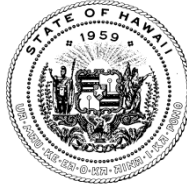


JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



EDWIN H. SNIFFEN
DIRECTOR
KA LUNA HO'OKELE

Deputy Directors
Nā Hope Luna Ho'okele
DREANALEE K. KALILI
TAMMY L. LEE
CURT T. OTAGURO
ROBIN K. SHISHIDO

STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII
DEPARTMENT OF TRANSPORTATION | KA 'OIHANA ALAKAU
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

Thursday, April 10, 2025
10:00 a.m.
State Capitol, Room 430 & Videoconference

S.C.R. 181 S.D. 1
URGING THE DEPARTMENT OF TRANSPORTATION TO ESTABLISH A WORKING
GROUP ON LOWERING THE LEGAL LIMIT OF BLOOD ALCOHOL
CONCENTRATION TO 0.05 GRAMS OF ALCOHOL PER ONE HUNDRED
MILLILITERS OF BLOOD

House Committee on Transportation

The Hawaii Department of Transportation (HDOT) **supports S.C.R. 181 S.D. 1** which urges the HDOT to establish a working group on lowering the legal limit of blood alcohol concentration to 0.05 grams of alcohol per one hundred milliliters of blood.

HDOT appreciates the intent of the legislature to support continued collaboration and research in understanding of impaired driving at lower levels of impairment. HDOT, along with many of the agencies mentioned in this measure, have stated their support for policies that lower the legal blood alcohol concentration and already use existing forums to discuss policies and existing research regarding lowering the legal per se limit of blood alcohol concentration.

Laboratory and driving simulator studies have found that most adults, even experienced drinkers who typically reach blood alcohol concentration (BACs) of .15 or greater, are significantly impaired at .05 BAC, with critical driving-related skills such as divided attention, braking, tracking, perception, and reaction time impacted.¹

Lowering the per se limit from .08 to .05 is a proven countermeasure that has reduced alcohol-impaired driving fatalities in other countries. As stated in the National Transportation Safety Board's *Reaching Zero: Actions to Eliminate Alcohol-Impaired Driving*, "a study of per se BAC reductions in several European countries (Albalade 2008, 20-39) found that the change from a 0.08 to a 0.05 per se BAC limit reduced traffic fatalities by 8-12 percent among people aged 18-49. Finally, in Australia, fatal crashes decreased significantly in two states (by 18 percent in Queensland and by

¹ Fell, James C. and Robert B. Voas. "The effectiveness of a 0.05 blood alcohol concentration (BAC) limit for driving in the United States." *Addiction* (2014): 869-874.

8 percent in New South Wales after those states lowered their per se BAC limits from 0.08 to 0.05 (Henstridge, Homel, and Mackay 1997).² Most other industrialized nations around the world have already lowered their illegal per se limits; Australia, Austria, Belgium, Finland, France, Germany, Greece, Ireland, Italy, New Zealand, Scotland, Spain, and Switzerland are just a few of the countries with a .05 illegal BAC limit, while Japan, Norway, Poland, Sweden, and Taiwan have set their limits at .03 or .02.

According to a meta-analysis of studies on lowering BAC in general, researchers found a 11.1 percent decline in fatal alcohol-related crashes from lowering the BAC to .05 or lower. They estimate that 1,790 lives would be saved each year if all states adopted a .05 BAC limit.³

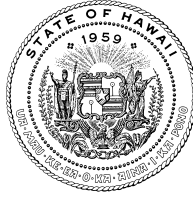
Lowering the illegal BAC limit does not mean that people are no longer allowed to drink; we would just like to separate the acts of drinking and driving to keep all of our roadway users safe.

The HDOT is primarily concerned about improving highway safety and protecting the lives of our community members and visitors. Our preference would have been for H.B. 1084 or H.B. 1387 to pass, as those bills lower the illegal BAC per se level from .08 to .05. Changing the illegal per se limit is a start to change behaviors so that people plan ahead and arrange for alternatives to driving while impaired, such as using rideshare or public transportation, or designating a sober driver.

Thank you for the opportunity to provide testimony.

² National Transportation Safety Board. 2013. *Reaching Zero: Actions to Eliminate Alcohol-Impaired Driving*. Safety Report NTSB/SR-13/01. Washington, DC: NTSB.

³ James C. Fell, M.S., Michael Scherer, Ph.D. "Estimation of the Potential Effectiveness of Lowering the Blood Alcohol Concentration (BAC) Limit for Driving from .08 to .05 grams per deciliter in the United States." *Alcohol Clin Exp Res*. (2017): 2128-2139.



EXECUTIVE CHAMBERS
KE KE'ENA O KE KIA'ĀINA

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA

House Committee on Transportation

Thursday, April 10, 2025

10:00 a.m.

State Capitol, Conference Room 430 and Videoconference

In Support of Senate Concurrent Resolution 181, SD1, Urging the Department of Transportation to Establish a Working Group on Lowering the Legal Limit of Blood Alcohol Concentration to 0.05 Grams of Alcohol per One Hundred Milliliters of Blood with the Intent of Prioritizing Safety and Saving Lives on Hawaii's Roads.

Chair Kila, Vice Chair Grandinetti, and Members of the House Committee on Transportation:

The Office of the Governor strongly supports Senate Concurrent Resolution 181, SD1, which urges the Department of Transportation to Establish a Working Group on Lowering the Legal Limit of Blood Alcohol Concentration (BAC) to 0.05 Grams of Alcohol per One Hundred Milliliters of Blood with the Intent of Prioritizing Safety and Saving Lives on Hawaii's Roads.

The Office of the Governor believes lowering the BAC in Hawaii will force a change in attitudes and behavior towards drinking and driving. The Governor has treated victims of accidents caused by drunk driving and understands the impact that these tragedies have on victims and their families. Decreasing the BAC limit to 0.05% for the state could prevent crashes, injuries, and deaths, creating safer communities for everyone.

Thank you very much for the opportunity to provide testimony on this resolution.



SCR181 SD1 Lower Blood Alcohol Concentration for Driving

COMMITTEE ON TRANSPORTATION

Rep. Darius K. Kila, Chair

Rep. Tina Nakada Grandinetti, Vice Chair

Thursday, Apr 10, 2025: 10:00: Room 430 Videoconference

Hawaii Substance Abuse Coalition Supports SCR181 SD1:

ALOHA CHAIR, VICE CHAIR, AND DISTINGUISHED COMMITTEE MEMBERS. My name is Alan Johnson. I am the current chair of the Hawaii Substance Abuse Coalition (HSAC), a statewide organization for substance use disorder and co-occurring mental health disorder treatment and prevention agencies and recovery-oriented services.

HSAC supports a working group to evaluate lowering the BAC limit and provides research data from the National Institute of Health that supports 0.05.¹

It is fairly well-known that a **0.05 BAC limit has the science behind it** to support such a measure. In summary, here are some of the key reasons:

Driving is impaired at 0.05 BAC. Research conducted over the past 30 years clearly indicates that most drivers are impaired at 0.05 BAC and higher with regard to driving performance. Regardless of age, gender, ethnicity, and drinking experience, laboratory, driving simulator, and test track experiments indicate impairment for most participants at 0.05 BAC.

In case-control experimental research, the **risk of being in a crash begins to rise substantially at 0.05 BAC** and higher when compared with drivers with 0.00 BAC.

Lowering their BAC limit for driving to 0.05 g/dL has reduced alcohol-related traffic fatalities in several countries, most notably Australia. A recent meta-analysis of international studies on lowering the BAC limit found that when countries lowered their BAC limit to 0.05 BAC or lower, there was an 11.1%

¹ National Institute of Health, National Library of Medicine: PubMed Central: Fell JC. Another Major Reason to Lower the Blood Alcohol Concentration Limit for Driving. Am J Public Health. 2019 May;109(5):670-671. doi: 10.2105/AJPH.2019.304987. PMID: 30969815; PMCID: PMC6459663. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6459663/#:~:text=The%20risk%20of%20a%20crash,with%20drivers%20with%200.00%20BAC.&text=Evaluation%20studies%20show%20that%20when,dL%2C%20decreases%20in%20crashes%20occur.>

decline in fatal alcohol-related crashes associated with that countermeasure according to the meta-analysis.

A 0.05 BAC is not typically just one or two drinks. For the average 170-pound **man, it would take at least four alcoholic drinks in two hours** on an empty stomach to exceed a 0.05 BAC. The average 137-pound **woman would have to drink three glasses of wine** on an empty stomach in two hours to reach or exceed a 0.05 BAC.

Surveys show that the public supports levels below 0.08 BAC. A survey conducted by the AAA Foundation for Traffic Safety indicated that **63%** of a representative sample of drivers in the United States are in favor of lowering the illegal BAC from 0.08 g/dL to 0.05 g/dL.

Close to 100 countries around the world have set BAC limits at 0.05 BAC or lower. All states and territories in Australia have a 0.05 BAC limit, and their per-capita alcohol consumption is higher than that in the United States. Most of Europe, including Spain, France, Austria, Italy, and Germany have established their limit at 0.05 g/dL, while Sweden, Norway, Japan, and Russia have enacted their BAC limit at 0.02 g/dL.

The percentage of US traffic fatalities involving an **alcohol-impaired driver has been around 30% for more than 20 years.** If states lowered their BAC limit from 0.08 g/dL to 0.05 g/dL, studies show that hundreds of lives could be saved. A 0.05 BAC limit has the potential to serve as a general deterrent to all those who drink and drive.

FURTHER EVIDENCE FOR 0.05 There is a growing body of research on alcohol harm to others documenting the **prevalence of a wide range of harms to others attributable to alcohol. These harms to communities include noise, vandalism, property damage, spousal abuse, child neglect, and work-related problems.** This enhances the position in the essay on alcohol's harm to others.

We appreciate the opportunity to provide testimony and are available for questions.



Date: April 8, 2025

To: The Honorable Representative David Tarnas, Chair
The Honorable Representative Mahina Poepoe, Vice Chair
Members of the House Committee on Judiciary and Hawaiian Affairs

Re: Support of SCR181 SD1, Urging the Department of Transportation to Establish a Working Group on Lowering the Legal Limit of Blood Alcohol Concentration to 0.05 Grams of Alcohol per One Hundred Milliliters of Blood.

Hearing: Thursday, April 10, 2025 at 10:00am, Conference Room 430

Position: Support

Aloha, my name is Rick Collins, the Director of the Hawai'i Alcohol Policy Alliance (Alliance), a program of the Hawai'i Public Health Institute.ⁱ I am submitting supportive testimony on behalf of the Alliance for SCR181 SD1. SCR181 SD1 urges the Department of Transportation (HDOT) to establish a working group on lowering the legal limit of blood alcohol concentration to 0.05 grams of alcohol per one hundred millimeters of blood.

Over the past few years, the legislature has introduced a measure that would reduce the blood alcohol concentration (BAC) for impaired driving from 0.08 to 0.05 BAC. However, the bill has not been successfully passed, with some legislators expressing that there isn't conclusive evidence to show that lowering the blood alcohol concentration (BAC) to 0.05 would be effective at preventing alcohol-related crashes and fatalities. This working group would allow transportation safety experts, the public health field, and experts within the judicial system to research and compile reports and studies related to the effects of lowering the BAC from 0.08 to 0.05 and make recommendations to the legislature on whether such change would likely reduce and prevent alcohol-related crashes and fatalities in Hawai'i.

The proposed working group would be able to provide the legislature with the requested information to make an informed decision as to whether a 0.05 BAC law in Hawai'i would reduce alcohol-related crashes and fatalities and whether it might save lives and taxpayer dollars as a result.

We appreciate the committee's commitment to creating safe roads in Hawai'i and for hearing this proposed resolution. Mahalo for your consideration of our testimony in support of SCR 181



SD1. If you have any questions, please feel free to contact me at rick@hiphi.org or (808) 591-6508, x22.

Rick Collins

Director
Hawai'i Alcohol Policy Alliance

ⁱ Hawai'i Public Health Institute is a hub for building healthy communities, providing issue-based advocacy, education, and technical assistance through partnerships with government, academia, foundations, business, and community-based organizations.



Hawai'i Office
745 Fort St., Suite 303
Honolulu, HI 96913
HiState@madd.org

madd.org/hawaii
877.ASK.MADD
877.MADD.HELP Victim Support
808-532-6232

Aloha Chair, Vice Chair, and Members of the Committee,

My name is Makena Young, and I am the Program Manager for Mothers Against Drunk Driving (MADD) Hawaii. MADD is in **support** of SCR181 SD1, which urges the Department of Transportation to convene a working group to consider lowering Hawaii's legal blood alcohol concentration (BAC) limit for drivers from 0.08% to 0.05%.

Drunk driving continues to be a leading cause of traffic fatalities in Hawaii, with alcohol-impaired driving involved in over 40% of traffic deaths in our state — a rate higher than the national average. We aim to eliminate drunk driving, and lowering the BAC limit is a proven strategy to prevent crashes and save lives.

Research shows that even small amounts of alcohol can impair driving ability. A 0.05% BAC law sends a clear message that impaired driving at any level is dangerous and unacceptable. Other states, like Utah, have already seen significant reductions in crashes and fatalities after implementing a 0.05% limit — without negative impacts to tourism or local businesses.

MADD Hawaii strongly supports efforts to explore this policy further and encourages the formation of this working group to evaluate how a lower BAC limit could make Hawaii's roads safer for everyone.

Mahalo for the opportunity to submit testimony.

Respectfully,
Makena Young

SCR-181-SD-1

Submitted on: 4/9/2025 2:48:08 PM

Testimony for TRN on 4/10/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Frank Schultz	Individual	Oppose	Written Testimony Only

Comments:

I oppose this initiative.