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Panel urges lowering BAC limit allowed drivers of heavy trucks

By Deborah A. Haring
Reporter

A Texas Research Board has recommended that the legal blood-alcohol concentration limit for Texas commercial truck and bus drivers be lowered from 0.1 percent to 0.04 percent, a Texas A&M professor who served on the board said.

"A lot of people have strong feelings about this because they are at greater risk with large trucks," said Dr. Olga Pendleton, a researcher for the Texas Transportation Institute. "They're like time bombs rolling down the road. It takes a lot more skill and a lot more alertness to drive one of those heavy pieces of machinery."

After a year-long study that ended in August, the majority of a Texas Research Board committee recommended the 0.04 percent level as the point where fixed penalty structures called for by the Commercial Motor Vehicles Safety Act should be applied, Pendleton said.

Pendleton, a statistician and visiting associate professor in Texas A&M's statistics department, was selected as a member of this panel of experts because of her past research with alcohol-related accidents.

The panel was convened by the National Academy of Sciences through the board to study the effects of alcohol on commercial truck and bus drivers.

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The limit will apply to drivers of medium to heavy vehicles (those weighing 26,000 pounds).

Pendleton said the legal BAC in the past for commercial drivers driving under the influence has been the same as for drivers of passenger cars, 0.10 percent — which can be defined as the consumption of six beers by an average-sized man in half an hour. But the board members' opinion was that drivers of commercial heavy vehicles should be under stricter rules than drivers of passenger cars.

The board-recommended 0.04 BAC limit is the current limit for pilots and train engineers. Use of this same number for commercial drivers should become a law within a year, Pendleton said.

Although the recommended BAC limit still must be adopted, penalty structures were set before the panel began. A commercial driver could have his license suspended if his BAC is higher than .04 percent and

could have his license revoked for a second offense.

A majority of the panel also recommended that truck drivers with BACs higher than zero but less than .04 have their licenses revoked for up to 30 days on the first offense and 30 days to one year on subsequent offenses, Pendleton said.

"I think people would agree with the fact that truck drivers should not be drinking," she said. "People are surprised to find out that there is any drinking on the job. Some companies like Greyhound and Trailways already have very strict rules — drivers get fired if they show up after having been drinking."

Part of this study included drivers' opinions on lowering the BAC legal limit, Pendleton said. One of the drivers' biggest arguments was the fact that it would be hard to enforce this lower figure and that drivers will keep drinking anyway.

One method of enforcement discussed was screening drivers as part

of the weigh-station process. The panel tried to take cost and feasibility of enforcement into account.

The study's data show that enforcing a zero BAC level would save 130 to 250 lives a year but would cost \$49 million to \$54 million. Enforcing a .04 limit would cost \$37 million to \$41 million and would save 110 to 190 lives a year.

No data had been collected on alcohol-related truck accidents and Pendleton received funding to come up with some.

"It was quite an honor for me because statisticians usually take a backseat role," Pendleton said. "We crunch the numbers. It's unusual for us to have any input in policy-making. As it turned out I played a critical role here because they didn't have any data for this study."

Pendleton used the Fatal Accident Reporting System (FARS), a census of all fatalities in the United States and the Texas State Accident Data, which gives cost estimates for accidents as well as fatalities.

"I provided most of the figures which appear in our reports," she said.

"There may be some ramifications to this study," Pendleton said. "As one of her last acts as Secretary of Transportation, Elizabeth Dole said they should consider a zero percent BAC for pilots and train engineers."

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Air Force investigator faces court martial for methods

SAN ANTONIO (AP) — An Air Force investigator credited with breaking up a drug ring among crewmen serving AWACS surveillance aircraft in the Persian Gulf faces a court martial for the tactics he used to infiltrate the ring.

The military trial of Special Agent James E. Flannigan at Lackland Air Force Base could explore whether officials of the Office of Special Investigations condoned agents making sexual advances to informants.

The investigator claims his superiors approved of his relations with two women during the investigation last summer at Tinker Air Force Base in Oklahoma. One of the women was the wife of a staff sergeant targeted by the investigation.

The investigator also looked into reports that some servicemen may have been active in black market smuggling in Saudi Arabia during their frequent rotations between Tinker and the Saudi city of Riyadh, where the American-crewed AWACS are stationed.

The AWACS are used as part of the U.S. presence in the Persian Gulf.

When defense attorneys for two of the four maintenance technicians charged in the drug probe complained of Flannigan's tactics, his superiors filed charges against him, he claims.

Air Force officials charged Flannigan with becoming "intimately" and "emotionally" involved with the women during the investigation. "I'm being railroaded," the 29-year-old staff sergeant said in an interview with the *San Antonio Light* last week.

Flannigan has been reassigned to kennel duty — training police dogs — at Lackland pending his court-martial.

"It was obvious from the very beginning that I was getting through to these AWACS people through these girls," Flannigan said.

As a result of Flannigan's investigation and a subsequent inquiry, four maintenance technicians were charged with marijuana use and distribution.

Three will be tried in coming months and the fourth is expected to accept an administrative punishment, Air Force officials said.

The Air Force first offered to administratively punish Flannigan for his alleged violation of Air Force regulations, but he turned down the offer and demanded instead a public court-martial proceeding.

Capt. Ingrid K. Bradley, a spokesman for the Office of Special Investigations' district headquarters at Randolph Air Force Base, said Saturday that officials could not be reached for comment on the Flannigan case.

John Economidy, Flannigan's civilian attorney, said the unusual nature of the case will entitle him to delve into the military's techniques for undercover operations during the court-martial proceedings.

Flannigan was formerly charged last week with dereliction of duty. He faces a maximum six-month sentence, a bad conduct discharge and a forfeiture of two-thirds of his pay upon conviction.

Economidy, a former Air Force legal officer, said he expects the court-martial proceeding to be held in January, though a precise date has not been set.

Job requires couch potato for research

HOUSTON (AP) — Richard Fitzpatrick has become a full-time couch potato, courtesy of NASA.

Following a round-the-clock schedule of relaxation for 17 weeks, Fitzpatrick is taking part in a study to determine the effects of long-term weightlessness and the progressive loss of bone mass suffered by astronauts.

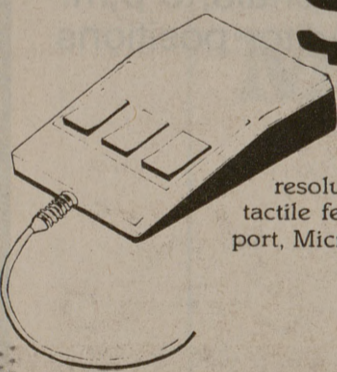
For reading library books, watching television, eating snacks and taking it easy on his Hermann Hospital bed, Fitzpatrick is getting \$187.60 per week.

For NASA, the study is a vital component of learning man's ability to adapt to space.

"It's one of the important questions for the space station right now," Dr. Victor Schneider, co-investigator of the study, said. "If you have astronauts up for three months, you want to know if they recover and the effects over their careers."

The longest period U.S. astronauts have been in space thus far was during the Skylab 4 flight in 1974, which lasted 84 days.

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NAACP rejects measure to end forced busing

FORT WORTH (AP) — The Fort Worth chapter of the NAACP has rejected a proposal to end desegregation busing in Fort Worth schools.

The Saturday vote by the NAACP Board of Directors came hours after about 20 people criticized the proposal as being too general and lacking guarantees.

The vote was a reversal of the National Association for the Advancement of Colored People's stance two weeks ago when its attorneys, Hispanic leaders and school officials drafted an agreement that would end 16 years of court-ordered busing.

The agreement called for increases in black and Hispanic representation among faculty and administration of the Fort Worth Independent School District and additional money for minority schools.

Ray Bell, local NAACP president, said the vote, in a closed meeting of the 31-member board, was unanimous. It means there will be no agreement among the three sides Dec. 7 when a 28-year-old busing lawsuit is to be reviewed by U.S. District Judge Eldon B. Mahon.

"We just didn't like the wording of it," Bell said. "We're going on to court and see what the judge has to say."

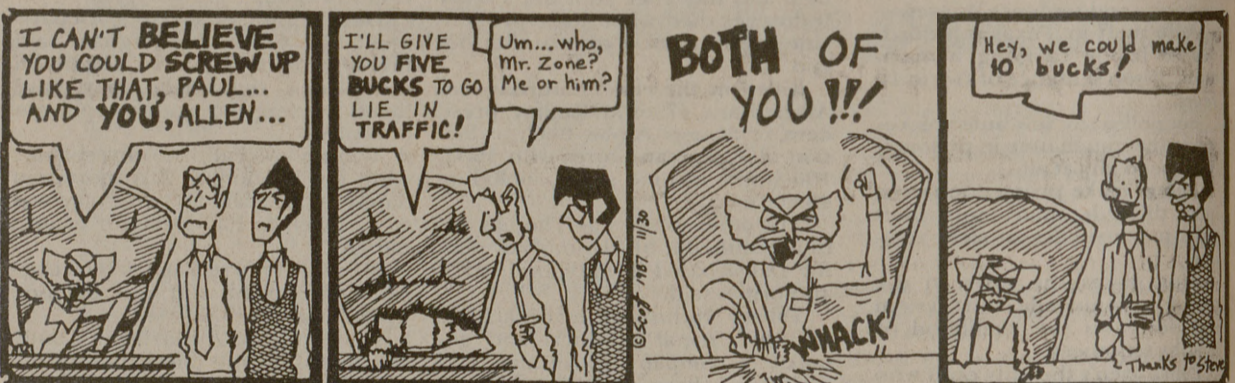
The NAACP would not continue negotiations with the school district, Bell said.

Dee Jennings, a member of the board and chairman of the Fort Worth Black Chamber of Commerce, said, "The board felt the community was being backed into an agreement without any guarantees."

The NAACP board was angry that the school district had ignored a citizens' committee proposal in 1986 that would tie the end of busing to increased achievement levels at schools, Jennings said.

The decision is consistent with the NAACP's position in 1985 and 1986 when it fought school district officials' attempts to end busing.

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