

# Executive Summary: Health Impact Review of SB 5002

Concerning alcohol concentration (2024 Legislative Session)

Evidence indicates that SB 5002 may result in some drivers becoming aware of a 0.05% per se BAC, which would likely result in some drivers modifying alcohol-impaired driving behaviors and some reduction in alcohol-impaired driving crashes and fatalities. There is unclear evidence how provisions may impact equity.

## BILL INFORMATION

---

**Sponsors:** Lovick, Liias, Dhingra, Kuderer, McCune, Nguyen, Rolfes, Shewmake, Valdez, Wilson, C., Wilson, J., Wilson, L.

### 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%<sup>A</sup> 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% may 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% may 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 would likely result in some people modifying alcohol-impaired driving behaviors.
- A **fair amount of evidence** that some people modifying alcohol-impaired driving behaviors would likely 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.

---

<sup>A</sup> [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.

**For more information:**  
Phone: (360) 628-6823  
Email: [hir@sboh.wa.gov](mailto:hir@sboh.wa.gov)  
[sboh.wa.gov/hir](http://sboh.wa.gov/hir)

WASHINGTON STATE  
**BOARD OF HEALTH**

**HEALTH  
EQUITY**  
Governor's Interagency Council  
on Health Disparities

# **Executive Summary: Health Impact Review of SB 5002**

## **Concerning alcohol concentration (2024 Legislative Session)**

- “Other Considerations” includes potential impacts of criminal legal system involvement for drivers with lower BACs as well as impacts on administrative penalties.

### **\*UPDATE TO PREVIOUS HEALTH IMPACT REVIEW**

---

This review is an update to the Health Impact Review completed for SB 5002, Concerning alcohol concentration (2023 Legislative Session). As part of this update, staff:

- Spoke with 2 key informants with expertise in traffic safety.
- Updated data that are available through public datasets and requested and analyzed data provided by the Administrative Office of the Courts.
- Incorporated updated resources and research, as available.

### **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://www.sboh.wa.gov/sites/default/files/2024-01/HIR-2024-07-SB5002\\_0.pdf](https://www.sboh.wa.gov/sites/default/files/2024-01/HIR-2024-07-SB5002_0.pdf)

**For more information:**  
Phone: (360) 628-6823  
Email: [hir@sboh.wa.gov](mailto:hir@sboh.wa.gov)  
[sboh.wa.gov/hir](https://sboh.wa.gov/hir)

WASHINGTON STATE   
**BOARD OF HEALTH**

 **HEALTH  
EQUITY**  
Governor's Interagency Council  
on Health Disparities