Battle resumes over DWI limit

State Trooper Dan Hudson, right, administers a breathalyzer test Wednesday during a demonstration for The Daily Advertiser.

Advocates load weapons for fight over blood-alcohol limit

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LAFAYETTE — The battle for .08 is about to begin again.

The move to lower the blood alcohol level at which a driver is presumed to be drunk was one of the most contentious issues in last year's special legislative session. The lines are drawn again in 1999 over whether Louisiana should lower the legal blood alcohol limit to .08 or keep the current level of .10 in force.

On one side: a coalition of traffic safety groups, including Louisiana's chapter of Mothers Against Drunk Driving. On the other: liquor and restaurant industry groups worried about the effects on their business.

One way or another, Acadiana is likely to play a key role in the contest.

A 1998 opinion poll, commissioned by MADD and conducted by Southern Media & Opinion Research, showed that 79 percent of 600 Louisiana respondents wanted their legislators to vote for .08. In Acadiaiana, 82 percent of the 141 respondents favored .08.

And the Senate Judiciary C Committee, through which drunk-driving legislation must pass, is chaired by state Sen. Max Jordan, R-Lafayette.

Louisiana MADD Director Cathy Childers said .08 won everywhere except in 1998. The House passed the lower limit 69-35. In the Senate, Judiciary C voted to kill the bill 42-4. An unsuccessful move to bring .08 back to the floor.

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before the full Senate drew “yes” votes from 19 of the 39 senators. Childers said some senators told her they wanted to vote for the bill but were unwilling to buck the committee.

Jordan could not be reached for comment. Jordan didn’t vote on the motion to kill the bill in committee and he voted for the only version of .08 to reach the Senate floor.

But Childers said that version was watered down by liquor industry amendments. No one on the pro-.08 side will say so, but it’s clear that proponents feel Jordan, a defense attorney who often represents drunk-driving defendants in city court, is neutral at best.

This year’s debate may boil down to two questions: Exactly how drunk is .08? And how can Louisiana be sure that .08 will work?

The American Beverage Institute, a liquor industry association that opposes .08, said the lower limit will do nothing to curb very drunk drivers, those with blood alcohol contents of more than .14, while imposing criminal penalties on drivers who don’t deserve them.

The institute quotes a CBS New story about .08. The story quotes a National Highway Traffic Safety Association source as saying that a 120-pound woman can cross the .08 threshold with only two glasses of wine.

A different result came out of a recent demonstration by the Louisiana Highway Safety Commission and the Louisiana State Police. The agencies invited reporters and private citizens to drink until they reached the .08