

Ian Oldham

Sam's Legacy Scholarship

Legislative Actions to Reduce Drunk Driving

In 2016, alcohol was responsible for 28% of the traffic-related deaths in the United States— a total of almost 10,500 Americans (CDC 3). Each of these deaths was completely preventable, yet because of the prevalence of driving under influence (DUI), more Americans have died per year than the amount of people worldwide who die from natural disasters per year (Statista 1). This leads to an important question: what legislative actions can further reduce the number of deaths related to drunk driving? The answer does not lie in increasing the severity or speed of any punishments; rather, the answer lays in increasing the likelihood that the driver in question is caught.

Increasing the severity of the punishment for driving under influence is usually the legislative action targeting such behavior; however, this should not be the case. This is because an increase in punishment for drunk driving does not necessarily correlate with a decrease in the number of alcohol-related vehicular deaths; for instance, while Arizona had the strictest drunk driving laws of any state in the United States, the fatality rate from DUI related deaths was 28%, or around average (Shawn 15).

Despite this fact, there is evidence that, whether they are rated as having strict or non strict DUI laws, states with additional penalties for DUI child endangerment laws tend to have lower fatality rates; the five states with the lowest DUI fatality rates range from having highly strict DUI laws to very lenient DUI laws, yet all have in common the additional child endangerment

penalties for drunk driving (Shawn 19). This information would seem satisfactory for a simple legislative action to an uncritical observer, yet is incomplete because it raises a crucial question: how could a child endangerment penalty seriously affect the DUI fatality rate when 64% of drunk drivers are under 35 years of age, and of those drivers over 53% were between the ages of 21-24, both groups less likely to have children than more senior age groups (BAC track 16)?

It turns out that DUI law strictness or additional child endangerment penalties is not the most important metric for measuring DUI fatality rate or deterring driving under influence; rather, the most important way to measure the DUI fatality rate is population density. Only 19% of Americans lived in rural areas, yet rural DUI fatalities account for 54% of the total DUI Fatality rate (Shawn 23). Therefore, states with very few rural areas need less of a legislative solution than states with large rural areas. According to Professor Adam Gershowitz, this legislative solution for deterrence of drunk driving can come in one of three forms: likelihood that the driver will be caught, severity of the punishment, and speed of the punishment; however, the data supporting the notion that severity of the punishment for driving under influence, as mentioned previously in this essay, is a valid path by which to decrease drunk driving is ambiguous at best. From this reality, we can also derive the fact that the speed of the punishment is moot; after all, speed of the punishment for DUI can be considered a subcategory of severity of the punishment for drunk driving.

This leaves the last factor that legislators can target to deter driving under influence, which is the likelihood that the driver will be caught. States with large urban and suburban centers can simply allocate more of their police budget to focus on more rural areas; however, largely rural

states tend to have very small budgets with very little money to spend on additional policing.

South Dakota, for instance, may have the highest driver fatality rate, but it has only 2.79 billion dollars to expend, one of the lowest state budgets in the U.S.A (Ballotpedia 4). From this data, there can be derived the conclusion that because South Dakota has a low state budget, it either must secure federal aid to prevent drunk driving through policing, proliferate the state's income through tax revenue, or reallocate some money from the state budget to spend on deterring drunk driving. These rules hold true for states of all consistencies, rural or urban.

In conclusion, the answer for legislative action for reducing drunk driving does not lie in increasing the severity or speed of any punishments; rather, the answer lays in allocating resources to increase the likelihood that the driver in question is caught. This will lead to safer roads for all Americans and ensure that an innocent life like that of Samuel Cleghorn is spared.

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