by impaired driving across the nation.^{vi} According to 2010 NHTSA data, these tragic yet preventable crashes resulted in \$201 billion in comprehensive costs to society. And, 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.^{vii}

Since the mid-1990s, the plateauing percentage of all traffic fatalities due to drunk driving indicates that progress has stagnated and even reversed.^{viii} In 2016, if all drivers were below the legal limit, more than 7,000 deaths could have been prevented.^{ix} Progress to reduce drunk driving fatalities must be meaningfully continued, and .05 percent BAC laws are proven countermeasures that have yet to be widely employed in our nation.^x 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.^{xi} 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.

Now is the time to use all the tools in our safety toolbox to eradicate drunk driving, especially considering there is strong public support. A survey conducted by the AAA Foundation found that 63 percent of Americans support .05

percent BAC laws.^{xii} 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).^{xiii}

Reducing BAC limits does not discourage alcohol consumption.^{xiv} It does deter deadly drinking and driving. The data are clear, the lifesaving benefits are certain, the support is documented and the justification for action is compelling. Each person killed in a preventable alcohol-related crash on California's 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 AB 1713. Thank you for consideration of our views.

Sincerely,

Marcus Kowal and Mishel Eder, Co-founders
Liam's Life Foundation
Parents of Liam Mikael Kowal
Hawthorne, California

Rachel Davis, Executive Director
Prevention Institute
Oakland, California

Leah Shahum, Founder and Director
Vision Zero Network
San Francisco, California

Andrew McGuire, Executive Director
Trauma Foundation
Windsor, California

Larry Cohen, Founder
Prevention Institute
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Honorable T. Bella Dinh-Zarr, Former Vice Chair
National Transportation Safety Board
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Catherine Chase, President
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Dr. Stephen Hargarten, MD, MPH, Director
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Nick Smith, Interim President & CEO
National Safety Council

Natalie A. Draisin, Director
North American Office & United Nations Representative
FIA Foundation

Thomas M. Louizou, Former Regional Administrator
National Highway Traffic Safety Administration
Co-founder, .05 Saves Lives Coalition

Additional organizations that recommend .05 percent BAC Policy:

American Medical Association (AMA)
Association for the Advancement of Automotive Medicine (AAAM)
National Academies of Sciences, Engineering and Medicine (NASEM)
National Transportation Safety Board (NTSB)
World Health Organization (WHO)

ⁱ NTSB, .05 BAC Safety Briefing Facts, February 2017.

ⁱⁱ 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>

ⁱⁱⁱ Ibid.

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

^v 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.

^{vi} NHTSA, *Alcohol Impaired Driving 2017 Data*, DOT HS 812 630, November 2018.

^{vii} Network of Employers for Traffic Safety (NETS) *Cost of Motor Vehicle Crashes to Employers – 2015*, June 2016.

^{viii} NASEM, *Getting To Zero Alcohol-Impaired Driving Fatalities - .05% BAC Safety Brief*, 2018.

^{ix} Insurance Institute for Highway Safety (IIHS), Topics: Alcohol and Drugs web page.

^x 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.

^{xi} 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/2E5p1iq>

^{xii} AAA 2014 *Impaired Driving Fact Sheet* Available at: <https://bit.ly/2zWoymq>.

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

^{xiii} NTSB, .05 BAC Safety Briefing Facts, February 2017.