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# Northern Nevada DUI Task Force

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7 March 2003

Chairman Bernie Anderson and Members  
of the Assembly Judiciary Committee  
Nevada Legislature  
Carson City, Nevada

Re: AB 7, BAC .08

The Northern Nevada DUI Task Force, the non-profit organization that is responsible for conducting the monthly Victim Impact Panels in Washoe County, supports and urges your passage of AB &.

I have attached a summary of significant issues from a study we commissioned in 2001. In particular, I call your attention to page 2 where the affects of BAC .08 being passed in California. Note that the incidence of alcohol related crash deaths declined from 2,382 in 1990 to 1,070 in 1998, a decrease of over 50%.

Respectfully,

A handwritten signature in black ink, appearing to read 'Jim Holmes'. The signature is stylized and fluid.

Jim Holmes,  
Chairman

sr/dj

attachment

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ASSEMBLY JUDICIARY

DATE: 3/7/03 ROOM: 3138 EXHIBIT J

SUBMITTED BY: JIM HOLMES



## **CASE STUDY: LOWERING THE BAC TO .08**

**Factors Affected by .08 Per Se and Summary of Findings**

**April, 2001**



**Compiled by Matthew Benardis, John van Geldern and others  
as requested by the Northern Nevada DUI Task Force  
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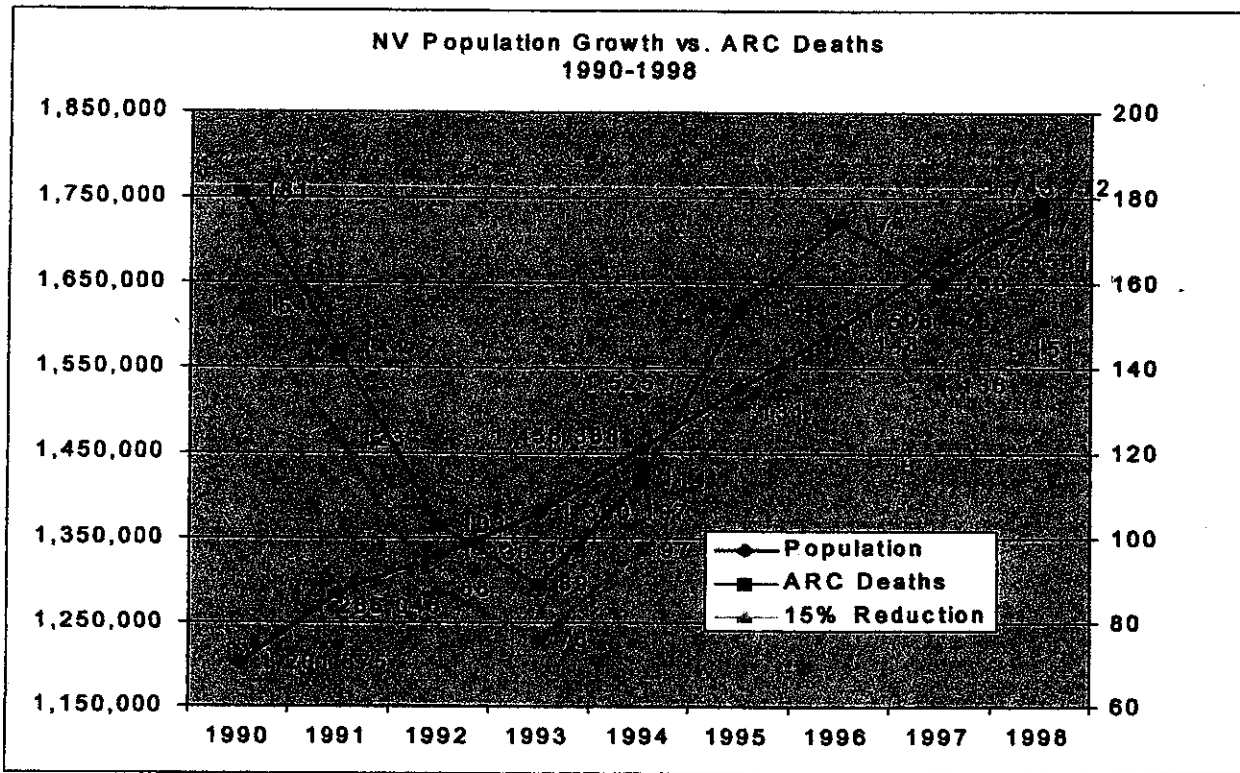
*case2.title  
2<sup>nd</sup> Edition*

**Alcohol-Related Crash Fatality Comparison**

In 1990, Nevada had 181 alcohol-related crash (ARC) fatalities with a state population of 1,201,675 translating to a rate of 15 deaths per 100,000 people. In 1998, there were 177 alcohol-related crash fatalities compared to population of 1,743,772, or a fatality rate of 10 deaths per 100,000 people. The comparative years represent a decrease of 33% per 100,000 people.

As you can see on the graph below, in the past BAC reductions have shown their significance in ARC death reduction. The impacts of the measure to reduce BAC levels from .15 to .10 in 1986 were still being seen until the early '90's. *Point 08 works in Nevada* in terms of reducing deaths and associated costs .

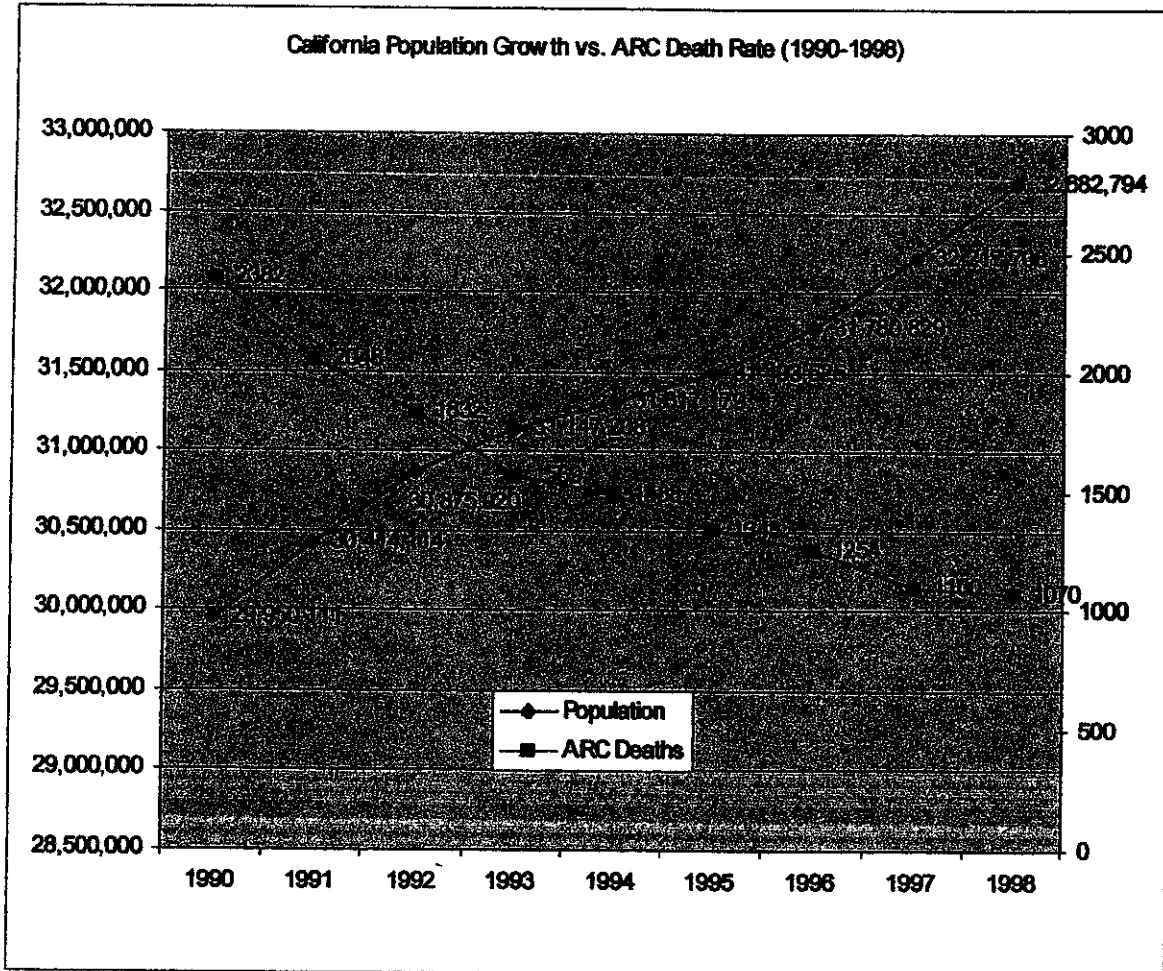
While alcohol-related crash fatalities are declining, the numbers are far more impressive for other states that have already adopted a .08 BAC per se legal limit. California's decrease for the same period was 57% (see following page). This is post .08 legislation, and it is a rate almost double that of Nevada's.



Potential	'90	'91	'92	'93	'94	'95	'96	'97	'98	Total:
Lives Saved:	27	21	15	13	17	23	26	24	26	192

The yellow line in the above graph represents the projected fatalities had Nevada passed .08 legislation when first presented 10 years ago. In this case, a .08 adoption in 1990 might have dropped the alcohol-related crash fatality rate to 6 deaths per 100,000 people vs. 15 per 100,000.

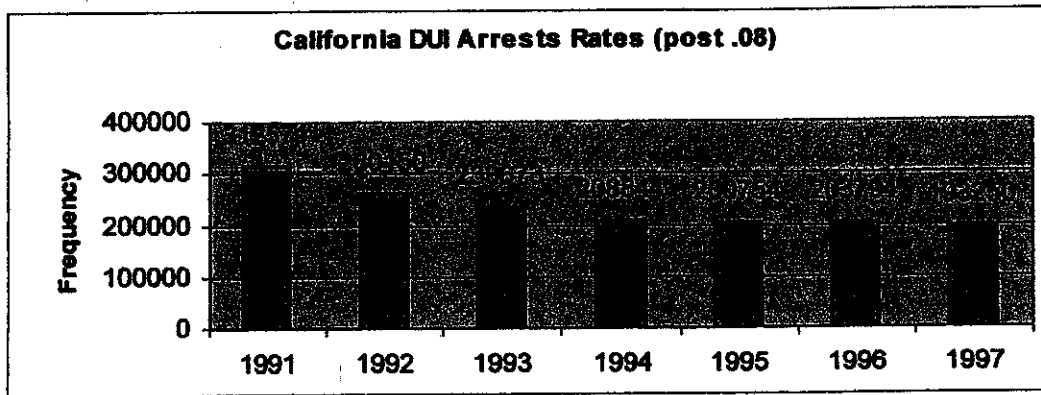
California adopted .08 in 1990. From then, through to 1997, felony DUI arrests dropped from 12,948 annually to 5,617, a 43.4% drop, while the state's population increased 11.2%. Moreover, alcohol-related traffic injuries declined 46.3% and have continued to decline to the present. Alcohol-related traffic fatalities continue to decline through to 1999 by 51%. This is the same graph as depicted for Nevada on the previous page. Notice the tremendous difference in trend lines of alcohol-related deaths between the two states. This is graphic evidence of the effectiveness of .08 in saving lives.



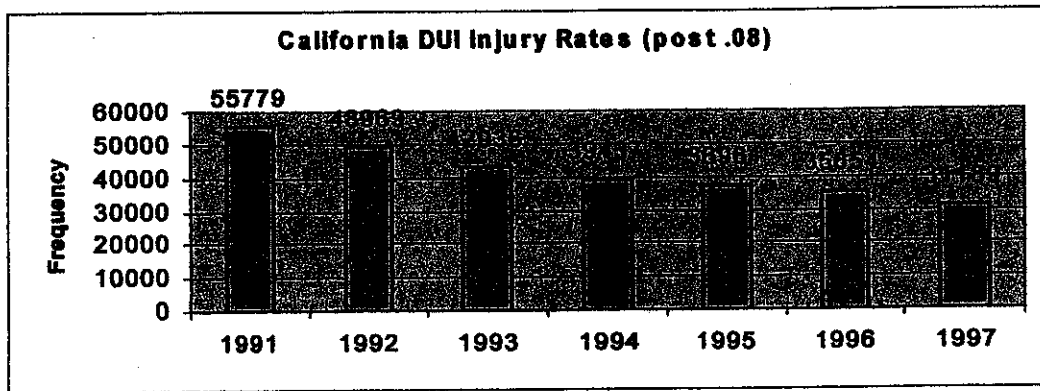
- The costs to the state concerning alcohol-related accidents have dropped in direct ratio to the drop of arrests and crashes (California DMV Research and Development, 1996).
- Furthermore, in 1990 California had 2,382 ARC deaths related to a population of 29,950,111. The fatality rate for this year is 7.96 per 100,000 people.
- In 1998, eight years after the passage of .08 legislation, the fatality rate was 3.41 per 100,000 people.
- This represents a decline in the ARC fatality rate of 57%.

The graphs below represent the specific impacts of .08 legislation in the state of California in each of the critical categories. Should Nevada adopt .08, we may see the similar results.

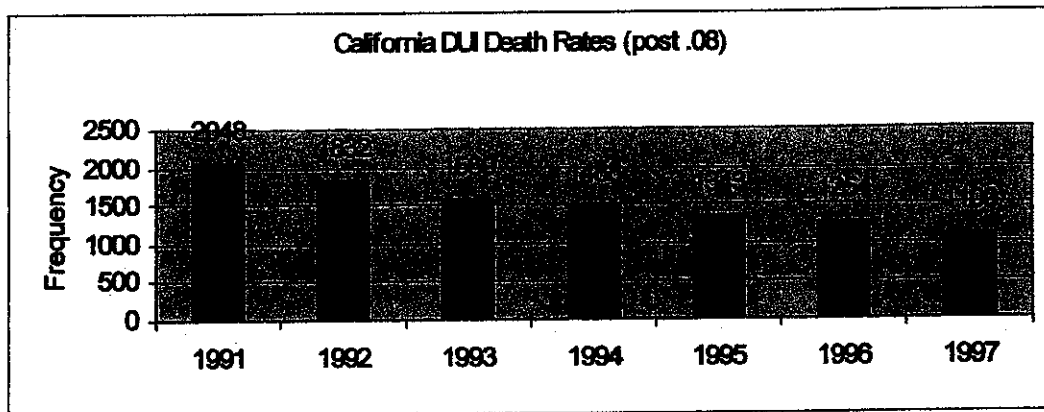
- Total DUI arrests dropped from 312,571 in 1991 to 193,250 in 1997, a 61.8% decrease.



- Alcohol-related injuries dropped from 55,779 in 1991 to 31,189 in 1997, a 55.9% decrease.



Alcohol-related crash deaths dropped from 2,048 in 1991 to 1,100 in 1997, a 53.7% decrease.



J 5 x 7

## WHY .08?

Point 08 is a measure that has undoubtedly reduced alcohol-related traffic crash (ARC) deaths and injuries. It is the legal limit per se in at least 18 states, it has become the national standard, and it is passing in many state legislatures across the nation. The bill has gained much notoriety and support for one simple reason; *.08 SAVES LIVES.*

The primary concerns of .08 advocates are saving lives and reducing injuries caused by our nation's number one crime, Driving Under the Influence (DUI). It has been unequivocally proven that .08 helps to reduce alcohol-related crashes, injuries, and fatalities. For example, in a study of the effects of .08 in four states (CA, ME, OR, UT), alcohol-related death averages have dropped significantly since the passage of .08 per se legal limit legislation.

### **Reduction in Alcohol-Related Deaths Three-Year Averages (Pre and Post .08)**

<b>State</b>	<b>Population Before .08</b>	<b>ARC Deaths Before .08</b>	<b>Population After .08</b>	<b>ARC Deaths After .08</b>	<b>Difference</b>
California	28,486,524	(87-89) 2,591	30,182,113 5.6% increase	(90-91) 2,215	376 less fatalities./yr. A 14.5% decrease
Maine	1,172,546	(85-87) 111	1,227,776 4.5% increase	(89-91) 70	41 less fatalities./yr. A 17.4% decrease
Oregon	2,655,337	(80-82) 316	2,674,256 0.7% increase	(84-86) 210	46 less fatalities./yr. A 37% decrease
Utah	1,511,608	(80-82) 138	1,642,696 7.9% increase	(84-86) 66	24 less fatalities./yr. A 14.5% decrease
<b>Total 4 States</b>	<b>32,314,407</b>	<b>3,156</b>	<b>35,726,841</b> 9.5% increase	<b>2,669</b>	<b>487 less fatalities./yr.</b> <b>A 15.4% decrease</b>

Source: US Department of Transportation, National Highway Traffic Safety Association (NHTSA), Region 2

Moreover, despite rapid population growth in each of these states, these reduction-in-death trends have improved significantly to a current overall reduction rate of 45%. These reductions are due to the .08 legislation, combined with other anti-DUI laws.

**Reduction in Alcohol-Related Deaths Comparison  
3 Year Averages Pre .08 vs. Most recent 3 Year Averages**

<b>State</b>	<b>Population Before .08</b>	<b>ARC Deaths Before .08</b>	<b>Most Recent Population</b>	<b>Most Recent ARC Deaths</b>	<b>Difference</b>
California	28,486,524	(87-89) 2,591	32,681,875 12.8% increase	(97-99) 1330	1261 less fatalities./yr. 48% decrease
Maine	1,172,546	(85-87) 111	1,248,603 6.09% increase	(97-99) 59	52 less fatalities./yr. 47% decrease
Oregon	2,655,337	(80-82) 316	3,280,488 19.1% increase	(97-99) 210	106 less fatalities./yr. 33% decrease
Utah	1,511,608	(80-82) 138	2,098,599 27.9% increase	(97-99) 66	72 less fatalities./yr. 52% decrease
<b>Total 4 States</b>	<b>33,826,015</b>	<b>3,156</b>	<b>39,309,565</b> 13.9% increase	<b>1665</b>	<b>1491 less fatalities./yr.</b> <b>45% decrease</b>

Source: U.S. Department of Transportation, NHTSA Region 2

These reductions in alcohol-related crash (ARC) deaths, in turn, slashed billions of dollars in costs incurred each year stemming from unnecessary ARC deaths. Point 08 has had a tremendous impact reducing these costs. The national average for ARC deaths has decreased by about 40% from 1980-2000. As an example of the effectiveness of .08, these four states carrying .08 per se legal limits, alone, show the kinds positive impacts. With a national cost figure of about \$3.0 Million per ARC death, these .08 states have helped to reduce their ARC death bill from about \$9.4 Billion (four states only) per year in 1980, to about \$4.9 Billion per year in 1999.

Nevada, in comparison to the 4 state figure has posted a 14% increase in ARC deaths. For the years of 1990-1992, Nevada averaged 144 ARC deaths per year. For the years of 1997-1999, Nevada ARC death rate increased 14% to 164 ARC deaths per year. The cost incurred with these averages is \$432 Million in 1990-1992, to almost \$492 Million in 1997-1999, based on the national average costs.