

Officials: Lower BAC limit will not lessen Montana's DUI problem

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(5) Comments

BUTTE — A proposal to lower the legal blood alcohol concentration that triggers a drunken-driving citation might not lessen the problem of drinking and driving in Montana, according to state law enforcement officers and activist groups.

The National Transportation Safety Board, or NTSB, recently proposed that the legal blood alcohol concentration level for driving should be lowered nationwide as a way to discourage drinking and driving.

The current legal limit for being considered driving under the influence is a BAC of .08 or higher. On May 14, the NTSB recommended the BAC level be lowered to .05.

It's not an idea wholeheartedly embraced in Montana, even among those most involved in efforts to crack down on the state's high incidence of impaired driving.

Montana Highway Patrol Capt. Gary Becker said he's not convinced lowering the BAC level will make much of a difference. The Highway Patrol is seeing more and more drunken drivers with "aggravated," or very high BAC levels, he said.

Aggravated DUI offenders register BAC levels of more than .16 – or more than twice the legal limit.

"Those are the ones we're seeing out there (on the highway). Those are the ones most detrimental to public safety," Becker said.

Even Mothers Against Drunk Driving (MADD) has spoken out against the proposed lower BAC level.

Kelsey Denison of Montana MADD said the group doesn't believe the proposal will be enough to prevent the problem of drinking and driving in Montana.

Denison doesn't oppose lowering the BAC level – MADD is strictly against drinking and driving – however, she says the NTSB proposal doesn't address the real problem.

"We really need to concentrate on enforcing the .08 (BAC level)," she said.

Many DUI offenders in Montana have no regard for the current BAC level and continue to drive at a high level of intoxication, according to Denison. Since many fatal alcohol-related crashes occur at levels above .08 BAC, Denison said lowering the legal limit probably won't lead to significant change.

It's no surprise that the Montana Tavern Association also is against the lower the legal limit.

John Iverson, a lobbyist for the association, said the group stands behind the view issued by John Bodnovich, executive director of the American Beverage Licensees, on the NTSB proposal. Bodnovich said the proposal would only "redefine" drunk driving and wouldn't address the core problem.

"If implemented, the recommendation would effectively criminalize the activities of law-abiding social drinkers who, by wide majority, are responsible consumers," Bodnovich wrote in a statement.

The five-member NTSB board unanimously approved the recommendation. It noted that most European, Asian and South American countries have adopted the .05 BAC level.