

**Public release date: 9-Sep-1998**

[ [Print Article](#) | [E-mail Article](#) | [Close Window](#) ]



Contact: Ralph Hingson  
[rhingson@bu.edu](mailto:rhingson@bu.edu)  
(617) 638-5160  
Public Health Reports

## Effects Of Maine's 0.05% Legal Blood Alcohol Level For Drivers With DWI Convictions

In a study published in the September/October issue of Public Health Reports, researchers from the Boston University School of Public Health found that, in the six-year period after the state of Maine reduced the legal blood alcohol limit (BAL) from 0.10% to 0.05% for people with prior DWI (driving while intoxicated) convictions, the proportion of fatal car crashes involving such drivers was reduced by 25% in comparison to the six-year period prior to the law's adoption.

In the six years prior to the law's adoption in 1988, 107 of 1200 fatal crashes in Maine, or 8.9%, involved drivers with prior DWI convictions. In the six years after the law was passed, the number of fatal crashes involving drivers with prior convictions had been reduced to 74, or 6.7% of a total 1104 fatal crashes. In contrast, in the rest of New England, the proportion of fatal crashes involving drivers with recorded prior DWI convictions rose 46% from the pre-law to the post-law period.

Nationwide, approximately one-third of drivers arrested or convicted for driving while intoxicated are repeat offenders. A 1994 study found that fatally injured drivers involved in alcohol-related fatal crashes were eight times more likely to have had DWI convictions in the previous five years than drivers randomly selected from the general population of licensed drivers. Each year, 1.4 million people are arrested in the United States for driving while intoxicated. One million people are injured and approximately 17,000 people die annually in alcohol-related traffic crashes.

Maine was the first state to adopt the .05% blood alcohol limit for drivers with prior DWI convictions. Research shows that driver impairments begin at blood alcohol limits of 0.05% or lower, and the American Medical Association has endorsed this limit for all drivers. While 17 states have lowered the legal blood alcohol limit from 0.10% to 0.08% since 1983, no state has adopted a 0.05% limit for all drivers.

The benefits of the 0.05% law in Maine appear to be substantial. Opponents of lowering legal blood alcohol limits argue that these measures have no effect on drivers with high BALs or prior DWI convictions, yet the 0.05% law was associated with reductions in fatal crash involvement not only among drivers with BALs in the 0.05% to 0.14% range but particularly among those with BALs at or above 0.15%. This study found that the law reduced fatal crashes among drivers with these very high BALs by 35%.

Based on their findings, the researchers believe that other states should consider instituting 0.05% BAL limits (or lower) for convicted DWI offenders.

In 1995, in response to its success with the 0.05% law, Maine became the first state to adopt a "zero tolerance" law for convicted offenders, making it illegal for them to drive after drinking any alcoholic beverages.

### CONTACT:

Ralph Hingson, ScD, Boston University School of Public Health,  
Tel. (617) 638-5160, e-mail: [rhingson@bu.edu](mailto:rhingson@bu.edu);  
other authors: Timothy Heeren, PhD; Michael Winter, MPH.

###

---

[ [Print Article](#) | [E-mail Article](#) | [Close Window](#) ]

