New DWI Laws Take Effect Jan. 1

Traffic safety advocates are hopeful that Louisiana's new D.W.I. laws that go into effect Jan. 1, 1984, will have a positive effect in curtailing Louisiana's traffic death rate since studies have shown that approximately 55 percent of all fatal crashes involve a drinking driver.

Last year in Louisiana four people died and 200 were injured over the New Year's holiday weekend. According to estimates from the National Safety Council between 250 and 350 people will die nationwide in traffic accidents, and between 12,000 and 16,000 will suffer injuries over the holiday weekend that officially begins at 6 p.m. Friday, Dec. 30, and extends until midnight, Monday, Jan. 2.

"A cornerstone of Louisiana's new D.W.I. laws is the concept of .10 Blood Alcohol Concentration as a firm level of intoxication, making it illegal in and of itself to have a .10 BAC," said Safety Council of Greater Baton Rouge Executive Director Nancy Camel. "Prior to this law change, a .10 BAC was considered only 'presumptive' of intoxication and relied heavily on observation and testimony by the arresting officer.

"Offenders with BAC level below .10 or under the influence of drugs may also be prosecuted for D.W.I. if physical evidence indicates impaired driving," Ms. Camel said. Also effective Jan. 1, the driver's license of anyone either failing the BAC test at .10 or greater or refusing to take the test, may be administratively suspended by the Department of Public Safety, even if that person is not convicted in criminal court. A person under arrest for D.W.I. may not refuse to take the BAC test in a case where there has been a traffic fatality or serious bodily injury.

Effective since Aug. 30, 1983, anyone convicted of vehicular homicide for directly or proximately causing the death of another human being while operating a motor vehicle with a .10 BAC or under the influence of alcohol or drugs, is subject to a penalty of $2,000 to $5,000 fine and two to five years in jail.

Also effective Aug. 30, 1983, a person causing injury to another while operating a motor vehicle under the influence of alcohol or with a .10 BAC, may be convicted of vehicular negligent injuring. "Louisiana's new D.W.I. laws are some of the toughest in the nation," Ms. Camel said. "We hope that they will effectively decrease the number of people killed and injured on Louisiana's highways in the coming New Year."

Ms. Camel offered the following tips for motorists who will be attending parties where alcohol will be served:

-If you are going out with a group of people, select one person to serve as the designated driver. It should be that person's responsibility to abstain from alcohol and to drive the others home safely.

-If you plan on driving, pace yourself when you drink. Although alcohol affects everyone in different ways, your body needs about an hour to overcome the effects of alcohol for every beer or mixed drink you consume.

-Don't drink just to be sociable. If you would prefer a nonalcoholic drink ask the host for one.

-If you are hosting a party, serve nonalcoholic drinks and food items. Mix drinks moderately, close the bar about an hour before the party ends and take responsibility for your guests. If they've had too much to drink Help them find another ride home, encourage them to stay overnight or call a taxi cab for them.