

Transportation Committee JOINT FAVORABLE REPORT

Bill No.: SB-424

AN ACT REDUCING THE BLOOD ALCOHOL LIMITS FOR IMPAIRED DRIVING

Title: AND BOATING.

Vote Date: 3/18/2024

Vote Action: Joint Favorable Substitute

PH Date: 3/13/2024

File No.:

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SPONSORS OF BILL:

Transportation Committee

REASONS FOR BILL:

This bill would reduce the legal blood alcohol driving limit from .08 to .05, violators of the decreased limit would receive the same penalties as those driving over .08 currently do. This bill comes behind increasingly bad years for fatal accidents on CT's roadways and the state consistently finding itself in the bottom five states in the country for drunk driving deaths. Lowering the limit has been found successful worldwide, with the amount of drunk driving deaths going down among all BAC categories with little impact on the number of arrests or alcohol sales. This bill follows Utah who made this change in 2018 and saw significant success in reducing drunk driving deaths.

SUBSTITUTE LANGUAGE:

The substitute language specifies that the law would come into effect on January 2, 2025, and the meaning of "drug recognition expert" and "cannabis".

RESPONSE FROM ADMINISTRATION/AGENCY:

Thomas Chapman, Board Member, National Transportation Safety Board: Chapman and the NTSB recommend CT lower the BAC from .08 to .05. Other countries have enacted these changes and have saved lives without negative economic impact. In 2021 there were 13,384 alcohol-impaired deaths costing the country 68.9 billion dollars and in CT there was 112 death which accounts for 40% of traffic deaths. The NTSB states that impairment begins at .05 BAC and already more likely to get in an accident. This decrease would result in an estimated 11% decline in fatal alcohol related accidents in part by signaling to all drivers that

they should plan not to drive if they are going to drink. In 2017 Utah enacted these changes and saw large success with a fatal crash reduction of 18.3% which was significantly better than the rest of the country. This reduction in the legal BAC limit has significant support across world health organizations and has the strong support of the NTSB

Garret Eucalitto, Commissioner, CT Department of Transportation: The DOT voices their support for moving the BAC to .05. The DOT cites NTSB research in showing that between .05 and .079 drivers are seven times more likely to be in a fatal accident. While the country has seen a dip in fatal alcohol related driving deaths over the last two decades CT has seen the opposite, with Connecticut having 38% of all driving fatalities being alcohol impaired (31% nationally). The DOT believes that Utah successes is a strong signal for CT to follow suit and points that many states also have similar bills in the wings. According to the DOT the science is clear that it is dangerous to drive over .05 and lowering the limit would save the state money and save lives.

NATURE AND SOURCES OF SUPPORT:

Norman K. Thurston, Representative, Utah House of Representatives: Thurston indicates his support for the bill, as a sponsor of the Utah bill that lowered their BAC limit. Thurston originally decided to pursue legislation on BAC when he observed that many people thought it was okay to drive after drinking. Lowering the BAC limit to .05 is scientifically supported and is done by 85% of the world. While Utah's per se limit is .05 and those driving over that limit is guilty, Utah makes arrests on impairment exclusively and make most arrests before measuring BAC and may make arrests of drivers below that limit. This means that a driver above .05 not showing visible impairment will not be arrested and thus Thurston believes that we cannot, "arrest our way out of the problem." For Thurston this meant that the lowering of the limit was about sending a message that any drinking is not acceptable for driving. After passing the bill Utah saw an immediate decrease in drunk driving and a reduction in alcohol related fatalities while seeing no negative economic impact. Thurston briefly points out an inaccuracy in reporting after 2019 and that the use of data after this time period to discredit the policy is misleading. Overall, Thurston believes that lowering the BAC limit was a success for Utah and encourages CT to follow suit.

Omar Masood, Director of State Government Relations, Advocates for Highway Safety:

Masood and his cosigners indicate their strong support of the bill. In 2021 of 298 fatalities 38% involved alcohol, these crashes costed CT \$6.1 billion dollars in economic damage, which is the third highest cost per of all states. Research shows that .05 is a significant impairment with "reduced coordination, decreased ability to track moving objects, difficulty steering, diminished response time to emergency situations." Additionally, this group addresses criticism that lowering the BAC with lower alcohol sales which the group shows has not been the case with Utah even seeing a bump in alcohol sales after the law came into effect. This group believes that the success of the law around the world and in Utah means CT should follow suit.

Cosigners include: (Catherine Chase, President Advocates for Highway and Auto Safety, Natalie A. Draisin, Director, North American Office & United Nations Representative FIA Foundation, Janette Fennell, Founder and President Kids and Car Safety, Marcus Kowal and Mishel Eder, Co-founders Liam's Life Foundation Parents of Liam Mikael Kowal, Bob Garguilo, Executive Director, New England Region Mothers Against Drunk Driving (MADD,)), Lorraine Martin, President and CEO National Safety Council, David A. Sleet, Ph.D., Professor Emeritus College of Health San Diego State University, Honorable T. Bella Dinh-Zarr, Former Vice Chair National Transportation Safety Board Co-founder, .05 Saves Lives Coalition, Thomas M. Louizou, Former Regional Administrator National Highway Traffic Safety Administration Co-founder, .05 Saves Lives Coalition, Andrew McGuire, Executive Director Trauma

Kevin Sprague, MD: Sprague voices his support of the bill, discussing his personal experiences as a doctor witnessing the consequences of drunk driving, and citing the successes of Utah lowering the limit.

Alec Slatky, Direction of Government Affairs, AAA Northeast: Slatky, on behalf of AAA in CT and the Northeast, voices his support of the bill. In 2021 13,384 people were killed in alcohol related accidents and 112 were killed in CT. At a BAC of between .079 and .05 drivers show significant impairment and were responsible for 1,100 deaths in 2021. AAA also cites the success of Utah and foreign countries that have shown good results with little downside as a result of lowering the limit. Lowering the limit has a deterrent effect that leads to people planning to drive at any level of impairment. AAA believes it may make sense to charge those above .05 and below .08 with a lower charge but believes that CT should lower the limit in some form. If this bill passes, AAA believes that the state should direct UCONN and interested partners to conduct a study like the NHTSA's study of Utah to encourage more states to follow suit. Finally, AAA thinks that "The bill should clarify that prior offenses of 14-227a(a) – the current impaired driving law – would count as prior violations for purposes of the DWAI law."

Laura Ward: Ward a lifelong CT voices her support for the bill and recounts her experiences with drunk driving. Ward before she was drinking admits to consistently drunk driving and her mindset of not being worried about taking a breathalyzer test. She believes that if the number was lower, she would have thought twice before driving. As someone who has dedicate their life to helping people with alcohol problems, she is in strong support of lowering the limit, citing its success internationally, the lack of negative economic impact, and no increases in arrests.

Kevin Borrup, Executive Director, Injury Prevention Center at Connecticut Children's Medical Center: Borrup voices his support of the bill, citing the increase of fatalities on CT roads and on boats as a result of alcohol.

Rick Collins, Director, Hawaii Alcohol Policy Alliance: Collins voices his support of the bill. Collins points out that 0.05 is standard internationally and has been shown to be the best number by research science. Collins believes that the move to .05 is picking up steam internationally with Utah passing the law and he is hopeful that Hawaii will soon follow suit. Collins further cites the success of these laws in Utah and points to the organizations that support the move that include: the NTSB, WHO, and even ABInBev foundation (Anheuser-Busch). Finally, Collins addresses criticisms like economic pain or increases in arrests which did not actually happen when the law was implemented.

Alaina Dalquist, State Government Affairs Manager, National Safety Council: The NSC voices their support of the bill citing the dangers of driving. In 2021 there were 298 CT driving fatalities of which 40% were alcohol related. This trend is similar across the country and thus the NSC believes that we should follow the NTSB recommendation and Utah successes in moving to .05 BAC.

Thomas Louizou, Co-Founder, .05 Saves Lives Coalition: The .05 coalition believes that lowering the BAC limit saves lives and thus voice their strong support. The coalition points to both the research on the legal limit and global popularity as reasons while this should be a commonsense proposal. When lowering the limit, we see neither economic problem nor an increase in arrests but instead makes all drivers think twice before getting behind the wheel. When lowering the limit, we see that not just drivers between .05 and .079 stop driving but many people over .08 are also less likely to drive. The Coalition points to Utah successes as proof of the positive impacts of this bill and further suggests that Connecticut should utilize, "high visibility enforcement, such as frequent and widely publicized sobriety checkpoints and roving patrols as deterrence measures" during the laws rollout to maximize the benefits.

Natasha Pierre, Esq., State Victim Advocate: Pierre voices her support of the bill citing the preventable deaths and the NTSB's recommendations.

Kate Rozen, Road Safety Advocate: Rozen voices her support of the bill out of a belief it will make our roads safer and save lives. Rozen points to the success of Utah and how 22% of Utahns who consumed alcohol reportedly change there behaviors around drunk driving after the law was passed. Rozen also points to Europe's laws that are often even lower than .05 and their effectiveness in curbing drunk driving as strong reasons to follow suit.

NATURE AND SOURCES OF OPPOSITION:

Dawn Baldarassarri: Baldarassarri voices her opposition of the bill out of belief that the current restrictions are strong enough and that it might disproportionately impact responsible drinkers. Additionally, she believes that this would divert resources from other problems and efforts should be focused on technology for alcohol detection in vehicles.

Gladys Ramirez: Ramirez voices her opposition to the bill out of concern that is could unfairly impact individuals who are only having one drink and are not as reckless as those who are over the current limit.

Alicia Sparks, Chair, US Alcohol Policy Alliance: Sparks on behalf of the USAPA voices her strong support of the bill. Sparks points out that the US has the highest BAC limits in the world and the highest alcohol related driving fatalities as a result. CT is performing poorly even among already poor numbers in the US, scoring in the top 5 worst states consistently. .05 is the strongest limit number according to research and has shown a measurable decline in drunk driving deaths. The USAPA points out support that the bill has from the NTSB the NHTSA, and even ABInBEV foundation (alcohol company), and that the bill shows little downside in economics or an uptick in arrests as strong reasons to support this bill.

These individuals voiced their opposition to the bill:

**Michell Cassano
Dawid Czarnecki
Roy Downey
Jean Lecours
Paul Palmer
Ralph Baldarassari
Sean Cassano**

3 Anonymous Sources

Reported by: Noah Gulla

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