Stricter DWI state laws become effective Jan. 1

Traffic safety advocates hope that Louisiana's new DWI laws that go into effect Jan. 1, 1984, will have a positive effect curtailing Louisiana's high death rates in traffic accidents. 

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 and extends until midnight, Jan. 2, 1984.

"A cornerstone of Louisiana's new DWI laws is the concept of .10 Blood Alcohol Concentration as a firm level of intoxication that will make it illegal to drive 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," she said.

"Offenders with BAC level below .10 or under the influence of drugs may also be prosecuted for DWI if physical evidence indicates impaired driving," Ms. Camel noted.

Also effective Jan. 1, the driver's license of anyone 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 DWI 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, anyone convicted of vehicular homicide for driving under the influence of alcohol or other drug is subject to a penalty of $2,000 to $5,000 fine and two to five years in jail.

Also effective Aug. 30, 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 injury.

"Louisiana's new DWI laws are some of the toughest in the nation," Ms. Camel said.

"We hope that they will effectively lower the number of people killed and injured on Louisiana's highways in the coming New Year," Ms. Camel said.

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

- Don't drink and drive. If you drink, choose a designated driver or call a taxi.
- Don't drink to get drunk. If you prefer a non-alcoholic drink, ask the host for one.
- If you are hosting a party, serve non-alcoholic drinks and food items. Offer water, soda, and other non-alcoholic beverages.
- Be responsible. If you suspect someone is driving under the influence, offer to help them find another ride home.