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DUI law appears to pay off

Deaths drop, arrests rise since lowering threshold to 0.08%

By **Burt Hubbard, Rocky Mountain News**
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Highway deaths caused by drunken drivers have steadily inched down, and DUI arrests have risen since Colorado lowered the threshold for driving under the influence of alcohol, according to figures released Thursday.

The trends fall in line with what other states have experienced when they dropped the blood alcohol level for DUI from 0.1 percent to 0.08 percent.

"That's good news," said John Moulden, president of the the National Commission Against Drunk Driving.

Colorado lowered the threshold starting July 1, 2004, becoming one of the last states in the U.S. to adopt the 0.08 standard. The state retained the lesser alcohol-related offense of driving while ability impaired triggered by a 0.05 percent reading.

Colorado Department of Transportation figures on alcohol-related traffic deaths found they dropped from 258 in 2003 to 249 in 2004, a 3.5 percent drop. Deaths totaled 158 through the first nine months of this year, putting them on pace to reach 220, a 12 percent decline over last year, according to preliminary estimates by CDOT. Officially, the department can only compare the last six months of 2003 with the last six months of 2004 to get an accurate comparison to evaluate the impact of the lower limit, said Mairi Nelson, spokeswoman for CDOT. That shows a drop of 11 deaths.

"It's really too early to evaluate the impact of the law," Nelson said. "It's positive that this is what we have seen so far."

MADD officials in Colorado welcomed the trend.

"This is very encouraging," said Gaylen Matzen, victim assistance coordinator for MADD Colorado. "We feel like lives are being saved."

Gov. Bill Owens, who backed the lower limit, said it is the latest weapon in the fight against drinking and driving.

"We have made significant progress in the past two decades in combating drunk driving," Owens said, also citing higher legal drinking ages and tougher penalties. "All of the changes, along with tougher enforcement, play a role in reducing these crashes. Sadly, it's still not enough."

Overall traffic deaths are also down, said Timothy Harris, the governor's representative for highway safety. For the first 11 months of the year, 522 have died on state roads, down from 631 in the same period last year.

Amy George, spokeswoman for MADD's national office, said 12 of the 14 states that lowered the limit to 0.08 percent in 2003 and 2004 posted declines in alcohol-related fatalities the next year. Colorado would be the 13th.

Moulden said other states have seen, on average, a 7 percent to 9 percent drop in drunken driving deaths after lowering the level.

"It can vary a lot. It is really dependent on how aggressively the police enforce the law," he said.

So far, records show police in Colorado are enforcing the lower limit.

Overall, DUI arrests rose about 11 percent, from 22,198 in fiscal year 2004, before the law went into effect, to 24,533 in fiscal year 2005, the law's first year. About 10 percent of the 2005 arrests were for levels between 0.08 percent and 0.099 percent, according to state Motor Vehicle Division records.

The trend continued in the first five months of the present fiscal year, Nelson said.

CDOT officials estimate that a DUI costs the average motorist more than \$9,000 in attorney fees, higher insurance premiums and other costs.

The DUI offense carries a five-day to one-year potential jail sentence and a fine of up to \$1,000. In addition, there is an automatic driver's license suspension for at least a month,

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often followed by a five- month probationary license.

As part of the campaign to deter drunken driving, police throughout the state will launch a crackdown this weekend to coincide with the holiday party crunch.

"It is one of the most dangerous times," said Adams County Sheriff Douglas Darr.

Dubbed "Office Party Weekend," law enforcement agencies will increase patrols and target certain areas starting at 6 p.m. tonight and continuing to 3 a.m. Monday.

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