

NEWSLETTER

The Morning

America’s High Drunk-Driving Limit

We explore why it matters and whether the limit might change.

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You’re reading The Morning newsletter. Make sense of the day’s news and ideas. David Leonhardt and Times journalists guide you through what’s happening — and why it matters.



By Dana G. Smith

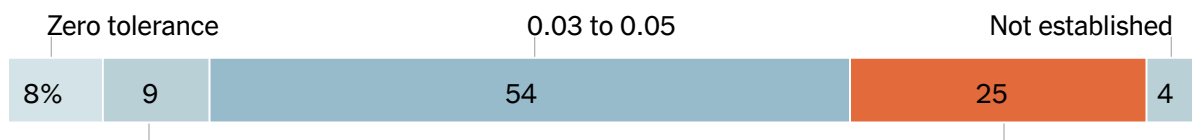
I cover personal health and have a Ph.D. in the psychology of addiction.

Drunk driving is illegal almost everywhere. But what counts as drunk? Nations answer that question differently. Most say you can’t get behind the wheel when the concentration of alcohol in your blood (commonly known as B.A.C.) is 0.05 percent or more.

Only a quarter of countries enforce a limit above that. The United States is one of them: Its limit is set at 0.08. Experts say that’s one reason for the 13,500 drunk driving deaths here every year, according to the most recent data.

Limits in legal blood alcohol concentration while driving

Percentage of countries with different requirements



Less than 0.03

More than 0.05
(U.S. has a federal 0.08 limit)

Note: Percentages are from 109 countries which had available data from 2019. • Source: World Health Organization • By The New York Times

When I read about America's outlier status in a recent report, my jaw dropped. As a reporter for The New York Times's Well section, I sometimes write about how alcohol affects our health. Learning about our high blood-alcohol limit sent me down a rabbit hole to find out how it was established and whether people are trying to lower it. They are: "It's one of our highest priorities," Thomas Chapman, a member of the National Transportation Safety Board, told me.

The Times published my article on the effort this morning. In today's newsletter, I'll explain why the United States has such a high limit, why it matters and whether that might change.

Outlier nation

Everyone learns in drivers' ed that drinking and driving is unsafe. Cognition, particularly sustained attention and multitasking, becomes impaired at or even below 0.05. On driving-simulator tests, people perform worse with any amount of alcohol in their system. Looking at how booze affects driving in the real world, one study reported that people with a blood alcohol concentration of 0.05 were 38 percent more likely to crash than sober drivers.

States have always set their own drunk driving limits. In the 1990s, some were as high as 0.10, and drunk driving deaths were even more frequent than they are today. So Congress voted to set a national standard in 2000. The bill it passed said states couldn't receive federal highway funds if they allowed people to drive with a B.A.C. above 0.08, so that concentration became the norm. Even at the time, some experts thought it was too high. "The 0.08 was pretty much a compromise," said Linda Degutis, a public health lecturer at Yale.

The high limit is costly. A 2017 analysis estimated that lowering the nation's legal limit to 0.05 would reduce alcohol-related fatal crashes by 11 percent, saving nearly 1,800 lives per year. Drunk driving deaths have increased by nearly a quarter since

that estimate was published, suggesting even more lives could be saved today.

In light of this data, one state took action: In 2018, Utah lowered its legal limit to 0.05. In the year after the law took effect, fatal car crashes in the state dropped by nearly 20 percent. It wasn't because people became expert at imbibing the exact right amount. Instead, the law discouraged people from driving after they'd had a drink, said James Fell, a traffic-safety expert at NORC, a research organization. "All they know is that the limit for drinking has been lowered and they'd better be careful," he said.

A sweeping change?

Other states — including Connecticut, Hawaii, New York and Washington — are now considering similar legislation to lower their legal driving limits. Several national groups, such as the National Transportation Safety Board, back the change. Even AB InBev, the largest beer company in the world, has said it isn't opposed.

But experts I spoke with during my reporting say not everyone is on board — and they point to the hospitality industry as the main opponent. The worry is that new rules will hamper alcohol sales and hurt restaurants and bars. (None of the national or state alcohol and restaurant groups I contacted responded to my requests for comment.) But the Utah law had no effect on alcohol, restaurant or tourism revenue, according to the National Highway Traffic Safety Administration.

Instead of drinking less in response to the law, people just got a ride home.

For more

- Recent research makes it clear that even moderate amounts of alcohol can damage your health.
- Is driving while high on marijuana as dangerous as driving drunk? Here's what the data says.