



# Stellopflug, Janssen, Hammer, Kirschling & Bartels, S.C.

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## LawClips

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Topic for the Month:

### Alcohol and Driving

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## WISCONSIN LAWYERS

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**Alcohol and Driving, A Dangerous Mix:** Most people understand that drinking and driving are a dangerous mix. Alcohol is a central nervous system depressant. It affects vision, muscle coordination, reaction time, divided attention and judgment. The effects of alcohol are dose dependent. Impairment begins at blood alcohol concentration (BAC) levels as low as .02 or .03. Literature on this issue supports the impairment of driving as low as .04 % BAC.

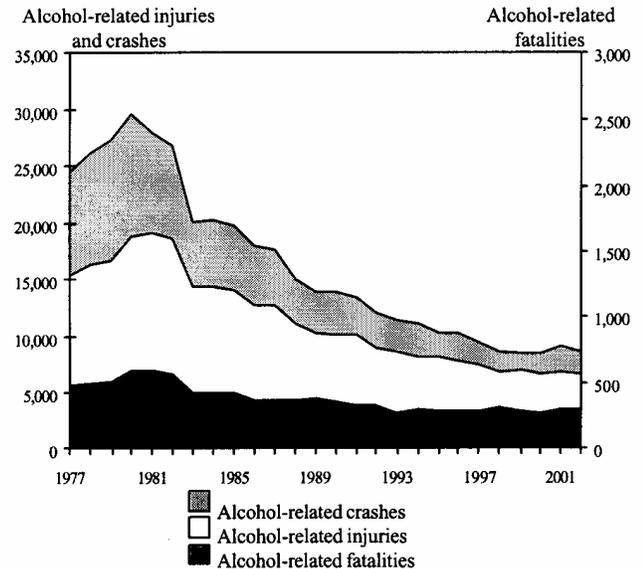
**The Pathway of Alcohol Through The Body:** Alcohol affects everyone at a different rate. The impact which alcohol has on the body is related to three factors: absorption, distribution and elimination.

**Alcohol Absorption:** Alcohol is absorbed and eliminated from the body over time. The rate of absorption can be affected by: presence of food in the stomach; type of beverage consumed (i.e. carbonated vs. non-carbonated); condition of the GI tract and smoking cigarettes. The presence of food in the stomach slows the rate of absorption of alcohol. Alcohol absorption will peak quicker in an individual who drinks with an empty stomach.

**Alcohol Distribution:** The level of alcohol concentration in the body is affected by the percentage of body water in a person. For example, take a man who weighs 100 pounds and a man who weighs 200 pounds. Each man consumes one fluid ounce of alcohol. The 200 pound man must consume twice as much as the 100 pound man to attain the same level of alcohol concentration. Another example: a man and woman each weigh 100 pounds. The man has 68 pounds of body water; the woman has 55 pounds of body water. If each person consumes one fluid ounce of alcohol, the 100 pound man must consume more alcohol than the 100 pound woman to attain the same alcohol concentration.

**Alcohol Elimination:** 95% of alcohol is eliminated via enzyme metabolism. Ethanol metabolism occurs primarily in the liver. Inexperienced drinker's elimination of alcohol is slower than average. Alcoholic's elimination is higher than average.

**Educate Your Children:** Underage drinking is the nation's number one youth drug problem and research shows that the earlier youth begin to drink, the more likely they are to suffer alcohol problems later in life, including alcohol dependency and drunk driving.



**Wisconsin Statistics:** In 2001, 304 people were killed and 6,586 people were injured in 8,695 alcohol-related motor vehicle crashes in Wisconsin. Alcohol-related crashes accounted for 6.9% of all crashes in the state, 40% of all motor vehicle fatalities and 11% of all motor vehicle injuries.

On average, one person was killed or injured in an alcohol-related crash in Wisconsin every 76 minutes during 2001. During 2001, 38,731 people were arrested for OWI in Wisconsin, including 649 persons who were under 18. This compares to 36,385 arrests in 1990.

As of January 1, 2001, the DMV Driver Record file showed that 252,158 drivers had 1 OWI conviction; 34,149 drivers had 2 OWI convictions and 19,021 had 3 OWI convictions.

**National Statistics:** Approximately one-third of the population in the USA does not drink at all. About 3 in every 10 Americans will be involved in an alcohol related crash at some time during their lives. In 2001, 17,448 people were killed in crashes involving alcohol. This is 41% of the 42,116 people killed in all traffic crashes. Go to the MADD website for more statistics: [www.madd.org](http://www.madd.org).

**Bad Things Happen to Good People.** Unfortunately, the science of alcohol consumption and quoting of statistics will not prevent a person from getting behind the wheel after having a few drinks. If you have been cited for Operating a Motor Vehicle While Intoxicated (OWI), you should immediately contact an attorney to discuss your rights. At our firm, attorney Jackson Main, Jr. is the person to call. Attorney Main concentrates his practice in handling all types of criminal matters, including