

# President Clinton's Directive



On March 3, 1998, more than 150 representatives of national organizations and highway safety partners convened at the White House to witness President Clinton address the Nation on setting new standards to prevent impaired driving. The President encouraged all Americans to do more to prevent the many tragic and unnecessary alcohol-related deaths and injuries that occur on our Nation's roads. The President called for the promotion of a national legal limit, under which it would be illegal *per se* to operate a motor vehicle with a blood alcohol content (BAC) of .08 or higher, across the country, including on Federal property.

President Clinton called on Congress to pass new impaired driving legislation that would apply the .08 BAC standard across the country. The President supported the "Safe and Sober Streets Act of 1997" sponsored by Senators Frank Lautenberg and Mike DeWine and Congresswoman Nita Lowey, which was passed by the Senate on March 4, 1998.

The President directed the Secretary of Transportation to work with Congress, other Federal agencies, the states, and other concerned safety groups to develop a plan to promote the adoption of a .08 BAC legal limit, at or above which it is unlawful *per se* to drive a motor vehicle. He further directed that the plan consider:

1. Setting a .08 BAC standard on Federal property, including in national parks and on Department of Defense installations, and ensuring strong enforcement and publicity of this standard;
2. Encouraging Tribal governments to adopt, enforce, and publicize a .08 BAC standard on highways in Indian Country that are subject to their jurisdiction; and
3. Developing an education campaign to help the public understand the risks associated with combining alcohol consumption and driving.

The National Highway Traffic Safety Administration (NHTSA), as the lead agency in developing the plan, solicited input from Congress, other Federal agencies, the states, and safety groups. The plan presented here is based on their input and on a solid foundation of research and experience.

This plan supports and draws from the *Partners in Progress: Impaired Driving Guide for Action* which established a national goal to reduce alcohol-related motor vehicle fatalities to 11,000 by the year 2005. *The Guide for Action* included a legislative strategy to establish a .08 BAC *per se* impaired driving offense. The plan also supports the multimodal transportation responsibilities of

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the U. S. Department of Transportation by creating the opportunity to establish a national .08 BAC standard for recreational boaters on our nation's waterways. The U. S. Coast Guard is taking the lead role in this effort.

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## Background

### Crashes Aren't Accidents

Fatal and non-fatal injuries in America, including traffic injuries, are not acts of fate, they are predictable and preventable. Injuries are a major health care problem and are the leading cause of death for people aged 1 to 42. Fatalities, however, are only a small part of the total injury picture. For each injury-related death, there are 19 hospitalizations for injury and another 300 injuries that require medical attention. Every year, one in four Americans will have a potentially preventable injury serious enough to require medical care. These injuries account for almost 10 percent of all physician office visits and 38 percent of all hospital emergency department visits. Injuries pose a significant drain on the health care system, incurring huge treatment, acute care, and rehabilitation costs.

Each year, traffic crashes in the United States claim about 42,000 lives and cost Americans more than \$150 billion in economic costs, including \$19 billion in medical and emergency expenses, \$42 billion in lost productivity, and \$52 billion in property damage, and \$37 billion in other crash related costs. Alcohol-related crashes cost society more than \$45 billion every year, accounting for 30% of all crash costs. Traffic injuries are the leading cause of all deaths for people ages 6 to 27. They also are the leading cause of on-the-job fatalities and the third leading cause of death for all Americans; only cancer and heart attacks claim more American lives. However, far more people are injured and survive motor vehicle crashes than die in these crashes. In 1997, for example, while 42,065 people were killed in traffic crashes, more than 3.5 million people were injured in documented police-reported crashes. Non-fatal injuries cost society far more in health care expenses and rehabilitation than fatalities.

Traffic crashes aren't accidents. They are both predictable and preventable. The best ways to prevent traffic injuries and fatalities are not to combine alcohol with driving and to always buckle up.

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## Overview of the Problem

Impaired driving is the most frequently committed violent crime in America. Every 30 minutes, someone in this country dies in an alcohol-related crash. In the time it takes you to read through this plan, someone else will die needlessly and violently on a street or highway.

For many years, we have made good progress. Due to the tireless efforts of many organizations and citizens around the country, alcohol-related traffic deaths have decreased significantly. In the last decade, alcohol-related fatalities dropped from 24,050 in 1986 to 16,189 in 1997, according to NHTSA. This 32% drop in alcohol-related deaths is generally attributed to: 1) stronger laws; 2) tougher enforcement and adjudication; and 3) more effective public education.

Americans understand the impaired driving problem, societal norms have changed, fewer people are driving after drinking, and more are getting caught when they do. And equally important, Americans support the enforcement of these laws and swift and fair sentencing for offenders.

Unfortunately, significant reductions must be reached to achieve the year 2005 goal of reducing alcohol-related fatalities to 11,000. Fatalities in alcohol-related crashes rose by 4% from 1994 to 1995, the first increase in a decade. In 1997, 38.6% of the 42,065 motor vehicle crash deaths were attributed to alcohol use. For youth aged 15-20, alcohol-related fatalities decreased by about 5% in 1997. Compared to crime, one traffic fatality occurs every 13 minutes while a murder occurs every 27 minutes. One traffic-related injury happens every 9 seconds while an aggravated assault occurs every 31 seconds.

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Over the past three years (1994-1996), a total of 354 traffic fatalities have occurred on Federal properties (national parks, military bases, and other Federal lands). A substantial proportion of those crashes were alcohol-related (41%) resulting in 144 fatalities. A .08 BAC law on Federal lands has the potential of reducing that number in the future. Alcohol is the single greatest factor in motor vehicle deaths and injuries, and it's a deadly involvement. Only 4% of all crashes involve the use of alcohol, but 39% of fatal crashes do. With 16,189 deaths in one year, there are thousands too many grieving families. In addition to these tragic deaths, one million people are injured in alcohol-related traffic crashes annually. For Native Americans, alcohol-related crashes and injuries are two to three times higher than for other Americans. An estimated seventy-five percent of all motor vehicle deaths involving Native Americans are alcohol-related.

These are not just statistics. The people involved in these crashes have names and faces. One of the many, many tragic stories is that of Ashley Frazier, the nine year old daughter of Brenda and Randy Frazier of Westminster, Maryland. On December 22, 1995, Ashley was struck and killed by a drunk driver while waiting for her school bus at 8:20 a.m. The driver had a blood alcohol concentration of .08. Speaking at the White House event on March 3, Brenda Frazier recounted the horror of watching as her daughter was struck and killed. ? There is no one that will ever convince me that .08 is not serious impairment. My eyes have seen it, my ears have heard it, and for the rest of my life proof will remain etched in my mind.?

## What is .08 BAC?

### Measuring Impairment

The amount of alcohol in a person's body is measured by the weight of the alcohol in a certain volume of blood. This is called the blood alcohol concentration or BAC. BAC measurements provide an objective way to identify levels of impairment, because alcohol concentration in the body is directly related to impairment.

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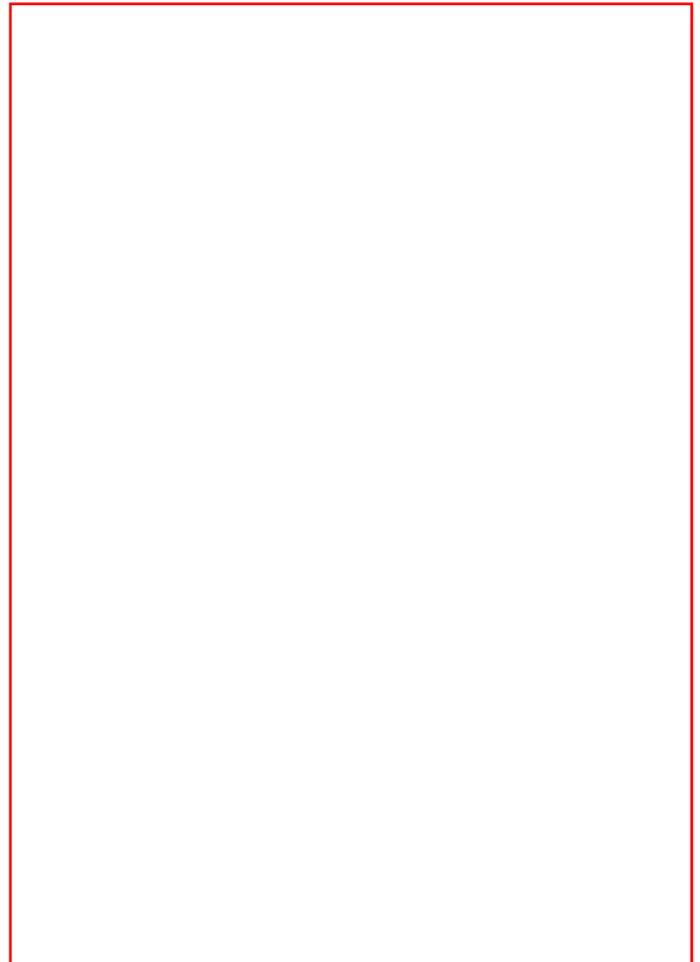
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The BAC measurement is expressed as grams per deciliter (g/dl) of blood, and in most states a person is considered legally intoxicated if his or her BAC is .10 g/dl or greater. Breath testing is the primary method used by law enforcement agencies for measuring BACs. At the time of the first face-to-face contact with a suspected impaired driver, techniques for detecting whether alcohol is present or absent can be performed easily by law enforcement officers during roadside stops using hand-held passive alcohol sensors. Use of these devices is non-invasive and can even be performed while the person is still in his or her vehicle.

NHTSA tests evidential breath testing equipment for precision and accuracy. Devices on NHTSA's Conforming Products List meet the agency's model specifications and are accurate within plus or minus .005 BAC of the true value.

### The Effect of Alcohol on Ability

With each drink consumed, a person's blood alcohol concentration increases. Although outward appearances vary, virtually all drivers are substantially impaired at .08 BAC. Laboratory and on-road research shows that the vast majority of drivers, even experienced drivers, are significantly impaired at .08 with regard to critical driving tasks such as braking, steering, lane changing, judgment and divided attention. Decrements in performance for drivers at .08 BAC are on the order of 40-60% worse than when they are at .00 BAC. Research findings suggest that the most crucial aspect of impairment is the reduction in the ability to handle several tasks at once. This skill is precisely what



driving a motor vehicle requires.

The risk of being in a motor vehicle crash also increases as the BAC level rises. The risk of being in a crash rises gradually with each BAC level, but then rises very rapidly after a driver reaches or exceeds .08 BAC compared to drivers with no alcohol in their system. Research by the Insurance Institute for Highway Safety indicates that the relative risk of being killed in a single vehicle crash for drivers at BACs between .05 and .09 is 11 times that of drivers with no alcohol in their system.

## The Science Behind the Case for .08

Setting the BAC limit at .08 is a reasonable response to the problem of impaired driving. The effect of California's .08 law was analyzed by NHTSA. The agency found that 81% of the driving population knew that the BAC limit was stricter (from a successful public education effort). The state experienced a 12% reduction in alcohol-related fatalities, although some of this can be credited to the new administrative license revocation law, which was enacted during the year that the BAC standard was lowered. The state also experienced an increase in DUI arrests.

A multi-state analysis of the effect of lowering BAC levels to .08 was conducted by Boston University's School of Public Health. The results of that study were reported in the September 1996 issue of the American Journal of Public Health, a peer-reviewed journal.

The Boston University study compared the first five states to lower their BAC limit to .08 (California, Maine, Oregon, Utah, and Vermont) with five nearby states that retained the .10 limit. The results of this study suggest .08 laws, particularly in combination with administrative license revocation, reduce the proportion of fatal crashes involving drivers and fatally injured drivers at blood alcohol levels of .08 and higher by 16% and those at BAC of .15 and greater by 18%.

The immediate significance of these findings is that, not only did the .08 BAC

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laws, particularly in combination with administrative license revocation, reduce the overall incidence of alcohol fatalities, but they also reduced fatalities at the higher BAC levels. The effect on the number of extremely impaired drivers was even greater than the overall effect.

The study concluded that if all states lowered their BAC limits to .08, alcohol-related highway deaths would decrease by 500-600 per year which would result in an economic cost savings of about \$1.5 billion. Reducing deaths by 500 each year to the year 2005 would result in a decrease in alcohol-related fatalities to about 13,200, just by passing .08 laws.

In a NHTSA analysis of these five states, six different measures of driver alcohol involvement in fatal crashes were examined for changes between the time period before the .08 law was passed compared to the time period after passage of the law for each state. A total of thirty comparisons of the level of driver alcohol involvement were made. Nine of the thirty comparisons (in four of the five states) were found to be statistically significant decreases. An additional 16 comparisons, while not statistically significant, also showed decreases. None of the comparisons for the rest of the nation (states at .10 BAC) were found to be statistically significant.

All of the published studies so far on the effects of .08 show significant decreases in alcohol-related fatalities using various measures. The public supports a .08 BAC level. NHTSA surveys all show that most people would not drive after consuming two or three drinks in an hour. Three recent scientific telephone polls indicate that 2 out of every 3 Americans think the BAC standard should be lowered to .08.

Most other industrialized nations have set BAC limits at .08 or lower and have had these laws in place for many years. For example, Canada, Great Britain, Austria, Germany, New Zealand, and Switzerland each have adopted a legal limit of .08 BAC. All of the states in Australia have a limit of .05 BAC, along with countries such as France and Belgium. Sweden set its limit at .02 BAC. The European Union is urging all of its 18 member countries to adopt a uniform .05 BAC limit.



# Most Frequently Asked Questions on Lowering the Illegal BAC Limit to *.08 Per Se*

## Question

**Is there evidence that lowering the illegal limit from .10 BAC to .08 BAC has been effective in reducing alcohol-related crashes?**

## Answer

Four studies to date have evaluated the effects of .08 BAC laws in the U.S. Each study has shown that lowering the illegal BAC limit to .08 was associated with significant reductions in alcohol-related fatal crashes. These reductions ranged from 4-7% in some studies up to 16-18% in a more recent study. Two of the studies were sponsored by NHTSA.

## Question

**Doesn't a .08 law target social drinkers instead of the high - BAC alcohol abuser?**

## Answer

.08 is not social drinking. It takes quite a bit of alcohol for one to reach a .08 BAC - over 4 cans of beer consumed in one hour on an empty stomach for a typical 170 lb male; 3 beers for a 137 lb female.

Studies also show that .08 BAC laws affect all drinking drivers, both those who reach very high BACs (.15 BAC or greater) and those who reach lower BACs.

## Question

**Under a .08 law, wouldn't a 120 lb woman who has two glasses of wine in a two hour period reach .08 BAC and be subject to arrest, fines, jail, higher insurance rates and license revocation if pulled over at a sobriety checkpoint??**

## Answer

It is possible, but not probable. The two glasses of wine referred to would be 6

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oz of wine with 13% alcohol. This is equivalent to almost three cans of regular beer with 5% alcohol. This would be on an empty stomach. If this woman is eating or has food in her stomach, it would take more drinks to reach .08 BAC. But, no matter how many drinks it takes to reach .08 BAC, everyone is impaired with regard to critical driving tasks at this level??even experienced drinkers. These include braking, steering, lane changing, judgment and divided attention.

## Question

**Won't a .08 BAC law diminish efforts to deal with the real problem ?? the hard core drinking drivers with very high BACs?**

## Answer

While .08 BAC laws result in a slight increase in DWI arrests, there is no evidence that .08 BAC laws overburden the police or clog up the courts with DWI cases.

NHTSA continues to attack the impaired driving problem from all angles. A .08 BAC law is just one of many laws and programs that NHTSA is encouraging states to adopt.

Other legislation that NHTSA promotes include zero tolerance (.02 BAC) laws for drivers under age 21, administrative license revocation laws to ensure swift punishment for DWI, graduated licensing programs for new drivers, and various vehicle sanctions for repeat DWI offenders.

In the area of enforcement, NHTSA promotes the use of sobriety checkpoints and saturation patrols to catch impaired drivers, training for police on standardized field sobriety testing, and increased enforcement of underage drinking and driving.

NHTSA also encourages responsible alcohol service programs, which have the potential of preventing intoxicated patrons from driving.

NHTSA spends substantial time and energy promoting all of the above.

## Question

**Instead of lowering the illegal BAC limit from .10 BAC to .08 BAC, why not adopt more severe sanctions for drivers with high BAC levels (e.g. those at .15 or .20 and higher)? These are the majority of drinking drivers arrested and involved in fatal crashes.**

## Answer

Some states, such as Florida, use both systems. Florida lowered its per se BAC

limit to .08 on January 1, 1994. For many years, Florida has had mandatory minimum jail sentences and fines for drivers convicted of DWI at BAC = .15 or greater. These "mandatory minimums" do not apply to drivers under .15 BAC. Both laws are rational and make sense.

It should not be "one or the other," but can be both. There is evidence that a .08 standard reduces alcohol-related fatalities and affects drivers at all BAC levels. It also appears that various vehicle sanctions (immobilization, impoundment, forfeiture) may be effective on the alcohol abusing repeat DWI offenders.

### Question

Isn't .08 BAC just the first step in a process to lower the illegal limit even further?

### Answer

NHTSA believes that a .08 limit is practical, rational and acceptable to the public. Until there is substantial new evidence, NHTSA has no plans to recommend limits lower than .08 for adults, except for commercial drivers (where the national standard is already .04) and for drivers under age 21 where NHTSA recommends zero tolerance (.02 or lower).

## Key Laws That Every State Needs *Per Se*

There are four key laws that have been proven effective in the fight against impaired driving. It is important to understand what each one is and how it works, both alone and together with other laws.

### Illegal *per se*

An illegal *per se* law makes it illegal in and of itself to drive with an alcohol concentration measured at or above the established legal level. Forty-eight states and D.C. have established a *per se* law. In 32 of those states, the legal limit is .10 blood alcohol concentration (BAC) *per se*. That means it is against the law to drive a motor vehicle if you have a BAC of .10 or more, without having to prove intoxication. Sixteen states have established .08 BAC as the legal limit.

### Illegal *per se* at .08 BAC

An illegal *per se* law at .08 BAC establishes a lower level at which all drivers are deemed to have violated the state's driving while intoxicated law. Lowering the BAC limit to .08 sets the legal limit at a point at which driving skills are proven to be compromised. At .08 BAC, all drivers, even experienced ones, show impairment in driving ability. For the great majority, there is serious deterioration in driving performance at .08 BAC. Although virtually all highway safety groups and transportation safety agencies support .08 BAC, only 16 states have adopted such laws, to date.

### Zero Tolerance

Zero tolerance laws make it illegal for drivers under age 21 to drive with any measurable amount of alcohol in their system, regardless of the BAC limit for older drivers. Since it is illegal in every state for those under 21 to purchase or publicly possess alcoholic beverages, it makes sense that no amount of alcohol should be tolerated for drivers under that age. This is especially true when one considers that younger drivers' lack of experience both in driving and dealing with the effects of alcohol makes them even more dangerous at lower blood alcohol levels than older, experienced drivers. Recent Federal legislation required all states to enact zero tolerance laws for youth by October 1, 1998, or be subject to Federal sanctions. All fifty states, plus D.C., now have zero tolerance laws.

### Administrative License Revocation (ALR)

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An ALR law gives state officials the authority to suspend administratively the license of any driver who fails or refuses to take a BAC test. Notice of the suspension is given immediately, although a temporary permit is usually issued. The permit is valid for 7-45 days, depending on the state. During that time, the accused person can appeal through administrative channels. If no appeal is filed, the license is suspended automatically for a prescribed period of time. Suspensions range from seven days to six months for first-time offenders, depending on the state, and are longer for repeat offenders. Currently, 40 states and D.C. have ALR laws.

### **STATE LAWS CONCERNING DRIVING WHILE IMPAIRED**

<b>STATE</b>	<b>ALR</b>	<b>ZERO TOLERANCE</b>	<b>.08 BAC</b>	<b>Illegal Per Se</b>
Alabama	?	?	?	?
Alaska	?	?		?
Arizona	?	?		?
Arkansas	?	?		?
California	?	?	?	?
Colorado	?	?		?
Connecticut	?	?		?
Delaware	?	?		?
Dist. of Col.	?	?		?
Florida	?	?	?	?
Georgia	?	?		?
Hawaii	?	?	?	?
Idaho	?	?	?	?
Illinois	?	?	?	?
Indiana	?	?		?
Iowa	?	?		?
Kansas	?	?	?	?
Kentucky		?		?

Louisiana	?	?		?
Maine	?	?	?	?
Maryland	?	?		?
Massachusetts	?	?		
Michigan		?		?
Minnesota	?	?		?
Mississippi	?	?		?
Missouri	?	?		?
Montana		?		?
Nebraska	?	?		?
Nevada	?	?		?
New Hampshire	?	?	?	?
New Jersey		?		?
New Mexico	?	?	?	?
New York		?		?
North Carolina	?	?	?	?
North Dakota		?		?
Ohio		?		?
Oklahoma		?		?
Oregon	?	?	?	?
Pennsylvania		?		?
Rhode Island		?		?
South Carolina		?		
South Dakota		?		?
Tennessee		?		?
Texas	?	?		?
Utah	?	?	?	?

Vermont	?	?	?	?
Virginia	?	?	?	?
Washington	?	?	?	?
West Virginia	?	?		?
Wisconsin	?	?		?
Wyoming	?	?		?
<b>TOTAL USA</b>	<b>40 plus DC</b>	<b>50 plus DC</b>	<b>16</b>	<b>48 plus DC</b>

# Federal Legislative Programs Designed to Encourage Enactment of State Impaired Driving Laws

Congress has demonstrated its concern about the national impaired driving problem and its interest in encouraging states to enact impaired driving laws. This bipartisan Congressional support has been longstanding. To encourage the enactment of illegal *per se*, .08 BAC, zero tolerance and administrative license revocation (ALR) laws, Congress has established the following Federal programs:

## Section 408 and Section 410 Programs

NHTSA's Section 410 program was created by Congress in 1988. Its predecessor, the Section 408 program, was created by Congress in 1982. Both programs were designed by Congress to encourage states to enact strong and effective impaired driving laws.

They both offered incentive grants. States qualified for basic and supplemental incentive grant funds by adopting and implementing comprehensive drunk and drugged driving prevention programs.

To qualify for a basic grant under the Section 408 program, states were required to meet four criteria, including the establishment of a "prompt" suspension program for drivers who fail or refuse to submit to a chemical test for alcohol and the enactment of a .10 BAC *per se* law. States that qualified for basic grant funds could qualify for supplemental grants based on additional criteria, including the enactment of a .08 BAC *per se* law.

To qualify for a basic grant under the Section 410 program, states were required to meet five out of seven criteria. Three of these criteria were: establishing an administrative license suspension or revocation (ALR) system for impaired drivers; enactment of a .02 BAC *per se* law for drivers under the age of 21 (zero tolerance law) and enactment of a *per se* law for all drivers. To qualify under the *per se* law criterion for all drivers during the first three years that a state received section 410 basic grant funding, the legal limit had to be set at .10 BAC or lower.

To qualify under that criterion during subsequent years, the legal limit in the state had to be .08 BAC. States that set the legal limit at .08 BAC during the first three years of section 410 basic grant funding were eligible for additional supplemental grant funds. Thirty-eight states qualified for incentive grants under the Section 410 program in 1997 and in 1998.

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## Zero Tolerance Program

In June 1995, in a weekly radio address, President Clinton called on Congress to make "zero tolerance" the law of the land, prohibiting persons under the age of 21 from driving with any measurable alcohol in their system. Congress acted in November 1995, and established the Federal Zero Tolerance program, requiring the withholding of certain Federal-aid highway funds from states that do not enact and enforce "zero tolerance" laws.

To avoid the withholding of funds, states must enact and enforce zero tolerance laws by October 1, 1998, that: set .02 percent BAC as the legal limit for all persons under the age of 21; make .02 a *per se* offense (without having to prove intoxication); provide for primary enforcement; and authorize license suspensions or revocations for any violation of the state zero tolerance law.

At the time of the President's June 1995 radio address, 24 states and the District of Columbia had zero tolerance laws (although three of these state laws did not fully conform with the Federal zero tolerance requirements). Today, the remaining 26 states have enacted zero tolerance laws.

## Safe and Sober Streets Act of 1997

On March 3, 1998, President Clinton encouraged Congress to enact legislation as soon as possible to help ensure state passage of .08 BAC laws. On March 4, the U.S. Senate passed "The Safe and Sober Streets Act of 1997," which had been introduced by Senator Frank Lautenberg (D-NJ) and Senator Mike DeWine (R-OH). Similar legislation was introduced in the U.S. House of Representatives by Rep. Nita Lowey (D-NY).

The Safe and Sober Streets Act would have required the withholding of certain Federal-aid highway funds from states that do not enact and enforce a .08 *per se* law. To avoid the withholding of funds, states would have been required to enact and enforce a .08 BAC *per se* law by October 1, 2001.

## TEA 21

On May 22, 1998, Congress passed H.R. 2400, the Transportation Equity Act for the 21st Century (TEA 21), authorizing highway, highway safety, transit and other programs for the next six years. TEA 21 did not establish .08 BAC as the standard for impaired driving nationwide. It did, however, provide \$500 million of incentive grants over 6 years to states that have enacted and are enforcing a .08 BAC *per se* law. These grants are to be based on what a state receives under NHTSA's State and Community Highway Safety Formula Grant Program, under Section 402 of title 23, U.S. Code. The grant funds may be used for any project eligible under title 23, which may include highway construction as well as highway safety projects. President Clinton signed TEA 21 into law on June 9, 1998 (P.L. 105-178).



# Impaired Driving Restrictions on Federal Property

In an Executive Memorandum, issued on March 3, 1998, President Clinton directed the Secretary of Transportation to develop a plan that promotes the adoption of a .08 BAC legal limit. In particular, the memorandum directed the Secretary to consider in his plan setting, enforcing and publicizing a .08 BAC standard on Federal property (specifically in national parks and on Department of Defense installations) and encouraging Tribal governments to adopt, enforce and publicize a .08 BAC standard on highways in Indian Country that are subject to their jurisdiction.

## National Parks

The National Park Service (NPS), Department of the Interior (DOI), is authorized to establish rules and regulations governing the use and management of parks, monuments and reservations under its jurisdiction. 16 U.S.C. 3.

Under this authority, NPS has issued vehicle and traffic regulations. 36 CFR Part 4. Subsection 4.23(a)(2) of these regulations establishes .10 BAC as the *per se* legal limit for drivers who operate a vehicle on roadways or in parking areas within all park areas that are open to public traffic and that are under the legislative jurisdiction of the United States.

The regulation provides further that, "if state law ... establishes more restrictive limits of alcohol concentration in the operator's blood or breath, those limits supersede the limits specified in this paragraph." In other words, in park areas in states that have established .08 BAC as the legal limit, drivers are prohibited from operating a vehicle with a BAC of .08 or higher. In all other park areas (including those in states that have not adopted a *per se* statute), drivers are currently subject to the .10 BAC *per se* requirement.

Pursuant to the Presidential directive dated March 3, 1998, NHTSA has worked with NPS to promote the adoption of a national .08 BAC legal limit. In accordance with the directive, NPS has initiated plans to conduct rulemaking to amend its regulation to lower the legal limit in park areas from .10 BAC to .08 BAC.

## Department of Defense Installations

The Department of Defense (DoD) has jurisdiction over DoD installations. 10 U.S.C. 113; 30112(g).

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Under this authority, DoD has issued DoD Directive 101.7 establishing DoD policy regarding drunk and drugged driving. Under the Directive, which applies to and must be implemented by all DoD services, it is unlawful to operate a motor vehicle with a BAC of .10 or higher on a military installation or in an area where traffic operations are under military supervision. This policy has been adopted in 32 CFR Part 634.

Operating a motor vehicle with a BAC of .10 is a violation also under the Uniform Code of Military Justice (UCMJ), 10 U.S.C. § 911, and the consequences of such a violation by DoD personnel are extremely severe. In addition to losing driving privileges, personnel can be disciplined, by nonjudicial punishment or court martial. Punishments can involve loss of pay, demotions, correctional custody and even confinement, if appropriate. Such a violation can end the career of an officer.

DoD Directive 5525.4 governs traffic laws and regulations applicable to any individual who operates a vehicle on a DoD installation by assimilating state laws.

Pursuant to the Presidential directive dated March 3, 1998, NHTSA has worked with DoD to promote the adoption of a national .08 BAC legal limit. In accordance with the directive, DoD has initiated plans to amend all applicable DoD Directives and regulations to lower the legal limit on DoD installations from .10 BAC to .08 BAC. In addition, DoD's Joint Service Committee on Military Justice has initiated plans to propose that the legal limit in the UCMJ be lowered from .10 BAC to .08 BAC. This would require Congressional action.

## Other Federal Property

There are other Federal agencies that administer and have Federal law enforcement jurisdiction over additional types of Federal property. For example, the Bureau of Land Management (BLM), Department of the Interior (DOI), has jurisdiction over public lands in the United States and the U.S. Forest Service (USFS), Department of Agriculture (USDA), has jurisdiction over National Forest System lands.

Pursuant to the Presidential directive dated March 3, 1998, NHTSA has worked with the BLM and the USFS to determine whether a national .08 BAC legal limit should be adopted for the Federal properties they administer and over which they have Federal law enforcement jurisdiction.

There are conditions, however, that apply to these Federal properties that are different from those that apply to national parks and DoD installations, and some of these conditions make it impractical to adopt a national BAC legal limit that is different from the legal limit established by state law.

For example, the public and National Forest System lands administered by BLM and USFS have land ownership patterns that tend to be scattered with private and other ownership lands, and there are often no clearly definable boundaries.

A common pattern among BLM lands and some areas of National Forest System lands is known as a "checkerboard," where every other (one square mile) section of land is privately owned, and the intervening sections of land are Federal. If different BAC standards were to apply to the Federal and surrounding non-Federal lands, drivers would be subject to different legal limits every time they traversed another mile and crossed another unmarked boundary. In addition, BLM has granted various rights-of-way and easements on public lands, resulting in the placement of state and local highways and roads through or over pieces of Federal property. State and local law enforcement officials have primary jurisdiction over some of these roads. Because of these conditions, Congress established a specific intent clause for BLM regulations, under which criminal penalties are imposed only if there is a "knowing and willful" violation.

For these reasons, BLM and the USFS have no immediate plans to adopt a legal limit on public lands or National Forest System lands that differs from the legal limits established by state law. However, these agencies plan to explore other ways to further the purposes of this initiative, such as by continuing to actively cooperate with state and local law enforcement agencies in the enforcement of state impaired driving laws and applicable Federal regulations, by publicizing existing state and Federal laws, and providing additional impaired driving enforcement training to their law enforcement officers.

## Indian Country

Indian tribes, as domestic dependent sovereigns, possess the right of self-government, including the ability to enact their own laws relating to impaired driving and the responsibility for enforcing them. Because of the complex jurisdictional scheme in much of Indian Country, however, the enforcement of traffic offenses, especially against non-Indians, poses some distinct challenges. In Indian Country, a criminal offense can, depending on the circumstances, be under the jurisdiction of either the Federal, state, or Tribal government, or some combination thereof. Three factors influence these jurisdictional determinations: location of offense, nature of offense, and status of the parties (Indian or non-Indian).

Roads in Indian Country are subject to extensive traffic, including resident and transient non-Indian populations. Enforcement of offenses by non-Indians in Indian Country is complicated by the fact that Indian tribes generally lack criminal jurisdiction over non-Indians, according to Supreme Court precedent. The use of cross-deputization and inter-governmental agreements facilitates the effective prosecution of non-Indians in Indian Country.

In December 1995, the Indian Health Service published an updated Inventory of Tribal Traffic Laws based on self-reported information provided by Tribal governments throughout the United States. According to this Inventory, the vast majority of Tribes have *per se* drunk driving laws. The Inventory does not list, however, the BAC level above which it is illegal to drive. One Tribe did indicate that its law applied to .08 BAC (Tesuque Pueblo, in New Mexico).

Pursuant to the Presidential directive dated March 3, 1998, NHTSA has worked with the Bureau of Indian Affairs (BIA), Department of the Interior (DOI), and with the Indian Health Service (IHS), Department of Health and Human Services, regarding the plans of these agencies to encourage the adoption of a .08 BAC legal limit on highways in Indian Country. In accordance with the directive, BIA and IHS plan to work with Indian tribes on a government-to-government basis to encourage the adoption, enforcement and publicity of a .08 BAC legal standard.

## Waterways

The effects of alcohol consumption on safety is also a problem on the water. The U.S. Coast Guard estimates that 50% of all recreational boating casualties involve the use of alcohol.

Furthermore, Coast Guard research has determined that the effects of the use of alcohol are magnified on the water due to the stressors inherent in operating in the marine environment, including vibration, noise, wind, sun and glare. Currently, there are eighteen states that have adopted .08 BAC as their legal limit for recreational boaters, but the Federal standard remains at .10 BAC. The U.S. Coast Guard is providing leadership and taking steps to establish a .08 BAC standard on our Nation's waters to reduce the number of alcohol-related recreational boating casualties.

## Taking Responsibility

In this partnership to promote the enactment and enforcement of .08 BAC laws and to educate the public about impaired driving, the Federal Government has a role to play. It can develop the "tools" for this collective effort, help establish new partnerships, provide incentive grants, give hands-on assistance when requested, provide research studies, and furnish examples of model programs that work and that can be replicated nationwide. However, to be successful, it will take initiative and the collective ideas of many agencies, organizations and individuals.

Everyone in America can participate in this national effort to save lives and prevent injuries from alcohol-related motor vehicle crashes. While it is ultimately the responsibility of the individual not to get behind the wheel if impaired by alcohol, there is also a role for many groups and organizations, both public and private, to provide the tools to help with the impaired driving problem, particularly the enactment of .08 BAC laws and the supporting education. Listed below are examples of key partners and some of the contributions they can make.

### President

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As the nation's Chief Executive, the President can and has provided overall leadership for support of .08 BAC limits. He can bring together leaders of the public and private sectors, media, national organizations, and others to concentrate their energy and resources toward a single goal and mission. The President can urge Congress to support and fund policies to reduce the BAC level nationwide to .08 BAC and support educational campaigns.

### Congress

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The Senate and House of Representatives can enact legislation that establishes .08 BAC as the standard for impaired driving nationwide; enact legislation that strongly encourages states to enact other effective laws and to develop effective programs to combat impaired driving; and fund the impaired driving portions of TEA 21 in fiscal year 1999 and in future fiscal years, in accordance with the Department of Transportation's budget requests for those fiscal years, to ensure the proper implementation of the impaired driving provisions of this landmark legislation.

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## DOT Secretary

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The Secretary of Transportation can provide vision and administer overall impaired driving programs, including new programs addressing .08 BAC limits; dedicate staff for program development, implementation, and evaluation; provide funding to states (under the Highway Safety Act of 1996, as amended, 23 U.S.C. Sections 402 and 403); promote public/private partnerships; support national public education campaigns under the Partners in Progress initiative; provide leadership to other Federal agencies; work with Tribal governments; and work to keep the issue in the public eye. The Secretary can also support efforts to strengthen enforcement of boating under the influence laws.

## Federal Agencies

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The Department of Defense can establish, actively enforce and publicize an .08 standard on military installations; the Department of the Interior can establish, actively enforce and publicize a .08 BAC standard in national parks; and the Interior and Health and Human Services Departments can work with other interested agencies to encourage Tribal governments to establish a .08 BAC standard on Tribal lands. The Interior and Agriculture Departments can actively enforce and publicize efforts to deter impaired driving on public and National Forest System lands.

## States, Communities, and Tribal Nations

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States, communities, and Tribal Nations can build partnerships and develop strategies to pass and visibly enforce impaired driving laws. States, communities, and Tribal governments can support and coordinate public education campaigns related to impaired driving and .08 BAC issues. Links to Safe Communities can expand the network of support for impaired driving initiatives. Tribes can work in concert with local jurisdictions on impaired driving initiatives such as sobriety checkpoints and saturation patrols.

## National Organizations and Coalitions

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Groups representing advocacy, public health, medical, law enforcement, highway safety, professional, trade, judges, and elected officials can provide valuable technical assistance and resources. They can build constituent efforts and partnerships, advocate for .08 BAC laws and increased enforcement of

those laws, and provide education at the state and community level.

The strong support of law enforcement agencies nationwide is essential for success. Law enforcement leadership must encourage and be supportive of officers enforcing impaired driving laws. The public must be supportive of law enforcement officers.

Many businesses have already established alcohol policies for their employees. Businesses, particularly those employing young people, can promote prevention messages through a wide variety of strategies and are an essential partner in collective efforts. In return, establishments benefit from responsible alcohol policies through reduced costs and liability exposure.

Physicians, nurses, and other medical, emergency, and health care professionals add their unique perspective to the problem as they see first hand the results of impaired driving. They can use their experience, knowledge, and professional reputations to educate Congress, state legislators and other elected officials, the media, patients, and the general public about the dangers of combining alcohol and driving and about impairment at low BAC levels.

The judicial system is an integral part of sentencing and treating impaired drivers. The court system must support law enforcement officers who arrest individuals for driving under the influence. As officers of the court, prosecutors and judges can send a firm message to the public that driving under the influence of alcohol or other drugs will be prosecuted and sentenced.

## Media

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The media and other public and private communication outlets have made the public aware of the dangers of drinking and driving and can assist in changing behaviors. One of the most successful media campaigns has been the "Friends Don't Let Friends Drink and Drive" campaign. The media can highlight the thousands of people killed each year in alcohol-related crashes and publicize state and local law enforcement efforts.

All these partners have a role in educating the citizens of this country, but ultimately it is the individual's responsibility to comply with laws and take measures to prevent impaired driving.

# The Four Point Plan

## The National Plan

The National Plan presents a collaborative, cooperative four point approach to establish a national blood alcohol concentration (BAC) standard at .08 and educate the public about the risks associated with combining alcohol and driving. The plan also supports the broad national goal, identified in the *Partners in Progress: An Impaired Driving Guide to Action*, to reduce alcohol-related motor vehicle fatalities to 11,000 by the year 2005. Individuals must take responsibility for themselves and for their family, friends, and colleagues. It will, however, take the collective efforts of many people and many organizations to ensure that every person in America has the knowledge and tools to make the right choice and to take personal responsibility. The National Plan has a role for everyone and builds on the considerable activities, funding, and resources already committed by states and many different organizations related to .08 BAC and public education efforts.

## The Four Point Plan

This plan has four key elements that, when implemented together, can be effective in addressing the impaired driving problem in America. We must:

- **enact strong legislation (.08 BAC)**
- **develop effective public education programs**
- **embrace active, high visibility law enforcement**
- **build public-private partnerships**

The successes of the past two decades can be attributed to all of these factors combining to change people's behavior. We have made some real progress, thanks to grassroots organizations, citizen activities, national highway safety and public health groups, concerned legislators and other elected leaders, involved industries and millions of people with plain old common sense.

### Point 1

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The key component of the National Plan is for states and Tribal governments to

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**enact strong legislation** by adopting .08 BAC as the law. Currently, only 16 states have adopted .08 BAC as the legal limit for defining intoxication for all drivers, despite overwhelming evidence that the laws work. There was a 12 percent reduction in alcohol-related fatalities in California in 1990, the year a .08 BAC per se law and an administrative license revocation law went into effect. The decrease in alcohol-related fatalities occurred at both high and low BAC levels, even drivers with BACs of .20 or greater. Strong legislation means that the .08 BAC law is a per se law and applies to all drivers. Coalitions at the state and local level, with clearly articulated strategies, can be very effective in passing impaired driving legislation.

## Point 2

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The second component of the National Plan is to **expand effective public education** on impaired driving issues. In a poll conducted for Mothers Against Drunk Driving, the Gallup Organization found that the vast majority of the American public considers drunk driving a major highway safety problem, and most support tough laws and sanctions to reduce impaired driving.

Public education may include a broad range of activities such as high visibility enforcement campaigns, promotional events, and community-based initiatives, but these activities must be well planned and well coordinated. The challenge for .08 BAC supporters is to help people make a connection between their own common sense and the public policy that would define impaired driving as .08 BAC. Clearly, the more people who know about the problem and the potential solutions, the more they support changes to bring about those solutions.

Supporting .08 BAC laws is a key part of any public health initiative that aims to reduce society's burden from impaired driving.

## Point 3

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The third component is to **conduct active, high-visibility enforcement** of impaired driving laws, particularly .08 BAC, zero tolerance, and ALR.

Modern breath analysis equipment and standard field sobriety tests are easy for law enforcement officers to use during roadside stops. The breath test devices are small enough and inexpensive enough that every patrol car on traffic duty can be equipped with one. Law enforcement officers can administer the test quickly and easily. A .08 BAC law does not change the fact that law enforcement officers can conduct these roadside tests quickly and easily. Increased enforcement and a certainty of a swift penalty are also needed for general deterrence.

Another benefit of increased traffic enforcement, in addition to saving lives and

dollars, is a measurable reduction in crime. Active, highly visible traffic enforcement provides a major opportunity to apprehend criminals. Because most criminals drive to and from crime scenes, it is not surprising that as many as one-third of criminal apprehensions occur as part of traffic stops. Nor is it surprising that high intensity law enforcement programs, such as the Tennessee Sobriety Checkpoint Program and North Carolina's "Booze It and Lose It" campaign, result in a large number of criminal apprehensions and recoveries of stolen property.

#### **Point 4**

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Another important component is to **build public-private partnerships** at the local, state, and federal levels. It will take a dedicated effort on all our parts to address the broad problems of impaired driving and specific strategies to support .08 BAC laws. The problem is too big for any one group or coalition to tackle alone; but achievable by all working together.

Through public-private partnerships, as seen in the safe communities efforts, we can collectively address the impaired driving problem and foster support for the establishment of .08 BAC laws as a means to reducing the number of alcohol-related motor vehicle fatalities and injuries each year. Partnerships can also coordinate and execute efforts that will weave the impaired driving message into America's consciousness - in the home, throughout communities, at school, in the workplace, on the road, at recreational sites, and in the media. Public and private sector organizations can join together to set the tone and serve as models who demonstrate that we are a nation that cares about children, families, good health, and well-being. By framing impaired driving as a social disease and a public health issue, public-private partnerships and links to safe communities can reach millions of individuals with information about .08 BAC limits and other impaired driving issues. These partnerships can further the implementation of data linkages through programs such as the Crash Outcome Data Evaluation System (CODES).

There are, and have been, many strong partnerships over the past 10 years that have worked to reduce alcohol-related fatalities and injuries in America. Many public and private organizations have contributed funding and in-kind resources and have worked together to reduce the number of alcohol-related fatalities from 25,170 in 1982 to 16,189 in 1997, but much remains to be done. In addition to these fatalities, NHTSA estimates that over 1,000,000 people are injured each year in alcohol-related crashes. Now it is time to energize existing partners and bring on new ones to assist in meeting the national goals of reducing alcohol-related fatalities to no more than 11,000 by the year 2005. New ideas, new resources, additional energy, and additional partners are needed.

# Specific Activities to Implement .08 BAC Limit and Public Education Campaigns

## The President

The President is taking immediate action to support the National Strategy and the **Partners in Progress** goal to reduce impaired driving-related fatalities by:

- Establishing the National Strategy for making .08 BAC the national legal limit as a priority of this Administration.
- Supporting national legislation that encourages states to enact .08 *per se* legislation.
- Encouraging national, state and local public and private sector organizations to support enactment and enforcement of .08 BAC *per se* legislation and to participate in a nation-wide effort to educate Americans about the law and the dangers of drinking and driving.
- Asking all Americans to take responsibility for their own safety and their family's safety by not drinking alcoholic beverages and driving and by not allowing friends or family to drink and drive.
- Encouraging the media to support "Crashes Aren't Accidents."

## Congress

To encourage the adoption of .08 BAC as the national legal limit and to assist citizens, communities and states in educating the public about the risks associated with combining alcohol consumption and driving, Members of Congress should:

- Enact legislation that establishes .08 BAC as the standard for impaired driving nationwide.
- Enact legislation that strongly encourages states to enact other effective laws and to develop effective programs to combat impaired driving.
- Fund the impaired driving portions of TEA 21 in fiscal year 1999 and in future fiscal years, in accordance with the Department of Transportation's budget requests for those fiscal years, to ensure the proper implementation of the impaired driving provisions of this landmark legislation.

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## Department of Transportation

### Secretary of Transportation

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- Establish .08 BAC legislation and the *Partners in Progress* goal as top DOT priorities.
- Assist the Interior and Defense Departments in implementing the .08 BAC national standard in National Parks and on DoD installations.
- Assist the Interior and Health and Human Services Departments in their efforts to work with Tribal governments.
- Assist the Department of the Interior and the USDA in their activities to deter impaired driving on public and National Forest System lands.
- Promote .08 BAC legislation and other impaired driving messages in speeches and through media events.
- Support states and Tribal governments when they enact .08 BAC *per se*.
- Support the "Crashes Aren't Accidents" campaign.
- Support DOT alcohol-testing programs for transportation workers in safety-sensitive positions.

### National Highway Traffic Safety Administration

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- Promote .08 BAC *per se* and the *Partners in Progress* goal with constituents and partner organizations.
- Provide assistance to states and Tribal governments seeking to enact .08 BAC *per se* legislation or strengthen impaired driving laws.
- Provide financial support and technical assistance to states and Tribal governments to support their efforts to actively and visibly enforce .08 BAC *per se* and other impaired driving laws.
- Encourage increased participation by private and nonprofit partners to work with the agency, or as part of a coalition, to decrease the incidence of impaired driving.

- Assist states in linking crash, cost, and injury data.
- Participate in building additional Safe Communities (local programs that reduce fatalities, injuries, and associated costs) annually.
- Expand media and public service campaigns to reinforce the .08 BAC message.
- Continue research and evaluation on the effectiveness of .08 laws.
- Continue to support and market the "Crashes Aren't Accidents?" campaign.
- Produce public information videos showing the number of drinks it takes to reach .08 BAC and impairment at .08.
- Provide technical assistance to states seeking to qualify for alcohol incentive grant programs.

## **U. S. Coast Guard**

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- Initiate rulemaking to amend Federal regulations to establish .08 BAC as the legal limit for operating a recreational boat.
- Promote state adoption of a .08 BAC standard.
- Promote state linkage of driving under the influence and operating a vessel under the influence violations.
- Expand media and public service campaigns to reinforce the .08 BAC message.
- Promote improved collection of alcohol data in recreational boating incidents.
- Develop partnerships with states, boat safety organizations, the boating and insurance industries, the medical community and others to raise awareness about the dangers of drinking and operating a vessel.
- Promote enforcement of alcohol rules by other Federal agencies that oversee boating activities on Federal waters within their jurisdictions.
- Promote Standard Field Sobriety Testing research that has been completed for the Coast Guard.

## Other Federal Agencies

Certain Federal agencies can take steps to establish .08 BAC as the legal limit on Federal property. Specifically:

- The Department of the Interior (DOI) and the Department of Defense (DoD) can amend existing Directives and regulations to lower the legal limit from .10 to .08 BAC in national parks and on DoD installations.
- DoD can seek an amendment to the Uniform Code of Military Justice to establish .08 BAC as the standard for drunken operation of a vehicle, aircraft, or vessel, in violation of Article 11 (10 U.S.C. ? 911).
- DOI and DoD should make every effort to publicize and actively enforce the new .08 BAC standard in national parks and on DoD installations.
- DoD should expand base safety officer training to include information on the risks associated with combining alcohol consumption and driving and the new .08 BAC standard.
- DoD should train officers in Standard Field Sobriety Testing.
- The Department of Health and Human Services should work with DOI and other interested agencies to update its Inventory of Tribal Traffic Laws to determine the number of Tribal governments that have adopted .08 BAC as a *per se* offense.
- DOI should encourage all Tribal governments to adopt, publicize and actively enforce a .08 BAC *per se* offense.
- DOI should work with other interested agencies to implement and expand impaired driving education programs and training on Tribal lands.
- DOI and DoD should issue press releases on a national basis and advise appropriate Departmental personnel of the change, including the Superintendents of all National Parks and the Commanders of all DoD installations.
- DOI and DoD should also direct all Superintendents and Commanders to notify their personnel; issue press releases or public notices at the local level through appropriate local media outlets; and to distribute leaflets, post notices, erect highway signs or otherwise make sufficient efforts to adequately inform the visiting public to National Parks and DoD installations of the new .08 BAC legal limit.
- DOI and the U.S. Department of Agriculture (USDA) should continue to actively cooperate with state and local law enforcement agencies in the enforcement of state impaired driving laws and applicable Federal regulations on public and National Forest System lands.

- DOI and USDA should publicize existing state and Federal impaired driving laws, and provide additional training to their law enforcement officers on the enforcement of impaired driving laws.

## States, Communities and Tribal Nations

States, communities and Tribal Nations can take direct action to protect their citizens and reduce the costs of injuries from impaired driving-related crashes. States, communities, and Tribal Nations should:

- Adopt and/or support .08 BAC *per se* and other impaired driving laws.
- Ensure strong support and participation from state and local leadership.
- Build public-private partnerships to develop and implement state and local strategies.
- Support and help publicize active, highly visible law enforcement efforts.
- Assess meaningful penalties for impaired driving law violations, especially for repeat offenders.
- Build stronger data bases (including more BAC testing) and tracking systems to support challenges to the laws. Extend the period of record retention, particularly for repeat offenders.
- Provide resources for enforcement of impaired driving laws.
- Support and coordinate public information and education programs.
- Establish motor vehicle crash, injury, and cost data bases to quantify problems and measure success.
- Implement impaired driving policies for all public employees.
- Implement activities included in the *Partners in Progress* implementation plan.
- Provide or sponsor law enforcement training and technical assistance.
- Work with law enforcement organizations to include impaired driving law enforcement training as part of standardized law enforcement curricula.
- Sponsor prosecutor and judicial training to educate prosecutors and judges on the enforcement and adjudication issues regarding impaired driving laws.

- Conduct educational activities with state and local elected officials and their state organizations.
- Encourage and assist in the development of Safe Community coalitions.
- Encourage health care providers to assess and refer for treatment patients with alcohol abuse problems.
- Within the judicial system, encourage the development of a program for assessment, referral and treatment of convicted offenders.
- Encourage swift, fair, and certain penalties for persons convicted of driving impaired.
- Educate the public about the impaired driving problem and solutions including the existence of or need for laws such as .08 BAC.
- Support the "Crashes Aren't Accidents" campaign.

## National Organizations and Coalitions

Many national organizations and coalitions already support impaired driving legislation, enforcement, and education. These organizations are made up of a vast array of professional, trade, activist and advocacy groups representing citizens, public health and medical professionals, diversity, business, prosecutors, elected officials, public safety/law enforcement and others. All organizations should:

- Adopt impaired driving policies for their employees and encourage their members to do the same.
- Actively support .08 BAC *per se* and other impaired driving laws.
- Support strong enforcement of impaired driving laws.
- Educate their members and constituencies on the importance of .08 BAC and other impaired driving laws in the prevention of alcohol-related motor vehicle deaths and injuries. Use real case stories when educating the public.
- Participate in national, state and local impaired driving campaigns.
- Join in coalitions with other national organizations to advance impaired driving education, legislation, and enforcement.
- Contact private sector businesses and other local, state, and national organizations to provide information and recruit their involvement, and speak to executive board annual meetings about the impaired driving

problem and the need for strong legislation and enforcement initiatives.

- Identify needs among members and partners for training and information on the impaired driving problem; provide training materials as needed; establish delivery mechanisms.
- Identify target groups (e.g. youth, age 21-34 year olds, or repeat offenders), determine outreach methods, and produce appropriate resource materials (NHTSA can provide technical assistance).
- Publicize state impaired driving laws and local ordinances.
- Sponsor impaired driving promotions at state and local events.
- Support the "Crashes Aren't Accidents" campaign.

## Media

Media organizations have a responsibility and a special role to play. The media should:

- Implement impaired driving policies and programs for their employees.
- Help educate the public on the impaired driving problem and the meaning and benefits of .08 BAC *per se* and other impaired driving legislation.
- Publicize state and community .08 BAC and other impaired driving enforcement efforts.
- When reporting on crashes include information about alcohol as a factor (also on the use of occupant protection devices).
- Request that all major television and radio networks develop and implement effective policies for reporting and illustrating the impaired driving problem in news and entertainment programming.
- Establish periodic monitoring and reporting of media practices with recognition for exemplary performance.
- Serve on local task forces to assist in community efforts.
- Request that on-air traffic reporters include impaired driving messages as well as seat belt and child safety seat messages during their on-going reporting.
- Publicize the link between alcohol abuse and crime.
- Support and promote the concept that "Crashes Aren't Accidents."

