Law took three years to take effect

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LAFAYETTE — The state saved itself from losing millions in federal dollars dedicated to road projects, but the cost may have been greater by waiting until the last minute, according to prevention advocates.

Lowering the levels sooner could have saved lives, advocates say.

Louisiana was one of three states that waited until the day before the federal government began punishing states that didn’t enact a .08 blood alcohol concentration level. The Legislature wrote the mandate into law in 2001, with the stipulation it not take effect until Sept. 30, 2003, the day before federal penalties would have kicked in.

The law lowers the state’s limit of illegal intoxication from .10 to .08.

States that have already enacted the .08 level have seen a 6 percent to 8 percent drop in alcohol-related fatalities.

Last year, 875 traffic fatalities were reported, and 413 were alcohol-related, according to statistics from the National Highway Traffic Safety Administration. Apply a 6 percent to

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8 percent drop in alcohol-related fatalities in Louisiana and about 40 lives to 45 lives a year in Louisiana could have been saved, said Cathy Childers, executive director of Louisiana Mothers Against Drunk Driving.

“And what a shame,” Childers said. “We sacrificed another 80 people to thumb our nose at the head of government.”

In 1999, Congress passed .08 legislation, setting it as the national standard. It was signed into law by then-President Bill Clinton in 2000. Childers was in the Rose Garden when it became law. States that refused to comply by Oct. 1, 2003, would be penalized with the federal government withholding 2 percent of federal money dedicated for highway projects.

Some drinking and driving prevention advocates believe that the Legislature embargoed the law in hopes a new administration would change the mandate.

That didn’t happen.

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Louisiana isn’t the only state that waited. Michigan and Wisconsin also lowered their blood alcohol level laws today. Six states have not lowered their law to .08 and face the 2 percent penalty, according to information from the National Highway Safety Administration. The decision not to enact the law would have cost Louisiana about $5 million in federal money.

The penalty increases each year up to 8 percent. Those states that comply by 2007 will be reimbursed for lost funds.