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Utah's tough new DUI law could save 1,500 lives each year if other states copied it, says National Transportation Safety Board member



(Andrew Harnik | The Associated Press) National Transportation Safety Board member Bella Dinh-Zarr arrives at a news conference at the National Transportation Safety Board headquarters in Washington, Monday, Dec. 18, 2017.



By Lee Davidson

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The National Transportation Safety Board's mission is to save lives — which is why it investigates jet crashes and other disasters. Now, it is cheering a new development it says would save 1,500 lives a year, if copied widely.

That is Utah's new toughest-in-the-nation drunken driving law that takes effect Dec. 30 and lowers the blood alcohol content (BAC) at which drivers are presumed to be legally drunk from 0.08 to 0.05.

“There's not many other tools like this that we can say for sure would immediately save 1,500 lives every year” if adopted nationwide, said Bella Dinh-Zarr, an NTSB member who traveled to Utah twice to testify for passage of the new law.

In an interview with The Salt Lake Tribune, she said Utah's law should finally break the ice for more states to also enact a 0.05 limit — which her board has recommended since 2013 as the No. 1 way to reduce deaths from impaired driving.

“It always seems to take the first state to just say, ‘Yes, we’re going to do this. We’re not going to listen to all the misinformation,’” Dinh-Zarr said.

National Transportation Safety Board member Bella Dinh-Zarr speaks at a news conference at the National Transportation Safety Board headquarters in Washington, Monday, Dec. 18, 2017. (AP Photo/Andrew Harnik)

She notes Utah also was the first state to set a 0.08 blood alcohol content limit in 1983, which all others eventually adopted.

“It proved to be lifesaving. Now once again Utah is a leader,” she said. “Other states around the country are starting to ask about it” and will be watching how well it works in the Beehive State.

Dinh-Zarr said since Utah passed its law last year with delayed implementation, several other states also introduced legislation to enact the 0.05 limit — but none passed it yet.

“Utah was quite quick. Sometimes it takes one or two legislative sessions, sometimes even three or four,” she said. “But other states have started introducing it, and it’s because Utah took that leadership position that it’s about saving lives and preventing these preventable crashes.”

She said that at the NTSB, “We investigate all sorts of terrible transportation disasters” to find causes and prevent them in the future. As the agency investigates bad vehicle crashes, “we come across the problem with driving with alcohol over and over again.”

So, in 2013, it studied ways to reduce it — and its top recommendation was to drop the BAC limit to 0.05.

She said studies looking at people in fatal accidents with between a 0.05 and 0.079 BAC figured lowering the limit could save 1,500 to 1,800 lives a year.

Also, she said chances are seven times higher that drivers with a BAC between 0.05 and 0.079 will be involved in a single-car fatal crash, compared with drivers who had no alcohol.

“Basically, 0.05 does a few basic things,” she said. “It saves lives. It deters people at all BAC levels from drinking. And it separates drinking from driving.”

Dinh-Zarr said more than 100 countries have BACs of 0.05 or less — including many in Europe with strong drinking cultures. “In those countries, there is no decrease in the amount of alcohol consumption per capita ... and yet they are dying less.”

The main reason: “They are just simply separating their drinking from their driving.”

She said because she states that often, her staff made a graphic that looks like a check-box test question. “It says choose one: drink or drive. It’s really as simple as that. Choose just one, and you will save your life and possibly others.”

She adds people “can still go out and have a good time. They just need to find another way home if they drink. We like to say if you have a phone these days, you have a ride home with all these ride-share” companies such as Uber and Lyft.

Even with her advice to separate drinking and driving, Dinh-Zarr said attacks on Utah’s law that it will lead to arrests of people who have as few as one drink with dinner are overblown.

“At 0.05, that’s three alcoholic drinks in an hour for a 160-pound man,” she said. “If you are a 160-pound man [and] you’ve had three alcoholic drinks in an hour, do you really feel you are safe to drive? That’s what 0.05 is.”

But some charts and studies say a 120-pound woman could hit 0.05 with one drink. Dinh-Zarr said she is about that weight, and “one drink is not going to get me over 0.05” after taking time to eat a dinner out.

“People who are against it are using these scare tactics as a distraction,” she said.

Other attacks include that the lower limits will shift enforcement away from catching people who are drunk at many times over the legal limit to busting those over the legal threshold. Dinh-Zarr said lowering limits tends to decrease drunken driving from people at all BAC levels. Critics have also said it will hurt tourism by making the state look even more weird with its drinking laws.

Because of the attacks on the new law, Dinh-Zarr wants Utahns to hear this message, “You are doing the right thing. The only thing that’s going to happen is fewer people are going to die on Utah roads.”



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