

***Special Edition!***

**April 28, 2006**

*Earlier this week, I issued a Special Edition of the NCSLA Presidential e-News, highlighting one of the speakers at this year’s NCSLA Annual Conference. As the conference approaches, I plan to continue that practice in order to better familiarize conference attendees with the conference speakers, the businesses and organizations with which the speakers are associated, as well as to acquaint the readers with the pertinent issues to be addressed at the conference.*

*Three conference presenters are featured in the attached articles. Maine Attorney General Steven Rowe serves as Chair of the National Association of Attorney General’s Youth Access to Alcohol Committee. In that capacity, Attorney General Rowe has actively worked to reduce teen drinking. Today’s article from the Bangor Daily News, “Rowe Lauds Efforts to Cut Teen Drinking AG’s Ellsworth Visit Part of Statewide Tour”) reports on his community efforts to deliver a message to high school students about the perils of alcohol use among teens. Attorney General Rowe is scheduled to speak at the conference on Monday, June 5th at 11 AM on a panel presentation (along with TTB’s John Manfreda and FTC’s Mary K. Engle), titled “The Federal Page on Alcohol Regulation.”*

*The second article, “Will All Autos Some Day Have Breathalyzers,” appeared earlier this week on the cover of USAToday (April 25, 2006), and featured two of the conference speakers. Mothers Against Drunk Driving (MADD) is proposing widespread use of ignition interlock devices while, conversely, American Beverage Institute (ABI) stands opposed to the mandatory use of breathalyzers. The luncheon speaker on Monday, June 5th is Glynn Birch, MADD’s National President, and John Doyle, ABI Executive Director, will be a speaker on Wednesday, June 7th in a panel presentation debating “An Appropriate Legal Drinking Age” at 1 PM.*

*Expect more Special Editions offering conference updates as the 72nd NCSLA Annual Conference draws near. In the meantime, please be sure to register for the conference with the host agency, the Massachusetts Alcoholic Beverages Control Commission. To learn more about the conference, visit* [*www.ncsla.org*](http://www.ncsla.org)*.*

*Lynn*

**1. Rowe Lauds Efforts to Cut Teen Drinking AG's Ellsworth Visit Part of Statewide Tour**

*Bangor Daily News (ME)*

April 28, 2006

ELLSWORTH - Despite increased attention and negative publicity about underage drinking in Hancock County, state Attorney General Steven Rowe said he was encouraged to see efforts being made to stem the practice.

"Underage drinking is a community problem and it needs a community solution," Rowe said Thursday, speaking in front of about 60 students and community members at Ellsworth High School. "We're all in this together and we have to get more excited about it."

Rowe has visited more than a dozen schools over the past month as part of an aggressive public perception tour about the perils of alcohol use among teens.

He spoke passionately about the links between alcohol and crime, the glamorization of alcohol, increased marketing toward youth and the impact of alcohol on young brains.

Joining the attorney general was Jason Lepper, a Hancock County Sheriff deputy and director of the Underage Drinking Task Force, one of the services Rowe applauded.

"[Underage drinking] used to be an occasional thing, but now we're actively looking for it," Lepper told the audience. "And the more visible we are about this, the more calls we're going to get."

In the last month or so in Hancock County, the task force has targeted underage drinking parties including one last month at a camp in Otis, just north of Ellsworth, during which police issued 47 summonses.

The work of the task force, made possible by $7,500 in state funding, has put Hancock County in the spotlight regarding underage drinking, but Rowe said it's not solely the fault of young people.

"Parents need to stop assuming and listen to their kids," he said. "Set a better example; send a better message."

Rowe also recognized student groups for doing their part to educate and dispel misperceptions.

"I've learned a lot about misperceptions of the norms tonight and we need to keep spreading that," he said.

David Craig, coordinator of the Alcohol Education Project at Hobart & William Smith Colleges in Newton, Mass., also spoke. Craig helped coordinate a survey recently at Ellsworth High School on patterns of underage drinking and said the data revealed more about perception than actual abuse.

"The attitudes toward alcohol is that there is a perception of far greater consumption than is actually going on," Craig said.

While the forum was public, community members had little chance to express their opinions openly.

Questions were submitted in writing and answered at the end, but a lack of genuine dialogue was lacking.



**2.** **Will All Autos Some Day Have Breathalyzers?**

**By Janye O’Donnell, *USA Today* / Front Page - online**

April 25, 2006

Could the day be coming when every driver is checked for drinking before starting a car?

Widespread use of ignition interlock devices that won't allow a car to be started if a driver has had too much alcohol, once considered radical, no longer seems out of the question. Mothers Against Drunk Driving (MADD) gives a qualified endorsement to the idea. New York state legislators are considering requiring the devices on all cars and trucks by 2009. And automakers, already close to offering the devices as optional equipment on all Volvo and Saab models in Sweden, are considering whether to bring the technology here.

Manufacturers are perfecting technology that could detect alcohol on the skin surface, eliminating the need for the current, cumbersome, blow-into-a-tube breath-analyzing systems. Current breathalyzers cost about $1,000. The newer systems are expected to cost about the same.

The New York bill was introduced by Assemblyman Felix Ortiz, who also sponsored the bill that became the first law banning the use of handheld cellphones while driving. To those who say neither the public nor the technology is ready for such a universal application, Ortiz says he heard similar complaints about the cellphone ban and hands-free technology. He compares the criticism to early complaints about mandatory safety belts.

But Ortiz's bill faces a tough fight. The idea of forcing every driver to pass a blood alcohol test to start a car raises privacy concerns, irritates non-drinkers and has some restaurant industry officials worrying about a march back to Prohibition, or at least the demonizing of social drinking.

MADD and others trying to reduce the 17,000 alcohol-related fatalities a year say ignition interlocks are the only sure way to separate potential drunken drivers from their "weapons."

"If the public wants it and the data support it, it is literally possible that the epidemic of drunk driving could be solved where cars simply could not be operated by drunk drivers," says Chuck Hurley, CEO of MADD, which is hosting its first conference on drunken-driving technology in June.

"What a great day that would be."

MADD doesn't currently support requiring the devices on all cars because it doesn't think the technology is ready. For now, the organization prefers requiring the devices, called ignition interlocks, for anyone convicted of a first drunken-driving offense.

About 70,000 ignition interlocks are on vehicles — most of them ordered by courts for repeat drunken-driving offenders.

Even without universal use, there's a huge potential market in the 1.4 million people who are arrested for drunken driving each year. Legislation is pending in at least 12 states that would require interlocks for some or all first-time offenders.

**Driver sees it as 'a life preserver'**

Steven Carter, a Colorado Springs-based photographer, voluntarily put one on his Honda Prelude last year after his third drunken-driving arrest since 1999. He had quit drinking but installed it as a "safeguard with me."

The decision was fortunate: Four months ago, Carter had a relapse and tried to drive his car after drinking at a bar.

It wouldn't start, so he took a cab home and went back the next day to get it. It still wouldn't start because he set his device to detect alcohol above a 0.01 blood-alcohol level.

Carter, 27, who is hoping to compete as a skier in the 2010 Winter Olympics, thinks interlocks should be required on all cars. He believes insurance company discounts for voluntary installation — which some interlock makers are pushing — would be a good place to start.

"Some of my friends see it as a toy, but in my opinion, it's more like a life preserver," Carter says.

State Farm Insurance spokesman Dick Luedke says interlock discounts wouldn't make much sense because "for the majority of our customers, installing one of these things would have absolutely no impact. For the person who does have the problem and does install (the device), if it does inhibit him from driving impaired, that's worth way more than a lower insurance rate."

Barry Sweedler, a former National Transportation Safety Board official, is trying to persuade automakers to put the wiring for ignition interlocks in all cars to make it easier to install the devices. And once interlocks can automatically check alcohol levels without any action from drivers, Sweedler thinks they should be standard equipment on cars.

Current technology requires a driver to blow heavily into a breathalyzer device before starting the car and regularly while driving. With that system, "Unless a person is an offender, to require it for everyone is too intrusive," says Sweedler, past president of an anti-impaired-driving group that has sponsored ignition interlock conferences for the past six years.

George Ballance, director of sales and marketing for device maker DraegerSafety, says his company advocates interlocks as part of teen driving laws and insurance company discounts.

"We want to get on the preventive side of the cycle and not just be on the court-ordered side," he says.

Draeger encourages its employees to carry pocket breath analyzers and would fire any worker convicted of drunken driving.

"We're not here to say, 'Don't drink.' We're here to say 'Don't drink and drive,' " Ballance says.

**Opposition to breathalyzers**

Such talk makes John Doyle, executive director of the American Beverage Institute, cringe. "This campaign is a lot further down the pike than people realize," says Doyle, whose group is funded by chains including Outback Steakhouse and Chili's and is leading the opposition to broader use of interlocks.

He says the existing devices are costly and easy to defeat, by getting someone else to blow into them or using an air compressor instead of a driver's own breath. Besides, he says most drunken-driving deaths are caused by hard-core offenders who have slipped through the system.

"How far are you going to go to reduce alcohol-related fatalities?" Doyle asks. "Maybe they should make driving at night illegal."

Opposition comes from other sources, too. Steven Brown, executive director of the Rhode Island ACLU, says his group opposes laws that require judges to mandate interlocks for convicted drunken drivers. Rhode Island's Legislature is considering a bill that would require interlocks for second-time offenders and first-time offenders with a blood-alcohol level above 0.15, which correlates to drinking seven drinks in an hour for a 170-pound male.

"Our concern about mandatory penalties is that they don't allow courts to take all situations into account, including that the cost is quite significant and the effect it has on family members," Brown says. "Some individuals can't afford it."

While automakers are working on interlock technology, they are cautious. General Motors safety chief Bob Lange says his company has been working on ways to integrate alcohol-detection devices into cars for 30 years, but still doesn't think any are close to ready for widespread use in this country.

"If the technology incorrectly restricts ... sober individuals, it is unlikely to be supported," says Lange, who says systems must be "transparent" to non-drinkers. "Public acceptance and technological viability are essential."

Sue Cischke, Ford Motor's safety chief, agrees obstacles remain. "Some of the challenges include designing a system that is most of all accurate, not easily disabled or avoided, is easy to use and does not create driver-distraction issues."

Swedish brands Volvo, owned by Ford, and Saab, owned by GM, are at the forefront of auto industry efforts to incorporate interlocks into cars. Swedish regulators are expected to soon propose a deadline of 2012 for all cars in that country to have alcohol interlocks.

Volvo's Alcolock — which is built into the seat belt buckle — will likely be available as an option on cars in Sweden within three years. Saab's Alcokey has the technology built into the key.

For automakers, anything that keeps a car from starting sounds too much like the public relations nightmare that came out of the National Highway Traffic Safety Administration's 1973 decision to require devices that would prevent cars from starting if seat belts weren't buckled. After a huge public outcry and widespread disconnections, Congress passed a law the following year prohibiting NHTSA from requiring seat belt interlocks or warning buzzers lasting more than eight seconds.

Some critics say alcohol-related interlocks would be even more problematic than seat belt interlocks because about 40% of adults say they don't drink at all. MADD's Hurley says most people don't steal or have their cars stolen, but keys still have built-in anti-theft technology.

Ortiz agrees: "This is a tool that will save lives. We have to stop putting parameters on it."

Ortiz disputes claims that the technology is not ready, but even interlock makers don't think their systems should be offered on all cars — yet. Albuquerque-based TruTouch Technologies, which makes a device that detects alcohol using light rays through the surface of the skin, will introduce a version for use in police stations next year to replace breathalyzers. CEO Jim McNally says he is talking to automakers about offering his system as an option, but not until at least 2010.

New Mexico, which has the toughest interlock law in the country, isn't ready to go as far as Ortiz is proposing. Last year, New Mexico passed the first law requiring interlocks for first-time drunken-driving offenders after earlier debating — and rejecting — mandatory installation in all vehicles.

**Wary of 'annoying' car buyers**

Volvo technical safety adviser Thomas Brobergsays he isn't sure mandating interlock technology is the way to go: "It might not be good to force these kinds of systems onto customers. There are quite a few things that can be quite annoying to the customer."

Jim Champagne, a former Louisiana state police lieutenant colonel who spent decades responding to drunken-driving crashes and now chairs the Governors Highway Safety Association, is guardedly optimistic about the prospects for interlocks.

Champagne says he would "love to see" optional interlock devices offered.

"It would give an opportunity for parents and guardians to get more involved," he says. But as standard equipment on all cars? "To tell the American public this is going to be on your car? No way."

<http://www.usatoday.com/money/autos/2006-04-24-breathalyzer-usat_x.htm>

