

Delaware: Debate begins over bill to lower BAC for DUI in Delaware

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By Rob Petree
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The American Beverage Institute (ABI) is vehemently opposed to legislation that would lower the blood-alcohol arrest level for driving from the nationally recognized 0.08 BAC to 0.05 in Delaware.

House Bill 320, if passed, would change the blood alcohol concentration (BAC) required for driving under the influence arrests from .08 to .05, a legislative measure aimed at reducing drunk driving and the fatalities that they cause.

In Delaware, nearly 60 percent of alcohol-related traffic fatalities involve drivers with BACs of 0.15 and above, while only about 2 percent of traffic deaths involve someone with a BAC between the legislation's targeted interval of 0.05 and 0.08, according to ABI.

Sarah Longwell, Executive Director of ABI, said the legislation would hurt the hospitality industry because social drinkers will feel that extra drink will lead to a DUI, and then other people won't even be able to have one drink because of their weight.

In an interview with Delaware 105.9's Rob Petree, Longwell explained...

"The .05 limit is so low that it would essentially mean a 120lb woman would be in a position of being arrested after a single drink," said Longwell. "It's going to have a tremendous chilling affect on moderate, social drinkers who otherwise would have gone out to happy hour dinner, split a bottle of wine with their spouse. At this point, splitting a bottle of wine with your spouse would put you absolutely in a place where you would get arrested if you drove home."

State Senator David Sokola, a sponsor of the House Bill 320, said these are the same arguments that were made when they lowered the limit from 1.0 to .08.

In an interview with Delaware 105.9's Rob Petree, Sen. Sokola explained...

"I was around when we went from 1.0 to .08, and those are all of the arguments we heard back then," said Sen. Sokola. "So, it didn't surprise me at all that there might be some opposition, but when we went to .08 it got safer and we still have a lot of DUIs, and we still have a lot of people who go beyond what they should, but that doesn't mean what we did was the wrong thing."

Earlier this year, a report released from the National Academies of Sciences Engineering Medicine suggested lowering the BAC from .08 to .05 to curb the rising numbers of fatalities caused by drunk driving.