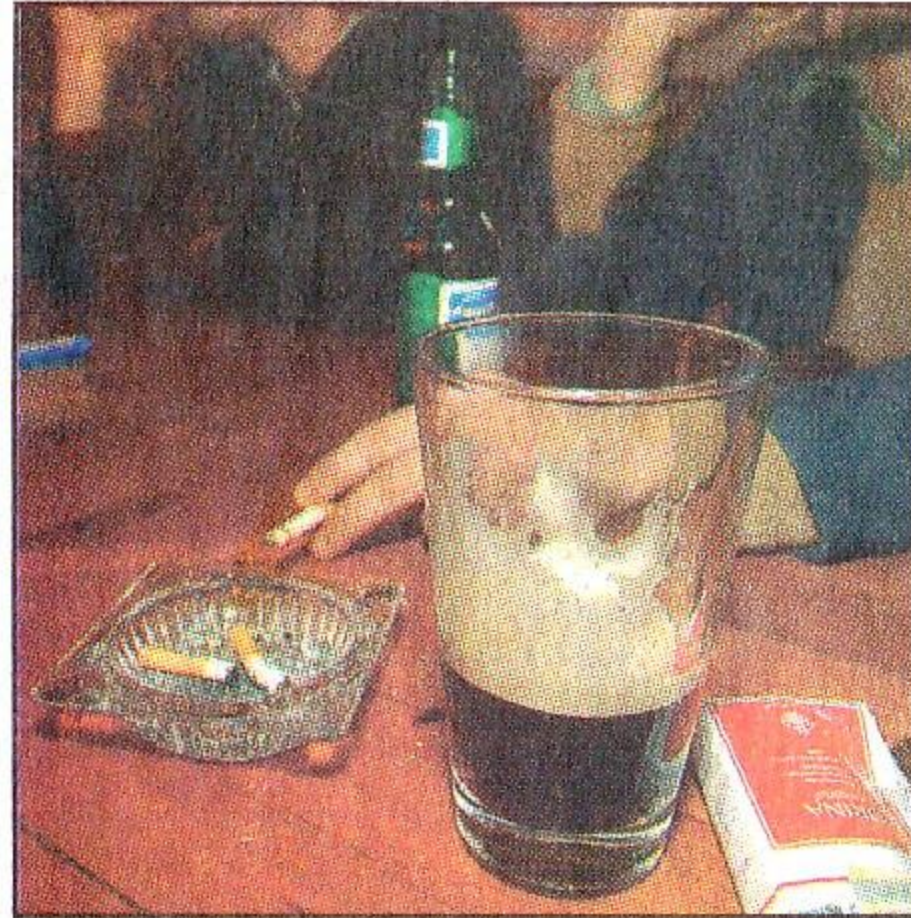


# Residents give mixed reactions to the DUI bill



A nearly empty pint of Guinness rests alongside a pack of cigarettes and an ashtray on the bar.

**BY JAMIE HENLINE**

The Dominion Post

West Virginians who drink may want to phone a friend in the near future.

The "DUI bill" to lower blood alcohol content limits from .10 to .08 is sailing through the West Virginia Legislature.

The bill made it through the Senate Judiciary on Thursday and passed its first, second and third readings Friday. The House Judiciary Committee will likely take up the bill Monday and pass it on the floor next week.

It must get 51 votes from the House of Delegates and 18 votes from the Senate to become state law, according to Delegate Barbara Evans Fleischauer, D-Monongalia.

"We've been working on this for a long time, and I think this is finally going to

happen, with ATV legislation, as well," she said. "It's about saving lives."

West Virginia was one of five states that failed to pass the bill last year, despite pressure from the federal government. As a result, the state lost \$2.6 million in federal highway funds.

Other states that failed to pass the .08 legislation in 2003 were Colorado, Delaware, Minnesota and New Jersey.

West Virginia will be able to recoup the lost highway dollars from last year if the .08 legislation is enacted.

Fleischauer said she isn't being strong-armed by the federal government to pass the bill.

"I think it's a no brainer. It's a safe-

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ty issue, and it's a monetary issue," she said. "You can't get into an argument with the federal government about these things."

In fact, Fleischauer said she is in favor of the DUI bill.

"I think it's important that the federal government pass safety standards. I wish they would pass federal ATV standards," she said.

Under the .08 legislation, a 180-pound man risks a DUI after four drinks during two and a half hours. A 120-pound woman is legally intoxicated after two drinks.

A drink is considered 12 ounces of beer, five ounces of wine, or one to one and a half ounces of 80 proof liquor.

Janet Elliot, secretary/treasurer of Mothers Against Drunk Driving for Harrison and Barbour counties,

said her organization has always been in favor of lowering blood alcohol content limits.

Elliot became involved with MADD after her son was killed by a drunken driver in 1995.

"We are anxious to get (the bill) passed. We feel it should have been passed the first time it was ever brought up," she said.

Elliot said she's been fighting alongside her MADD chapter for the past 8 years about issues such as the DUI bill.

"It just amazes you. (My family was) never involved with lawyers or prosecutors before our son was killed," she said. "We've been to Charleston, and we've talked to our legislators. This year we kind of sat back and crossed our fingers."

Elliot said she thinks the current state limit of .10 is much too high.

"Impairment starts at .04, so by the time you get to .10, you're pret-

ty impaired. Convictions can be made at .08 right now, but it's harder," she said. "I think if they lower it, then people just might not take that last drink."

The national MADD group gave West Virginia a grade of C- in 2002 on its nationwide grading of state laws for drunken driving.

The grade was based on political leadership, enforcement programs, underage drinking, fatality and blood alcohol content. West Virginia got a C in 2000.

As strong as her convictions about drinking and driving are, Elliot said she'll be happy if the bill is passed for monetary reasons.

"The state's in financial problems, so pass this legislation and get the money," she said.

Mike Forte, owner of the Boston Beanery, said he doesn't think the .08 legislation will affect his business.

"I think it will affect places that

are more bar-oriented. We served about 75 percent food and 25 percent alcohol," Forte said.

He also said his Morgantown restaurants don't stay open as late as some of the other places in town, so the stores don't see a lot of the people who have been drinking heavily.

"Every now and then you get one, but you always have to be on guard," Forte said. "We train our bartenders well, and we've never had a problem in the 20 years that we've been here."

Although he doesn't fear the legislation's impact on his business, Forte said he doesn't think the blood alcohol content levels need to be lowered.

"I think .10 is sufficient, and they don't need to lower it anymore," he said.