

driving, as part of a comprehensive health education program;

- Establish and support student safety clubs and activities and create a statewide network linking these groups;
- Establish liaisons with higher education institutions to encourage policies to reduce alcohol, other drug, and traffic safety problems on college campuses;
- Promote alcohol- and drug-free events throughout the school year, with particular emphasis on high-risk times such as prom, spring break, and graduation;
- Coordinate closely with anti-drug education efforts and programs;
- Develop working relationships with school health personnel as a means of providing information to students about a variety of traffic safety and health behaviors; and
- Make effective use of criminal justice, medical, or other professionals through presentations in the classroom or assembly programs.

C. Employer Programs

States should provide information and technical assistance to all employers, encouraging them to offer programs to reduce impaired driving by employees and their families. These programs should include:

- Model policies for impaired driving and other traffic safety issues, including safety belt use and speeding;
- Management training to recognize and address alcohol and drug impairment;
- Education and treatment programs for employees; and
- Employee awareness activities.

States should especially encourage companies and businesses to provide impaired driving programs to their youthful employees. The States should also be familiar with FHWA's drug and alcohol requirements for employers of commercial motor vehicle (CMV) drivers.

D. Responsible Alcohol Service

States should promote responsible alcohol service policies and practices through social host programs and well-publicized and enforced laws, regulations, policies and education in the retail alcohol service industry (including package stores, restaurants, and taverns). States should:

- Implement and enforce programs to eliminate the sale or service of alcoholic beverages to those under 21 years of age;
- Promote alcohol server and service programs, including assessments, written policies, and training;
- Ensure adequate alcohol control regulations dealing with issues such as service to visibly intoxicated patrons and the elimination of "happy hours" during which free or reduced-price alcoholic beverages are offered (food and non-alcoholic beverages may be offered instead during such times);
- Provide adequate resources (including budget, staff, and training) to enforce alcohol beverage control regulations;
- Promote the display of responsible alcohol use and drinking and driving information in alcohol sales and service establishments;

- Promote participation in designated driver, safe rides, and other alternative transportation programs; and
- Provide that commercial establishments may be held responsible for damages caused by any patron who was served alcohol when visibly intoxicated.

E. Transportation Alternatives

States should promote alternative transportation programs that enable drinkers to reach their destinations without driving. Alternative transportation programs include:

- Designated drivers; and
- Safe rides.

II. Deterrence

Each State should have a deterrence program to reduce impaired driving through activities to create the maximum possible perception of detection, arrest and punishment among persons who might be tempted to drive under the influence of alcohol or other drugs, including CMV drivers. Close coordination with law enforcement agencies on the municipal, county, and state levels is needed to create and sustain the perceived risk of being detected and arrested. Specialized traffic enforcement efforts, such as the Motor Carrier Safety Assistance Program (MCSAP), also serve as a core element in the detection of impaired drivers. Equally close coordination with courts and the motor vehicle licensing and registration agency is needed to enhance the fear of punishment. Effective use of all available media is essential to create and maintain a strong public awareness of impaired driving enforcement and sanctions.

Each State should implement a system of activities to deter impaired driving. The deterrence system should include legislation, public information and education, enforcement, prosecution, adjudication, criminal sanctions, driver licensing, and vehicle registration activities. The goal should be to increase the perception and probability of arrest for violators and the imposition of swift and sure sanctions.

A. Laws To Deter Impaired Driving

States should enact laws that define and prohibit impaired driving in broad and readily enforceable terms, facilitate the acquisition of evidence against impaired drivers, and permit a broad range of administrative and judicial penalties and actions. These laws should:

Define impaired driving offenses—

- Establish .08 Blood Alcohol Concentration (BAC) as the blood alcohol level at or above which it is illegal to operate a motor vehicle ("illegal per se");
- Establish .04 BAC as the illegal per se blood alcohol level for commercial truck and bus operators, as provided by commercial driver license regulations;
- Establish that it is illegal per se for persons under the age of 21 (the legal drinking age) to drive with any measurable amount of alcohol in their blood, breath, or urine;
- Establish that driving under the influence of other drugs (whether illegal, prescription, or over-the-counter) is unlawful

and is treated similarly to driving under the influence of alcohol;

- Establish vehicular homicide or causing personal injury while under the influence of alcohol as a separate offense; and
- Prohibit open alcohol containers and consumption of alcohol in motor vehicles.

Provide for effective enforcement of these laws—

- Authorize police to conduct checkpoints, in which vehicles are stopped on a nondiscriminatory basis to determine whether or not the operators are driving under the influence of alcohol or drugs;
- Authorize police to use a preliminary breath test for a vehicle operator stopped for a suspected impaired driving offense;
- Authorize police to test for impairing drugs other than alcohol;
- Include implied consent provisions that permit the use of chemical tests and that allow the arresting officer to require more than one test of a vehicle operator stopped for a suspected impaired driving offense;
- Require prompt and certain license revocation or suspension for persons who refuse to take a chemical test to determine whether they were driving while intoxicated ("implied consent"); and
- Require mandatory blood alcohol concentration testing whenever a law enforcement officer has probable cause to believe that a driver has committed an alcohol-related offense.

Provide effective penalties for these offenses—

- Require prompt and certain administrative license revocation or suspension of at least 90 days for persons determined by chemical test to violate the State's BAC limit;
- Provide for increasingly more severe penalties for repeat offenders, including lengthy license revocation, substantial criminal fines, jail, and/or impoundment or confiscation of license plates or vehicles registered by the offender;
- Provide for more stringent criminal penalties for those convicted of more serious offenses, such as vehicular homicide;
- Contain special provisions for youth under the age of 21 that mandate driver's license suspension for any violations of laws regarding the use or possession of alcohol or other drugs; and
- Establish victim assistance and victim restitution programs and require the use of a victim impact statement prior to sentencing in all impaired driving cases where death or serious injury occurred.

B. Public Information and Education for Deterrence

States should implement public information and education (PI&E) programs to maximize public perception of the risks of being caught and punished for impaired driving. Public information programs should be:

- Comprehensive;
- Seasonally focused; and
- Sustained.

C. Enforcement

States should implement comprehensive enforcement programs to maximize the