



Sen. Lorraine R. Inouye  
Chairwoman  
Senate Committee on Transportation  
Hawaii State Senate

Sen. Breene Harimoto  
Vice Chairman  
Senate Committee on Transportation  
Hawaii State Senate

Senate Bill 2234—which would lower the legal blood alcohol concentration (BAC) level for driving from 0.08 to 0.05—is a well-intended but poorly targeted attempt to improve traffic safety in Hawaii. The most recent data released by the National Highway Traffic Safety Administration (NHTSA) reveals Hawaii drivers with BACs of 0.15 and above—three-times the new proposed level—are responsible for most of the alcohol-related traffic fatalities in the state. **In Hawaii the average BAC of a drunk driver involved in a fatal crash is 0.18. Nearly four-times the proposed .05 level.**

These alcohol abusers are where limited traffic safety resources and legislative efforts should be focused.

**Conversely, research suggests having a conversation while driving is substantially more impairing than someone at the proposed 0.05 BAC limit.**

Some will sidestep the statistics and argue lowering the legal limit to 0.05 will have a broad deterrence effect and discourage high-BAC drivers from getting behind the wheel. While this idealistic prediction of human behavior is refreshing, it's not probable nor proven. Criminals who already break the current 0.08 law are unlikely to change their behavior simply because the legal definition of drunk driving is expanded.

We all want to save lives and I applaud the committee for investigating the issue. But lowering the legal BAC limit by 40 percent to 0.05 will not improve road safety. Lawmakers should pursue alternative strategies to target the real problem, high-BAC drunk drivers, rather than make criminals out of moderate and responsible consumers.

Sincerely,

Jackson Shedelbower  
Communications Director  
American Beverage Institute