

## Proposal to lower DUI limit draws criticism from surprising places

Written by Australian Business

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September 28, 2013 /**24-7PressRelease**/ -- A federal safety agency made waves recently when it recommended a lower blood alcohol threshold for drunk driving charges in the United States. The National Transportation Safety Board recommended that states lower the legal blood alcohol content limit for drivers to 0.05, a reduction of nearly 40 percent from the current legal limit of 0.08.

While some say the NTSB's recommendation is unlikely to result in any legal changes, the announcement has sparked debate among advocates on both sides of the issue -- some of whom are taking sides in unexpected ways.

### Lower DUI limit meets unlikely critic

Mothers Against Drunk Driving, one of the nation's most outspoken advocacy groups on the issue of [driving under the influence](#), surprised many observers by expressing criticism of the NTSB's recommendation.

MADD, which encourages people to abstain from driving after consuming any alcohol at all, was instrumental in the lengthy process of lowering the legal limit to its current BAC level of 0.08. But while MADD says it is not opposed lowering the legal BAC limit in principal, the organization expressed doubts about whether the effort would be well spent.

According to the Christian Science Monitor reports, MADD president Jane Withers suggested that the federal government's enforcement efforts could be put to better use elsewhere. Lowering the legal limit in all 50 states, Withers said, would "take a lot of effort for a potential result that is many, many years down the line."

### Other views on the NTSB proposal

Another critic of the NTSB's proposal is the less-surprising American Beverage Institute, which called the recommendation "ludicrous," according to a New York Times report. ABI's managing director Sarah Longwell argued that prosecuting drivers who consume alcohol in moderation would "criminalize perfectly responsible behavior" and would do nothing to help keep more severely intoxicated drivers off the road.

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Other critics have questioned the wisdom of lowering the limit by arguing that a BAC level of 0.05 produces a level of impairment similar to noncriminal acts such as driving while drowsy or chatting with a passenger. Researchers at the National Advanced Driving Simulator in Iowa are currently studying the effects of moderate alcohol consumption on driving skills by testing drivers whose BAC levels register at 0.05.

### California DUI law

In California, like all other U.S. states, it is against the law to operate a motor vehicle with a BAC level of 0.08 or higher. For drivers of commercial vehicles, however, California law sets the DUI threshold far lower, at just 0.04.

Depending on the circumstances of a DUI offense, including the presence or absence of any prior impaired driving convictions, the penalties for driving under the influence can be harsh, including steep fines and lengthy prison sentences. Because the stakes can be very high when dealing with DUI charges in California, it is wise to seek help and legal representation from a criminal defense lawyer with broad experience defending against California DUI charges.

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