

**HB102**

# SENATE FINANCE COMMITTEE REPORT

DATE: 5/14/91

FURTHER:

DATE TURNED INTO OFFICE: 5-19-91

The Finance Committee considered CS FOR HOUSE BILL NO. 102 (JUDICIARY)

"An Act relating to the offense of operating a motor vehicle, aircraft, or watercraft while intoxicated; and providing for an effective date."

and recommended:

- replace with \_\_\_\_\_ CS \_\_\_\_\_
- or adopt \_\_\_\_\_ CS \_\_\_\_\_
- attached amendment(s)
- \_\_\_\_\_ letter of intent adopted
- same title
- new title
- technical title change (HB only)

- do pass
- do not pass
- no recommendation
- individual recommendations
- further referral to \_\_\_\_\_

ATTACHES NEW FISCAL NOTE(S): Dept/Date:

fiscal note(s) \_\_\_\_\_

zero fiscal note(s) \_\_\_\_\_

appropriation-no fiscal note

SIGNING DO PASS:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

APPROVES PREVIOUS:

Dept/Date:

fiscal note(s) DPS 12.5 4/3/91

zero fiscal note(s) DOLAW 3/20/91  
Corrections 3/19/91  
DHSS 5/1/91

OTHER RECOMMENDATIONS:

J. Duncan - No Rec  
Al Adams - DO NOT PASS  
Lynn Huffman - No Rec  
Dick Smith - Do Not Pass  
Rich Healy (NO RE)

1.

*[Signature]*

2.

Co-Chairs: Signatures and Recommendations

FISCAL NOTE

STATE OF ALASKA  
1991 LEGISLATIVE SESSION

Nr. 6  
Version: CSHB 102 (JUD)  
(H) Publish Date: 4/5/91

Revision Date: 4/3/91  
Title: Lowering the DWI Blood Alcohol to .08  
Sponsor: Representative Donley  
Requestor: House Judiciary

Department Affected: Public Safety  
BRU: Alaska State Troopers  
Component: Detachments

COMPONENT SERIAL NO.		7	9	9
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EXPENDITURES/REVENUES: (Thousands of Dollars) (Inflation not Included)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL	12.5	12.5	-0-	-0-	-0-	-0-
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	12.5	12.5	-0-	-0-	-0-	-0-

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

GENERAL FUND	12.5	12.5	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER/PROG RCPT						
TOTAL	12.5	12.5	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact none

ANALYSIS: (Attach a separate page if necessary)

See attached analysis.

Prepared by: Gayle A. Horetski Phone: 465-4322  
Division: Commissioner's Office Date: 4/3/91  
Approved by Commissioner: Richard L. Burton Richard L. Burton  
Agency: Department of Public Safety Date: 4/3/91

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

Statistics show that "lower level" or "borderline" DWI offenders are not being apprehended now. The average breath alcohol concentration (BAC) of DWI arrestees in 1989 was .19 percent--well over the legal limit of .10. Concerted, long-term training will be needed to assist law enforcement officers to detect and apprehend DWI offenders at lower BAC levels. The need for such training, and for more effective enforcement efforts will be an issue addressed in the Department's FY 93 budget request. In the meantime, \$25,000 in contractual funding is needed to develop and implement a concentrated public information program to educate the public about the dangers of drinking and driving and about the content of the new law.

This education campaign would begin 7/1/91, six months before the new law is scheduled to take effect, and would continue on after 1/1/92.

COMMITTEE COPY

FISCAL NOTE

STATE OF ALASKA  
1991 LEGISLATIVE SESSION

No. 4  
Bill Version: HB 102  
(H) Publish Date: 3/22/91

Revision Date: \_\_\_\_\_ Department Affected: Department of Law  
Title: "...relating...to operating a motor vehicle...while intoxicated..." BRU: Prosecution  
Sponsor: Representative Donley Component: All  
Requestor: House Judiciary COMPONENT SERIAL NO. 

		8	9
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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART-TIME						
TEMPORARY						

Estimate of current year impact: \_\_\_\_\_

ANALYSIS: (Attach a separate page if necessary.)

Please see the attached analysis

Prepared By: Richard I. Pegues, Director Phone: 465-3672  
Division: Administrative Services Date: March 20, 1991  
Approved by Commissioner: Charles E. Cole, Attorney General  
Agency: Department of Law Date: March 20, 1991

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

## CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. HB 102

This bill amends AS 28.35.030(a) and AS 28.35.033(a) to lower the blood/alcohol limit for the crime of driving while under the influence of intoxicating liquor from 0.10 percent or more by weight alcohol in a person's blood to 0.08 percent.

Other jurisdictions, most notably California and Maryland, experienced about a ten percent increase in DWI arrests in the year immediately following their lowering of the limit to 0.08 percent. However, Oregon, which lowered its limit in 1983, saw a small decrease in arrests. It is not known why their results differed, or what impact enforcement and public information efforts may have had on them. Consequently, we cannot predict the result in Alaska, but some increase in arrests may occur if the bill is approved.

During the last fiscal year 4,106 DWI complaints were referred to Department of Law prosecutors. If Alaska follows the California example, a ten percent increase would result in 411 new DWI cases statewide. If they occur, the largest number of new cases would be experienced in the Anchorage and Matsu Valley areas. Because the Governor's revised budget includes adding new prosecutors in Anchorage, where the current caseload has nearly overwhelmed the existing staff, the department is not going to request fiscal note funds at this time. We continue to caution, however, that adding new or increased agency responsibilities should be avoided at a time when agency resources have been stretched as thin as our's have been. Therefore, if the bill results in a heavier caseload than we have anticipated, it will be necessary to seek additional funding next year.

FISCAL NOTE

STATE OF ALASKA  
1991 LEGISLATIVE SESSION

No. 5  
Bill Version: HB 102  
(H) Publish Date: 3/22/91

Revision Date: \_\_\_\_\_ Department Affected: Corrections  
Title: "An Act relating to the offense of operating a motor vehicle... while intoxicated..." BRU: Statewide Operations  
Component: All Institutions  
Sponsor: Rep. Donley  
Requestor: Rep. Donley COMPONENT SERIAL NO. 

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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
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REVENUE	-0-	-0-	-0-	-0-	-0-	-0-
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FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: No significant impact on Department operations.

ANALYSIS: (Attach a separate page if necessary.)  
  
See attached page.

Prepared By: Tom Sutton, Director Phone: 465-3376  
Division: Administrative Services Date: 03-19-91  
Approved by Commissioner: \_\_\_\_\_ Date: 03-19-91  
Agency: Department of Corrections

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

*Fiscal Note DEPT of Corrections*

Department of Corrections  
Division of Administrative Services

House Bill No. 102, lowers the blood alcohol level for drunk driving from .10 percent to .08 percent.

The Department contacted three police departments, Anchorage, Fairbanks and Juneau. We asked each Department if data was available for us to determine the blood alcohol level of those who have been charged for drunk driving. Fairbanks and Anchorage police departments did not have that information readily available. However, for both cities, the staff stated it would be their best estimate that there would be few instances where the blood level would fall within the .08 to .10 percentage rate.

Fortunately, the Juneau Police department was able to provide us with records for testing on the intoximeter for the entire year of 1990. Our review of 148 charged with a DWI provided us with the following information:

Average Blood Alcohol Level	=	.1998
Blood Alcohol Level below .100	=	2
Blood Alcohol Level above .100	=	146
Blood Alcohol Level between .080 - .100%	=	0
Blood Alcohol Level between .050 - .080	=	2

The Department of Corrections reviewed its own records relative to DWI offenders and found the following admission rates and sentenced offenders in our institutions:

Calendar Year	1986	1987	1988	1989	1990
Admissions for DWI (A)	3536	3686	3603	3539	4033
Sentenced for DWI	3560	3081	2603	2584	2544

(A) Admission into facilities relates to those who are in an unsentenced status.

Considering the zero frequency rate of the number of offenders whose test results fall into .08 and .10; and the declining impact of sentenced DWI offenders into our system, it is my opinion that HB 102 will not have a significant fiscal impact upon the Department.

STATE OF ALASKA  
1991 LEGISLATIVE SESSION

Revision Date: \_\_\_\_\_  
Title: "An Act relating to offense of operating a motor vehicle... while intoxicated."

Department Affected: Health & Social Services  
BRU: Alcohol Safety Action Program  
Component: Alcohol & Drug Abuse Grants

Sponsor: Representative Donley  
Requestor: HOUSE FINANCE COMMITTEE

COMPONENT SERIAL NO. 

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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	-0-	-0-	-0-	-0-	-0-	-0-

<b>CAPITAL</b>	-0-	-0-	-0-	-0-	-0-	-0-
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<b>REVENUE</b>	-0-	-0-	-0-	-0-	-0-	-0-
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FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: \_\_\_\_\_

ANALYSIS: (Attach a separate page if necessary.)

Prepared By: Representative Mike Navarre, Co-Chair *Mike Navarre* 465-3706  
Representative Eileen MacLean, Co-Chair *Eileen MacLean* Phone: 465-3722  
 Division: \_\_\_\_\_ Date: May 1, 1991

Approved by Commissioner: \_\_\_\_\_  
 Agency: \_\_\_\_\_ Date: \_\_\_\_\_

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

**CS FOR HOUSE BILL NO. 102 (JUDICIARY)  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
SEVENTEENTH LEGISLATURE - FIRST SESSION**

**BY THE HOUSE JUDICIARY COMMITTEE**

Offered: 4/5/91  
Referred: Finance

Sponsor(s): REPRESENTATIVES DONLEY, Ulmer, Finkelstein, Parnell, Barnes, G.Phillips, Martin, Boyer, Leman, C.Davis, M.A.Miller, B.Davis, M.W.Miller

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to the offense of operating a motor vehicle, aircraft, or watercraft while  
2 intoxicated; and providing for an effective date."

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 \* Section 1. FINDINGS AND PURPOSE. (a) The legislature finds that the number of persons who  
5 are drinking and driving in an impaired condition is a matter of serious concern, and that there is a  
6 rational relationship between establishing a lower limit of alcohol consumption and reducing the number  
7 of alcohol-related accidents and fatalities.

8 (b) It is the purpose of this Act to promote the general welfare and public safety by imposing  
9 a more restrictive legal limit on alcohol consumption above which the person will lose the privilege to  
10 drive.

11 \* Sec. 2. AS 28.35.030(a) is amended to read:

12 (a) A person commits the crime of driving while intoxicated if the person operates or  
13 drives a motor vehicle or operates an aircraft or a watercraft

14 (1) while under the influence of intoxicating liquor, or any controlled substance

1 listed in AS 11.71.140 - 11.71.190;

2 (2) when, as determined by a chemical test taken within four hours after the  
3 alleged offense was committed, there is 0.08 [0.10] percent or more by weight of alcohol in the  
4 person's blood or 80 [100] milligrams or more of alcohol per 100 milliliters of blood, or when  
5 there is 0.08 [0.10] grams or more of alcohol per 210 liters of the person's breath; or

6 (3) while the person is under the combined influence of intoxicating liquor and  
7 a controlled [ANOTHER] substance.

8 \* Sec. 3. AS 28.35.033(a) is amended to read:

9 (a) Upon the trial of a civil or criminal action or proceeding arising out of acts alleged  
10 to have been committed by a person while operating or driving a motor vehicle or operating an  
11 aircraft or a watercraft while intoxicated, the amount of alcohol in the person's blood or breath  
12 at the time alleged shall give rise to the following presumptions:

13 (1) If there was 0.04 [0.05] percent or less by weight of alcohol in the person's  
14 blood, or 40 [50] milligrams or less of alcohol per 100 milliliters of the person's blood, or 0.04  
15 [0.05] grams or less of alcohol per 210 liters of the person's breath, it shall be presumed that the  
16 person was not under the influence of intoxicating liquor.

17 (2) If there was in excess of 0.04 [0.05] percent but less than 0.08 [0.10] percent  
18 by weight of alcohol in the person's blood, or in excess of 40 [50] but less than 80 [100]  
19 milligrams of alcohol per 100 milliliters of the person's blood, or in excess of 0.04 [0.05] grams  
20 but less than 0.08 [0.10] grams of alcohol per 210 liters of the person's breath, that fact does not  
21 give rise to any presumption that the person was or was not under the influence of intoxicating  
22 liquor, but that fact may be considered with other competent evidence in determining whether  
23 the person was under the influence of intoxicating liquor.

24 (3) [REPEALED]

25 (4) If there was 0.08 [0.10] percent or more by weight of alcohol in the person's  
26 blood, or 80 [100] milligrams or more of alcohol per 100 milliliters of the person's blood, or 0.08  
27 [0.10] grams or more of alcohol per 210 liters of the person's breath, it shall be presumed that  
28 the person was under the influence of intoxicating liquor.

29 \* Sec. 4. This Act takes effect January 1, 1992.

# REPRESENTATIVE DAVE DONLEY



ALASKA STATE LEGISLATURE  
DISTRICT ELEVEN • SPENARD  
SEAT A

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ALASKA: ANCHORAGE • GENTZEN • BRUSHWOOD • CHESTER CREEK • HEATHER MEADOWS • LINCOLN PARK • MIDTOWN • NORTHSTAR  
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## SPONSOR STATEMENT

House Bill 102 reduces the legal definition of intoxication for the crime of driving while intoxicated from .10% to .08% blood alcohol content. This means that it would be illegal for a person to be in control of a motor vehicle with a blood alcohol level of .08% or greater.

Four states have already lowered their legal definition of intoxication to .08%: California, Oregon, Utah, and Maine. All of Canada has a .08% blood alcohol threshold. All European nations prohibit driving with a .08% or lower blood alcohol level. (.08% results from 4 drinks in an hour's time for the average-size adult.)

Scientific evidence persuasively establishes that the risk of a driver being involved in a serious or fatal crash increases as the alcohol concentration in the body increases. Many studies have shown that measurable impairment to operate a motor vehicle begins in most drivers at or below .05% percent blood alcohol level, and that all drivers are impaired at a blood alcohol level of .08%.

Setting the allowable blood alcohol level at .08% will greatly increase the probability of obtaining convictions for drunk driving. Because the law will increase the certainty of conviction, it will also be more effective than current law in deterring drunk driving and in reducing the number of alcohol-related crashes. In fact, after Maine reduced its legal blood alcohol level to .08%, the percentage of alcohol-related motor vehicle fatalities decreased significantly.



# STATE OF ALASKA

## DEPARTMENT OF COMMERCE & ECONOMIC DEVELOPMENT

DIVISION OF INSURANCE

WALTER J. HICKEL, GOVERNOR

P. O. BOX D  
JUNEAU, ALASKA 99811-0800  
PHONE: (907) 465-2515

March 19, 1991

Honorable Dave Donley  
Chairman, House Judiciary Committee  
Alaska House of Representatives  
P. O. Box V  
Juneau, Alaska 99811

Dear Representative Donley;

Re: HB 102  
Blood Alcohol Concentration

You have asked for our opinion concerning the proposal to revise the blood alcohol concentration measure of impairment from the current 0.10% to 0.08%. We have reviewed comments by John Krizay, author of the book "The Fifty Million Dollar Drain," in which he notes that with the current BAC level of 0.10%, an average driver is six to seven times more likely to have an accident if driving. He also notes that at 0.15% the ratio is 25 to 1. He further notes that the American Medical Association recommends a much lower level contending that even professional drivers display signs of impairment at levels of 0.05% and 0.06%. The evidence suggests that the 0.10% level is an inadequate measure of impairment. Your efforts to address a more appropriate level of impairment has our support.

Very truly yours,



David J. Walsh  
Director

910319 06 DD1

BILL NO: HB 102

DATE: 3/20/91

TITLE: An Act relating to the offense of operating a motor vehicle, aircraft, or watercraft while intoxicated. . .

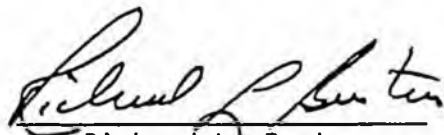
CONTACT: Gayle A. Horetski  
Deputy Commissioner  
465-4322

DEPARTMENT OF  
PUBLIC SAFETY  
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This bill would amend Alaska's DWI law to lower the prohibited breath or blood alcohol level from .10 to .08. The Alaska State Troopers and local police agencies would enforce the law through enhanced detection and arrest efforts. The bill also requires the Department of Public Safety, Division of Motor Vehicles (DMV), and the courts to revoke the driver's license or driving privileges of individuals arrested or convicted of DWI at an alcohol concentration level of .08 percent.

The effect of the adoption of a .08 alcohol level is difficult to predict, and will depend to a great extent upon the level of enforcement of the new law. The State of California adopted such a change effective January 1, 1990; the number of DWI arrests in that state increased 13.6 percent in the first year of enforcement. Maine adopted a similar law in 1988; the number of DWI arrests increased 20 percent in 1989, the first full year the law was in effect. Oregon adopted a .08 law in 1983. The arrest rate went up slightly in 1984, then declined for several years. As of 1989 (the latest year for which we have statistics), the number of DWI arrests is about two percent higher in Oregon than it was in 1983. In the first year of enforcement of Utah's .08 law, there was a 30% increase in the number of DWI arrests. For purposes of estimating fiscal, administrative, and enforcement impact, the Department of Public Safety estimates that there will be approximately 10 percent more DWI arrests statewide after the .08 law takes effect.

The department supports HB 102. This bill has the potential to reduce alcohol-related traffic accidents in general, and particularly alcohol-related traffic deaths. It also promotes the safety of the motoring public. In order to be effective, however, the new law must be accompanied by concerted enforcement and public education efforts. Adequate funding for these efforts is essential.

  
Richard L. Burton  
Commissioner

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## Blood Alcohol Concentration and Driving

American College of  
Emergency Physicians  
Dallas, Texas

Address for reprints: American College of  
Emergency Physicians, PO Box 619911,  
Dallas, Texas 75261-9911

*[This position statement was approved by the Board of Directors on June 6, 1988. American College of Emergency Physicians: Blood alcohol concentration and driving. Ann Emerg Med November 1988;17:1252.]*

### BLOOD ALCOHOL CONCENTRATION AND DRIVING

Epidemiologic and experimental data persuasively establish that the risk of a driver being involved in a serious or fatal crash increases as the alcohol concentration in the body increases, that measurable impairment to operate a motor vehicle begins in most drivers at or below .05 g/dL, and that all drivers are impaired at a blood alcohol concentration (BAC) of .08 g/dL.

It is therefore the position of the American College of Emergency Physicians that a BAC of .05 g/dL be considered as presumptive evidence of driving impairment and that a BAC of .08 g/dL be considered illegal *per se* to operate a motor vehicle.

ACEP urges the enactment of state legislation prohibiting alcohol-impaired driving that reflects these statements where such do not exist.

group. Some suggestive research indicates that drinking/driving populations contain drinking/driving/crash-prone subpopulations in whom the influence of alcohol on emotions and attitudes may be an important causative factor. The influence of alcohol on an emotionally charged driving style may be as important as its influence on driving skill.

Social and cultural factors that influence the magnitude, characteristics and persistence of the drinking/driving problem are not yet defined. Whether sustained shifts in social norms related to drinking and driving can be brought about - as they were in relation to littering, smoking and diet/fitness/heart disease - is a question yet to be answered.

#### CONCLUSIONS

1. Alcohol causes deterioration of driving skills beginning at 0.05 percent BAC (50 mg ethanol/100 ml blood). Deterioration progresses rapidly with rising BAC to serious impairment of driving skills at BACs of 0.10 percent and above, according to scientific consensus.
2. Drivers with BACs of 0.05 percent to 0.10 percent are significantly represented in road-crash statistics.
3. Drivers aged 16 to 21 have the highest rate of alcohol-involved fatal crashes per mile, with lower average BACs than older drivers.

#### The Council on Scientific Affairs recommends that the AMA:

1. Direct public information and education against any drinking by drivers, and encourage other organizations to do the same.
2. Adopt a position supporting 0.05 percent BAC as per se illegal for driving, and urge incorporation of that position in all state drunk driving laws.
3. Reaffirm the position supporting 21 as the legal drinking age, support strong penalties for providing alcohol to persons younger than 21, and stronger penalties for providing alcohol to drivers younger than 21.
4. Urge adoption by all states of an administrative suspension or revocation of drive licenses, after Driving Under the Influence (DUI) conviction, and mandatory revocation after a specified number of repeat offenses.
5. Encourage automobile industry efforts to develop a safety module that thwarts operation of a car by an intoxicated person.
6. Adopt this report in lieu of Resolutions 18, 64 and 83 (A-84).

(References pertaining to Report A of the Council on Scientific Affairs are available from the Office of the Assistant Vice President for Science.)

RECEIVED APR 20 1991



March 18, 1991

Representative Dave Donley  
Alaska State Legislature  
P.O. Box V  
Juneau, AK 99811

Dear Representative Donley:

On behalf of the Alaska Council on Prevention of Alcohol and Drug Abuse, I would like to offer our support of House Bill 102 relating to the offense of operating a motor vehicle, aircraft, or watercraft while intoxicated. The Alaska Council wholeheartedly supports your proposal to lower the legal blood alcohol content (BAC) from .10 to .08. As the prime sponsor of this legislation, you are to be commended for proposing changes to our current law which would result in a decrease in injuries and loss of lives in our state.

As you are undoubtedly aware, many studies have been conducted in recent years with common results showing that the risk of being involved in an alcohol-related crash or fatality increases after about 0.08 BAC. The effects of alcohol on a driver's mental and physical processes increase dramatically with each incremental change in blood alcohol. While many states have set .10 percent as the definition of drunk driving, much lower blood alcohol levels have been found to severely affect performance including factors such as judgment, concentration, reaction time and vision.

With the passage of HB 102, Alaska would join progressive states such as Oregon, California, Utah, Maine and Vermont which have lowered their legal BAC to .08 and reduced the risk of tragedies which can result from drinking and driving. Thank you for working to save the lives of Alaskans by proposing this necessary change to the laws of our state.

Sincerely,

Bette O'Moor  
Executive Director