

## DISCLAIMER

Electronic versions of the exhibits in these minutes may not be complete.

This information is supplied as an informational service only and should not be relied upon as an official record.

Original exhibits are on file at the Legislative Counsel Bureau Research Library in Carson City.

Contact the Library at (775) 684-6827 or [library@lcb.state.nv.us](mailto:library@lcb.state.nv.us).

# STOP



*A Nevada grassroots non-profit organization dedicated to stopping the violent crime of driving under the influence and assisting the innocent victims of this crime.*

March 7, 2003

Good Morning Mr. Chairman and Committee Members:

My name is Sandy Heverly and I'm the Executive Director for STOP DUI and a Director for the National Commission Against Drunk Driving. I'm also a multiple DUI victim and very passionate when it comes to DUI related matters.

I'm here today to speak in support of AB 7.

First I would like to preface my statement by thanking Mr. Anderson for this hearing and Assemblyman, Mark Manendo for once again introducing DUI Legislation that will help save lives.

Assemblyman Manendo has demonstrated a consistent and sincere commitment to this measure and we are deeply grateful for his efforts.

Many reasons exist that favor AB 7. As early as 1964, a study showed that drivers who had been drinking were more likely to be involved in a crash than sober drivers and beginning with low BAC's, the greater the level of intoxication, the higher the probability of being in a crash. *(Borkenstein)*

Research also shows that virtually all drivers, even experienced drivers are significantly impaired with regard to critical driving tasks at .08.

As I have stated in the previous 6 legislative sessions and will repeat again today.....the .08 measure is not a magical cure to stop people from driving under the influence. As of this date, I'm not aware of any single solution that would be legally acceptable.

However, implementing .08 will play a significant role in the comprehensive approach we've already undertaken.

ASSEMBLY JUDICIARY

DATE: 3/7/03 ROOM: 3128 EXHIBIT E

SUBMITTED BY: SANDY HEVERLY

3321 SUNRISE AVENUE • SUITE 107 • LAS VEGAS, NV 89101  
(702) 456-7867 • FAX (702) 459-5073 • ORIGINALS ARE ON FILE IN  
THE RESEARCH LIBRARY

The most extensive study which analyzed the effects of .08 over a 16 year time period found that .08 BAC laws had a significant probability of an 8% reduction in fatal crashes involving drivers at both high and low BAC's. However, if that estimated 8% reduction was just 1%, it would soon become 100% if you or your loved one were the victim. (March 16, 1999, Robert Voas and A. Scott Tippetts, Pacific Institute for Research and Evaluation...study prepared for DOT and NHTSA)

A NHTSA study provides what is perhaps the clearest laboratory evidence to date of the significant impairment that occurs in driving related skills of all drivers with a .08 BAC, regardless of age, gender, or drinking history.

Another 10 studies, covering many of the states that have enacted .08 BAC Laws, have consistently shown that those measures are associated with reductions in alcohol-related fatalities.

A good example is the state of Illinois that experienced a 13.7 percent decline in the number of drinking drivers involved in fatal crashes after lowering their BAC standard to .08.

This reduction included drivers at both high and low BAC levels. This is Significant because critics of the law have often claimed that lowering the Standard does nothing to affect high BAC drivers.

It is also important to note there were no major problems reported by local law enforcement or court systems due to the change in the law.

An updated analysis of the Illinois data found that the .08 per se law continues to save lives. It is estimated that the Illinois law has saved 105 Lives in the first two full calendar years since its inception

Lowering Nevada's blood alcohol standard will not make criminals out of "social drinkers", it will not close down casinos, restaurants, taverns or liquor stores, nor will it have a negative affect on tourism. I don't know of anyone that bases there vacation destination on a blood alcohol standard.

Lowering Nevada's BAC standard from .15 to the current .10 more than 30 years ago is proof of the above.

When considering DUI legislation, we must never forget that drunk driving is the most frequently committed violent crime in the nation today. These offenders murder and maim at random. They rob us of our hopes, dreams, and futures. They rape our state of more than a billion dollars each year.

As all of you know, our states federal highway funds are at risk if .08 is Not enacted. Mr. Snodgrass and others will address that issue.

This Federal Mandate has been characterized by some as blackmail and extortion. We see setting a national blood alcohol standard of .08 as a public safety issue designed to help save lives.

I realize there may be some who will ignore the merits of AB 7 claiming states rights as an excuse to vote against it. But we believe that sometimes even the Feds get it right. They got it right when they intervened to abolish slavery and they got it right when they intervened to give women the right to vote. They got it right again with regard to .08.

Setting Nevada's BAC standard to .08 is a reasonable and common sense approach to helping reduce the senseless alcohol-related carnage in our state. It will also bring us in line with other states and industrialized nations that had the foresight to recognize it's life saving benefits. Nevada is virtually surrounded by states with .08.

The list of support for this measure is lengthy. The most interesting and telling to join the ranks of support is the Century Council which was founded in 1991 and funded by Americas leading distillers.

Thank you Mr. Chairman and committee members for the opportunity to express our concerns.

Please vote yes on AB 7.