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BAC law

New legislation lowering legal intoxication level begins today.

Todd Billiot
bullot@theadvertiser.com
Marsha Sils
msils@theadvertiser.com

LAFAYETTE – The lowering of the state’s blood alcohol concentration today means that most moderate drinkers should wait longer without consuming alcohol before getting behind the wheel of a car, or risk going to jail for driving while intoxicated.

Nearly half the traffic fatalities in Louisiana in 2010 were alcohol-related, according to statistics from the National Highway Traffic Safety Administration. Last year, 872 traffic fatalities were reported, and 413 were alcohol-related, according to safety administration statistics.

Two years ago, the Legislature lowered the legal level of intoxication from 0.10 to 0.08, with the stipulation that it would not take effect until Sept. 30.

South Louisiana is known for its drinking culture, with daquiri shops, festivals serving alcohol every weekend and a lively presence that is one of the most powerful lobbyists at the state capitol.

Luke Breaux, a bartender at The Sidebar on Jefferson Street, said he knows how hard the people of Lafayette like to party, so he wonders if the change will mean anything to his circle of friends and bar patrons.

Breaux, 23, a student at UL Lafayette, “It’s not going to make much of a difference if it’s 0.10 or 0.08. The police let you know where the sobriety checkpoints are, so you can just drive around the spots you want to go.”

Breaux and several others at downtown bars Monday afternoon said they didn’t know the legal intoxication level was dropping.

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It's a "lucrative business." Domingue, who is 5 foot 4 inches tall and weighs 160 pounds, said if she enters, she can have a couple of glasses of wine before she feels the effects of the alcohol. She said her last drink is often a glass of water.

She said the law will make her change her habits if she plans to drive home. "I won't stop drinking before that door closes," she said, pointing to the front of the bar.

Lafayette police Cpl. Mark Francis said the lower legal limit for being drunk will hopefully deter people from having an extra drink. "Our tools are sharpened," he said. Other states that have passed the .08 law haven't reported unnecessary hardships on the courts or jail systems.

It shouldn't be a problem in the downtown jail, either, said Rob Reardon, director of the Lafayette Parish Correctional Center. Reardon said he expects more people to be booked into jail, but he'll find room for them. People arrested for DWI are put into a holding cell and bond out within a few hours, Reardon said.

State Police Trooper Will Williams also called the new law a stronger tool to get drunken drivers off the road. "If you're drunk, you drink something, just don't drive," Williams said. "That's the easiest law not to break, because you know if you take the chance to drive after having something to drink, you take the chance of getting arrested, have your license taken away, and hurting yourself or someone else."

Williams said drunken drivers risk having their driver's license suspended for six months with a first-time conviction for DWI. With a blood alcohol concentration level of .20 or above, drunken drivers risk losing their licenses for two years on a first conviction and four years on a second conviction, Williams said.

"The keychain type of alcohol breathalyzer devices, as well as alcohol impairment charts found on the Internet are "a bunch of nonsense," Williams said, noting alcohol impairment depends on several different variables, such as weight, food consumption and metabolism.

And police say people who drink water or coffee to sober themselves up before a drive should think again. "The only thing that can get rid of alcohol is time," said Louisiana State Police Senior Trooper Paul Vankirk. "If you ever have to ask someone, 'Are you OK to drive?' They're not."

He said people often mistakenly associate drunken driving prevention campaigns and laws as edicts for pro-hibition. "Nobody is saying don't drink," Vankirk said. "Nobody says that at all. You don't hear the police ever saying, 'Don't drink.' If you have one drink, don't drive. It's not worth it."

"The bottom line is this," he said. "They're harsh words to use, but I've said. He added that the threat of more consequences tacked onto the new law may make people think twice about getting behind the wheel.

But starting today, those two points can mean the difference between a night in jail or a cab ride home. Neal Halphen and Michelle Mahfouz Domingue, sipping on a bottle of Budweiser and a glass of white wine at Marley's, said that the new law is going to be a problem. "I will be more aware of the concentration level before getting behind the wheel," Halphen said.

Halphen said he could see how some people view the change negatively. "It upsets me to hear that we're one of the highest states in drinking and driving (crashes)," but Louisiana is known for its nightlife, Halphen said.