

LRB – FISCAL REVIEW SECTION ANALYSIS

May 2, 2002 AGENDA

ITEM 19, FILE 020099

PUBLIC SAFETY COMMITTEE

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Substitute resolution directing the Department of Administration – Intergovernmental Relations Division to pursue introduction and passage of legislation to establish a 0.08% blood alcohol level as a statewide standard for drunken driving.

BACKGROUND

1. The National Highway Traffic Safety Administration (NHTSA) states that all drivers, including experienced drinkers, are significantly impaired at 0.08 blood alcohol concentration (BAC). An NHTSA review of 177 studies documented this impairment.
2. An NHTSA study in March 1999, found that 0.08 BAC laws were associated with significant reductions in alcohol-related fatalities. A separate NHTSA study estimated that lowering the limit to 0.08 BAC would reduce alcohol related traffic fatalities by 8%.
3. In October 2000, Congress passed and the President signed legislation that required states to enact a 0.08 BAC as the standard for drunken driving for first-time offenders by September 30, 2003. **States that do not comply would lose federal highway construction funds.**
4. States that do not adopt a 0.08 BAC law by October 1, 2003, would have 2% of certain highway construction funds withheld each year, with the penalty increasing to 8% by 2007.
5. States that adopt the 0.08 BAC standard by October 1, 2007 would be reimbursed for any lost funds.
6. If the State of Wisconsin does not adopt the 0.08 BAC standard, the Wisconsin Department of Transportation estimates it would lose the following highway funds (base year for estimates is 2001):
 - \$9.1 million in 2004
 - \$17.5 million in 2005
 - \$26.2 million in 2006
 - \$35.3 million in 2007
 - \$36.0 million in 2008.

DISCUSSION

1. This file directs DOA - Intergovernmental Relations Division to pursue introduction and passage of legislation to establish a 0.08% blood alcohol level as a statewide standard for drunken driving.

FISCAL IMPACT

The fiscal impact of this file cannot be quantified as the penalty associated with the 0.08 BAC law **does not directly** impact City of Milwaukee federal funding.

The penalty does, in terms of reduced federal highway aid to the State of Wisconsin, directly impact federal highway dollars in and around the City of Milwaukee.