



NEW STUDIES ON .08 LAWS INDICATE POSITIVE RESULTS

The National Highway Traffic Safety Administration has strongly supported .08 per se laws for many years. The research has provided persuasive evidence that these laws, particularly in combination with other impaired driving laws such as administrative license revocation (ALR), are associated with reductions in alcohol-related fatal crashes.

As part of the Department of Transportation's 2001 Appropriations Bill, states are required to adopt .08 per se laws by October 1, 2003 or begin losing federal highway construction funds. As of June 2003, forty states and the District of Columbia and Puerto Rico have .08 laws.

The Pacific Institute for Research and Evaluation recently completed three new studies for the National Highway Traffic Safety Administration (NHTSA) on the impact of .08 laws.

Effectiveness of the Illinois .08 Law: Final Report

Illinois' .08 law became effective in July 1997. Since then, NHTSA has published two interim reports on Illinois' law (see Traffic Techs #232 and #273). The results from both of those studies indicated that the .08 law was associated with a 12 – 13 percent decrease in drivers in fatal crashes with positive BACs (blood alcohol concentrations). This decrease was statistically significant, and the five neighboring states did not have such a decline. All of these states had .10 BAC laws at the time.

This final report, which encompasses

3-1/2 years' of data following implementation of the law, indicates that the .08 law continues to save lives in Illinois. Using non-drinking drivers as a covariate, the number of drinking drivers in fatal crashes decreased by 12.7 percent from mid-1997 through the year 2000. This difference was statistically significant ($p = .01$). When compared to the five neighboring states, Illinois had a relative decline of 9.45 percent in the proportion of drinking drivers in fatal crashes.

The absolute number of alcohol-related fatalities has risen in Illinois in recent years. This is not a sign that the .08 law is not effective. Rather, there was an upward trend in alcohol-related fatalities in Illinois before the .08 law took effect, and the law has resulted in there being fewer fatalities than would otherwise be expected.

Evaluation of .08 BAC Legislation in Texas: Interim Report

This report is the first to examine the effectiveness of Texas' .08 law, implemented in September 1999.

The study found that the volume of arrests increased overall, as did the proportion of arrests at .08 and .09 BAC. Conviction rates remained stable, as did the types of sanctions DWI offenders received.

Time series analysis of sixteen months of post-.08 law crash data did not show any significant change in the pattern of alcohol involvement in fatal crashes that could be attributed to the law.



A follow-up report will examine the impact with an additional year's worth of data.

A Meta-Analysis of .08 BAC Laws in 19 Jurisdictions

One criticism of the research in the .08 area is that many of the studies have used different analysis methods and outcome variables, making comparisons between states difficult.

This meta-analysis approach used a consistent outcome measure (drinking drivers in fatal crashes) and an identical methodology (time series analysis) to analyze the impact of .08 law in the eighteen states and the District of Columbia that had .08 laws at the time of analysis. In effect, this provided nineteen independent evaluations so that NHTSA could measure the effectiveness of these laws in the same terms.

The number of drinking drivers in fatal crashes declined in 16 of the 19 jurisdictions after the jurisdictions adopted .08 laws. Nine of the sixteen reductions were statistically significant

($p < .05$). The effect size across all nineteen jurisdictions showed a statistically significant 14.8 percent decline in the rate of drinking drivers in fatal crashes after the jurisdictions introduced .08 laws ($p < .005$).

The reductions were larger in states that had ALR laws and in states that implemented frequent sobriety checkpoints. The results suggest that .08 laws may have saved 947 lives, had these laws been implemented in all 50 states and the District of Columbia throughout the year 2000.

HOW TO ORDER

For a copy of any of the three reports: **Effectiveness of the Illinois .08 Law, Evaluation of .08 BAC Legislation in Texas, or A Meta-Analysis of .08 Laws in 19 Jurisdictions**, write to the Office of Research and Technology, NHTSA, NTI-131, 400 Seventh Street, S.W., Washington, DC 20590, fax (202) 366-5599, or download from www.nhtsa.dot.gov. Amy Berning was the contract manager for each of these research projects.

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