

Executive Summary: Health Impact Review of SB 5002

Concerning alcohol concentration (2023 Legislative Session)

Evidence indicates that SB 5002 would likely result in some drivers becoming aware of a 0.05% per se BAC, which would result in some drivers modifying alcohol-impaired driving behavior and some reduction in alcohol-impaired driving crashes and fatalities. The impacts on equity are unclear.

BILL INFORMATION

Sponsors: Lovick, Liias

Summary of Bill:

- Amends driving under the influence (DUI)-related crimes by lowering the per se blood or breath alcohol concentration (BAC) from 0.08%^A to 0.05% for driving or being in actual physical control of a vehicle while under the influence of intoxicating liquor.

HEALTH IMPACT REVIEW

Summary of Findings:

This Health Impact Review found the following evidence for relevant provisions in SB 5002:

- **Informed assumption** that modifying DUI-related crimes by lowering the per se BAC from 0.08% to 0.05% will result in some drivers becoming aware of the new DUI per se BAC. This is based on information from key informants in Washington State and the Utah State Highway Safety Office.
- **Informed assumption** that modifying DUI-related crimes by lowering the per se BAC from 0.08% to 0.05% would likely not change enforcement of the DUI per se BAC. This assumption is based on information from key informants in Washington State and evidence from Utah.
- A **fair amount of evidence** that some drivers becoming aware of the lower DUI per se BAC will result in some people modifying alcohol-impaired driving behaviors.
- A **fair amount of evidence** that some people modifying alcohol-impaired driving behavior would result in some reduction of crashes and fatalities involving alcohol-impaired driving.
- **Unclear evidence** how decreasing alcohol-impaired driving crashes and fatalities may impact equity for drivers and non-drivers.
- “Other Considerations” includes potential impacts of criminal legal system involvement for drivers with lower BACs as well as impacts on administrative penalties.

^A [RCW 46.04.015](#) defines alcohol concentration as: 1) grams of alcohol per two hundred ten liters of a person’s breath (g/210L); or 2) grams of alcohol per one hundred milliliters of a person’s blood (g/100mL or g/dL). Blood and breath alcohol concentration (BAC and BrAC, respectively) are commonly noted as percentages. This review uses percentages to note concentration and the acronym BAC to refer to both blood and breath alcohol concentration, unless specified.

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BOARD OF HEALTH

HEALTH EQUITY
Governor’s Interagency Council
on Health Disparities

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FULL REVIEW

For review methods, logic model, strength-of-evidence analyses, and citations of empirical evidence refer to the full Health Impact Review at

<https://sboh.wa.gov/sites/default/files/2022-12/HIR-2022-06-SB5002.pdf>

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