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## Restaurants Slam Bid to Fortify Drunk-Driving Rules

By ANNIE GASPARRO

Restaurant groups on Wednesday criticized a recommendation that states adopt a stricter threshold for legal blood-alcohol levels in automobile drivers, arguing that such a move would hurt the industry without significantly improving safety.

The National Transportation Safety Board had urged states Tuesday to set their legally permitted blood-alcohol-content levels at 0.05%. The board said that research shows most drivers at that level experience a decline in cognitive and visual functions that significantly increases the risk of a serious crash. All U.S. states have a 0.08% limit for noncommercial drivers over the age of 21.

"We feel measures addressing drunk driving should be focused on repeat, chronic offenders who drink excessively then drive, and not the millions of Americans who enjoy an adult beverage in a responsible manner with their meal," the National Restaurant Association said.

The American Beverage Institute, another trade organization made up of 8,000 restaurant chains that serve alcohol, said the average blood-alcohol level in fatal crashes is twice the current legal limit, while fewer than 1% of highway deaths occur between 0.05% and 0.08%.

The institute said a better approach would be to tighten regulations on repeat offenders and those convicted of driving with higher blood alcohol levels.

Sarah Longwell, the group's managing director, said the NTSB's recommended change would affect more than just alcohol sales. "Alcohol is a profit center for restaurants, but it also enhances the food. It's part of the dining culture to have drinks that complement your meal," she said.

Alcoholic beverages tend to be among the most profitable items on restaurant menus, but the share of sales at U.S. restaurants from alcoholic beverages has declined over the past decade as alcohol-related laws and penalties have become stricter and consumers' tastes have changed.

Big chains like Applebee's, a unit of [DineEquity Inc.](#), [DIN -0.91%](#) and Olive Garden, owned by [Darden Restaurants Inc.](#), [DRI -1.34%](#) have been trying to reinvigorate their bar businesses, adding larger bar areas

with high-top tables to encourage mingling, hiring mixologists to come up with signature cocktails and recommending wine pairings with entrees.

Applebee's share of sales from alcohol rose to 14.5% this year from 12.5% when DineEquity bought the chain in 2007. The improvement came from focusing more on late-night business and encouraging customers to order a second round. [Brinker International](#) Inc. [EAT +0.64%](#) has also increased alcohol sales at its Chili's Grill & Bar unit from an internal initiative called "Raising the Bar."

[Red Robin Gourmet Burgers](#) Inc. [RRGB +0.16%](#) estimates that increasing its share of sales from alcohol by half a percentage point in a year represents about \$3 million in profit, before interest, taxes, depreciation and amortization. At the end of 2012, alcohol represented 7.3% of its total sales, up 0.7 percentage point from the prior year.

Representatives for the restaurant chains referred requests for comment on the NTSB's recommendation to their trade associations.

The NTSB can't change the drinking and driving laws, but its guidance on transportation-safety issues often results in eventual policy changes. Blood-alcohol limits are determined at the state level, and changes can take decades to be adopted nationwide.

When the National Highway Traffic Safety Administration began pushing states to lower their BAC limits to the current 0.08% level, it at first offered incentives and eventually started enforcing penalties for states that didn't comply. It took more than 20 years to get all 50 states on board.

Lowering the blood-alcohol level hasn't been a focus of some major anti-drunk driving groups. Mothers Against Drunk Driving issued a statement Tuesday lauding the NTSB's effort to call attention to the issue and reiterating that the safest practice is to avoid drinking and driving altogether. But MADD said its focus remains on other measures it has recommended, such as requiring ignition-locking devices to prevent convicted drunk drivers from operating vehicles after drinking.

The 0.05% cap could translate to a limit of two drinks over a typical dinner for an average-sized male, or perhaps a single serving for a smaller female, said Todd Hooper, a restaurant and retail strategist at consulting-firm Kurt Salmon. "Buying by the bottle would become very tricky unless you had four or more people at the table."

Still, he said, any impact on the industry is likely to take time, because even if the recommendation becomes law, consumers will take a while to change their behavior. "It could take a full generation to kick in," Mr. Hooper said.

