Drunk Driving in the United States: A Roadmap for Progress

J. H. Hedlund and A. T. McCartt
Preusser Research Group, Trumbull, Connecticut, USA

Abstract
The study investigated why drunk driving in the United States has not decreased recently and offers recommendations on what can be done to make further gains. Analyses of traffic crash and roadside survey data, a review of drunk driving research, and interviews with experts from many disciplines all revealed that drunk drivers are not consistently arrested, regularly convicted, or appropriately punished. The study identified problems at each stage of the drunk driving control system. It recommends both specific actions to address these problems and overall strategies to provide the information, management, and resources needed to implement these actions.

Introduction
Drunk driving progress in the United States has stalled. After dropping 37 percent from 1982 to 1994, the number of drunk drivers in fatal crashes with a blood alcohol level (BAC) of 0.10 or above remained virtually unchanged through 1999. The six percent increase in 2000, to 10,408, was the largest annual increase since 1986. Total traffic fatalities involving alcohol show a similar pattern, increasing four percent from 1999 to 2000.

Methods
The study analyzed traffic crash and roadside survey data to describe the current drunk driving

Source: FARS
problem and how it has changed over the past 20 years. A review of drunk driving research confirmed what's known about effective and ineffective strategies. Interviews with over 90 knowledgeable persons at national, state, and local levels revealed what's wrong with the drunk driving control system, what's needed to improve it, and how the improvements might be accomplished.

The study’s findings, conclusions, and recommendations draw on all these sources. Citations to the original sources are given in the full study report (1).

**Results**

Public attention to drunk driving in the 1980s led to new laws, increased enforcement, and substantial decreases in drunk driving casualties. Progress on all fronts slowed in the 1990s. By 2000, every state had an elaborate system of drunk driving laws, enforcement, courts, and punishment, but these systems do not work as well as they should. Drunk drivers have little fear of being stopped, arrested, convicted, and punished -- so they continue to drink and drive.

**Drunk Driving Changes since 1982**

Drunk driving became a national issue in the 1980s, stimulated by the rise of the citizen activist groups RID and MADD. States enacted *per se*, administrative license revocation, mandatory driver's license suspension, and other laws. In 1982, Congress established Section 408 grants that provided funds to states that implemented or already had in place certain drunk driving control laws or programs. In 1984, Congress required all states to raise their minimum legal drinking age to 21. Drunk driving enforcement improved with the use of accurate breath test equipment and standard field sobriety tests. Many states established drunk driving task forces to develop legislation and coordinate drunk driving control activities. Perhaps most important, the understanding grew that drunk driving control requires a coordinated system, with all parts working together.

![Alcohol-related Traffic Fatality Drop 1982-1997](source: FARS)

From 1982 to 1997, alcohol-related traffic fatalities nationwide dropped by 36%, but this
reduction varied substantially by state. Six states reduced their alcohol-related traffic fatalities by more than 50%, while alcohol-related traffic fatalities increased in three states. A recent study that investigated the causes of these substantial differences found that the key reasons for success were effective leadership, secure funding, and fortunate circumstances (2).

Drinking and driving decreased more for youth under 21 than for older drivers. The number of drinking drivers in fatal crashes under the age of 21 dropped 61 percent from 1982 to 1998, compared to 33 percent for drivers aged 21 and above. Young drinking driver fatal crash involvements decreased substantially in all regions of the country and in most states, in contrast to the substantial state-to-state differences observed for older drinking drivers. In part because of minimum drinking age laws, youth drinking decreased during this time period, but not as much as youth drinking and driving: youth have separated their drinking from their driving more than older persons. Minimum drinking age laws and zero tolerance (BAC 0.02 or less) laws for youth played an important role but by themselves do not explain the entire drop. Other factors -- youth drinking and driving prevention programs, other drunk driving measures not directed specifically at youth, and factors completely apart from drinking or driving -- must also have been important even though their effects have not been measured (3).

**Drunk Driving Today**
- **Drinking and driving is common.** About 21 percent of driving-age Americans reported they had driven after drinking in the past year, making about 950 million drinking-driver trips. In about nine percent of these trips, or about 80 million, the driver's blood alcohol level (BAC) was 0.08 or above (4).
- **Drunk driving arrests are rare.** With 1.55 million arrests for drunk driving (DWI) in 1999, the chances of arrest on any drunk driving trip were less than one in 50 (5).
- **Repeat offenders and drivers with high blood alcohol levels contribute prominently to the problem.** About one-third of all drivers arrested or convicted of DWI are repeat offenders (1). Over half of all drivers arrested for DWI and almost two-thirds of fatally injured drinking drivers had a BAC over 0.15 (6). About 23 percent of all drinking drivers are problem drinkers, but they contribute over 40 percent of all drinking-driver trips (4).
- **States differ substantially.** In some states, only about 10 percent of all drivers involved in fatal crashes had BAC levels over 0.10. In other states, over 25 percent did. States that have reduced drunk driving the most over the past 20 years have effective laws, high-visibility enforcement, and substantial public education built on a foundation of strong leadership, secure funding, and firm commitment (2).
- **Attention to drunk driving has dropped.** The public is more concerned with drugs and crime. Even within traffic safety, the spotlight is on aggressive driving, cell phone use, and tire defects rather than drunk driving (1).
- **Many drunk drivers are not deterred.** While most of the public supports DWI laws and enforcement, a substantial minority of drivers believes it is unlikely that they would be stopped, arrested, or convicted if they drove after drinking too much (4).
- **What is needed?** An improved drunk driving control system will ensure that drunk drivers are consistently arrested, regularly convicted, and appropriately punished. When everyone understands that driving drunk brings frequent and uncomfortable
Research over 40 years has shown conclusively that good laws that are strongly supported and enforced with meaningful penalties reduce drunk driving. Three other strategies support this system. Public education informs drivers, especially young drivers, about alcohol and drunk driving issues. Alcohol treatment is essential for problem drinkers. Alcohol control measures such as minimum legal drinking ages and alcohol server training help reduce drinking in situations that may lead to drunk driving. With strong laws, enforcement, and punishment at the center, these strategies reinforce and promote a community standard that drunk driving is not acceptable.

A strong system affects everyone. A strong drunk driving control system increases both the public perception and the reality that drunk drivers will be frequently detected, arrested, convicted, and punished. A weak system sends the opposite message: drunk driving is not a serious problem, drunk drivers usually will not be caught, and those caught will not be punished.

**Problems and Solutions**
Research studies and interviews identified common problems in drunk driving control systems. They do not occur everywhere but are frequent enough that all states and communities should consider them. Research and interviews also identified solutions to these problems.

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<th>Problem</th>
<th>Solution</th>
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<td>• State laws are complex and contain inconsistencies and loopholes</td>
<td>• Review and simplify laws; use the Uniform Vehicle Code 2000 as a starting point</td>
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<td>• Many drivers refuse to take BAC tests</td>
<td>• Establish penalties for refusing to take the BAC test that are more severe than the penalties for failing the BAC test</td>
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<td>• DWI enforcement levels and arrest rates are low</td>
<td>• Simplify arrest procedures and paperwork • Provide necessary equipment and training • Enforce a drinking age of 21 and zero tolerance laws for drivers under 21</td>
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<td>• Many arrested drunk drivers are not convicted</td>
<td>• Eliminate plea bargains to non-alcohol offenses • Eliminate diversion programs that allow offenders to escape punishment • Ensure that administrative hearings do not interfere with criminal proceedings</td>
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<td>• Many repeat offenders are not identified</td>
<td>• Improve record systems to identify prior drunk driving offenses</td>
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<tr>
<td>• Problem drinkers are not identified or treated effectively</td>
<td>• Screen all drunk driving offenders for drinking problems • Require treatment if needed</td>
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<td>• Even convicted drunk drivers escape meaningful punishment</td>
<td>• Apply administrative and criminal sanctions consistently • Include actions against the offender's car</td>
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Considering and addressing these issues will improve a state's drunk driving control system, show the public that drunk driving will not be tolerated, and convince more drunk drivers to change their behavior.

Discussion
Three strategies can link community, state, and national organizations and resources in a renewed effort to reduce drunk driving.

1. Establish a drunk driving system monitoring program in each state. Few states have good data to track DWI arrests, court actions, and offender followup. A drunk driving system monitoring program in each state could combine data from official records with data collected directly in communities, in a fashion similar to the court monitoring programs that operated so effectively in the 1980s.

MADD, AAA, and other citizen organizations can operate system monitoring programs. The National Highway Traffic Safety Administration (NHTSA) and other federal agencies can work with organizations representing motor vehicle departments, prosecutors, judges, probation officers, and state officials to design and help communities implement a monitoring program.

2. Reinvigorate state drunk driving task forces. State task forces include all constituencies involved with drunk driving control. They can identify problems, suggest solutions, and produce action. State task forces should examine the state's drunk driving laws and procedures, driver and offender record systems, enforcement and adjudication activities, resource needs, and how authority, responsibility, and coordination are assigned among state agencies.

NHTSA should help state task forces by defining a model state drunk driving control program, establishing performance measures for drunk driving enforcement and adjudication, and supporting states as they improve their drunk driving control systems.

3. Revise state drunk driving grants. Federal grants are critical to state drunk driving control activities. They provide funds and also encourage states to adopt effective strategies. The current grant programs are unnecessarily bureaucratic and rigid. The 2003 Surface Transportation
Reauthorization should revise the grant programs to:

• Reward successful states and encourage weaker states to improve;
• Provide both flexibility and accountability for results;
• Assure steady funding as long as performance goals are met;
• Use performance-based criteria instead of requiring specific laws or programs;
• Provide substantial funding for state record systems;
• Require states to establish or continue broad-based drunk driving task forces; and
• Require federal Departments of Transportation, Justice, and Health and Human Services to work together in designing and operating these grant programs.

Conclusion
The most effective ways to improve state drunk driving control systems will invest authority and responsibility in people and organizations at all levels, local to national. They will operate in the public eye, using the media to report on problems and solutions. They won't promise instant solutions based on a single action but will take steady steps to long-term improvement. And they will establish mechanisms for identifying and solving problems rather than attempting to apply one-size-fits-all methods.

The goal is an open, effective, consistent, and accountable drunk driving control system, extending from detection to rehabilitation. When everyone understands that driving drunk brings frequent and uncomfortable consequences, then fewer persons will drive drunk. All that's needed is leadership and commitment.

References


