

Regulating drink driving to protect all road users

European Transport Safety
Lecture 2016

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Ideally for road safety

No-one intending to drive would drink alcohol beforehand

And no-one affected by alcohol would drive

So every driver's blood alcohol concentration (BAC) would be zero or near zero

Understanding and practice

- Drink driving within the wider challenge of alcohol in society
- Alcohol and capability to drive
- Alcohol and collision involvement
- Estimating how much drink driving contributes to risk to road users

Understanding and practice

- How low the limit on BAC should be
- Enforcement to deter from and to detect driving while over the limit
- How to treat convicted offenders
- How far we have come and where we might go on to from here

Alcohol in society

- Alcohol provides pleasure and relief
 - but the harm and suffering it can cause are a challenge to society of which drink driving is just one small part
- For road safety we should focus on reducing deaths, injury and damage resulting from driving after drinking

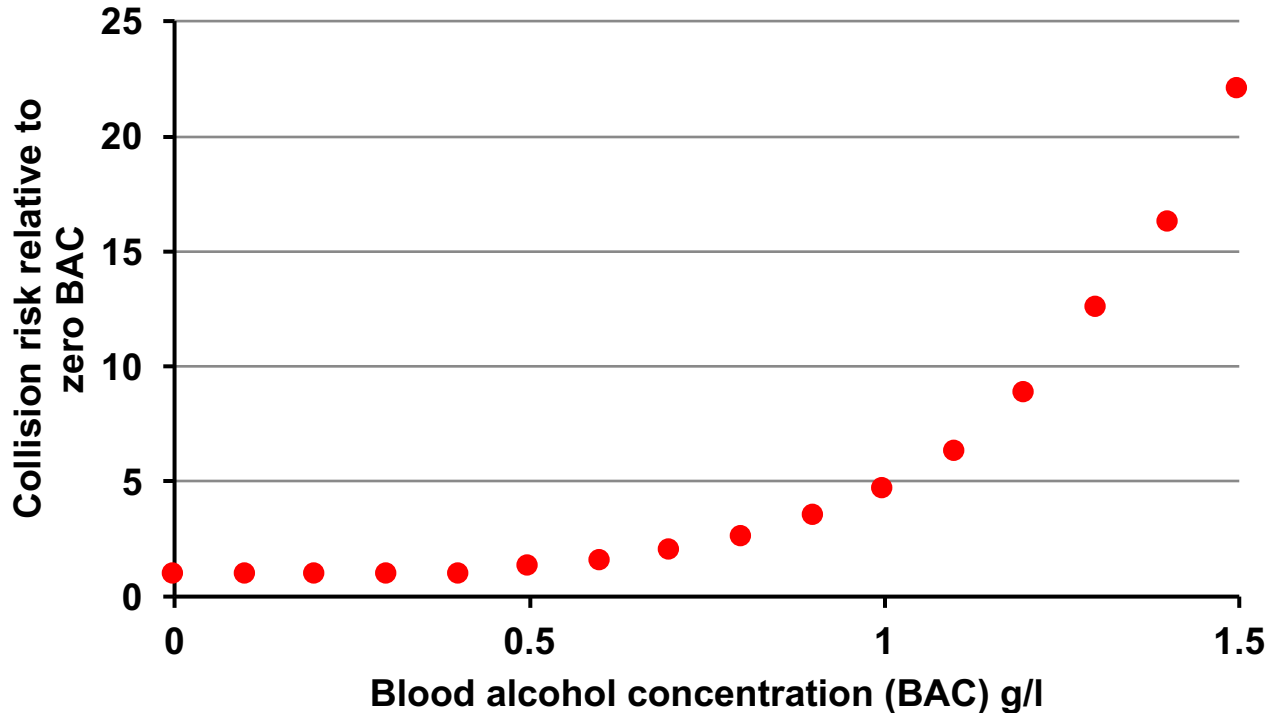
Alcohol and capability to drive

- Well before the motor age, being drunk in charge of a vehicle was recognised as undesirable – but laws against it were hard to enforce
 - and most drink-drivers are far from being drunk
- Research into the effects on capability of modest quantities of alcohol also began before the motor age

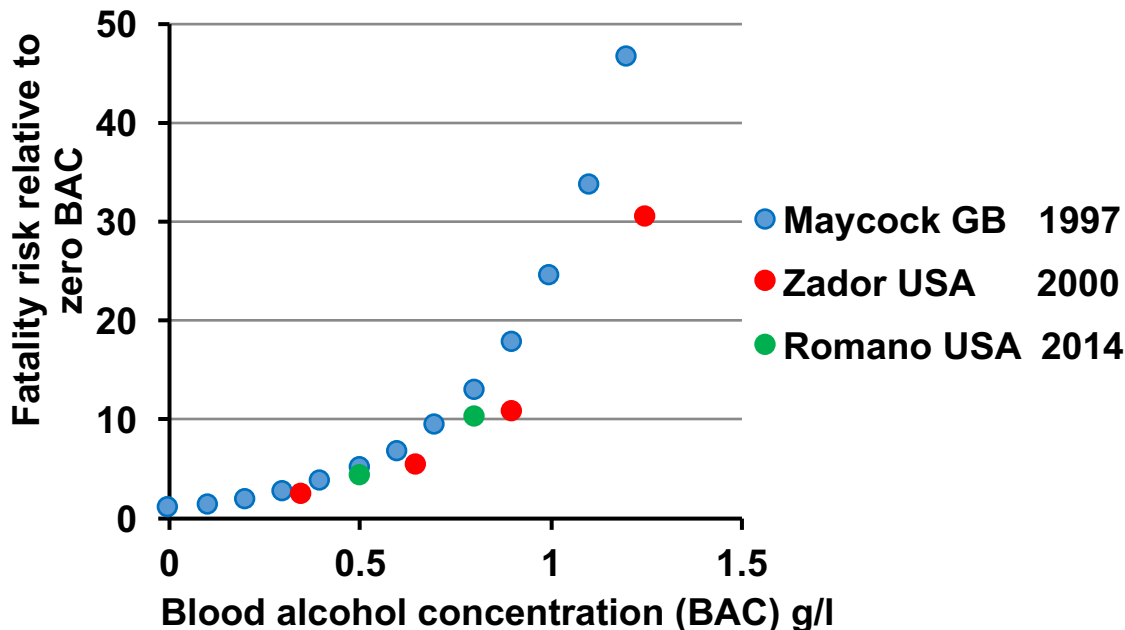
Alcohol and capability to drive

- By 1960, evidence of adverse effects of even low levels of alcohol upon capability to drive was clear –
but evidence of effect on involvement in collisions was still very limited
- This evidence, mainly from large field studies in the USA, came first in 1964 – and was reinforced in 2002

BAC and collision involvement



BAC and fatal collisions



Maycock values below 0.5g/l added in light of panel discussion on 20161018

How much drink driving contributes to road risk

Four main sources of information:

1. Roadside surveys of driver BACs
2. Driver BACs measured during enforcement
3. Road user BACs measured after collisions
4. Measured BACs of killed road users

Measurement after collisions

- Ideally, after every fatal collision, the BAC of every driver, rider and walker involved should be measured
- This would enable the numbers of drink-related deaths to be recorded
- The same might be done in due course for serious injuries

Defining a drink-related road death

SafetyNet project definition:

Death within 30 days in a collision where any driver, rider or walker has a BAC above the legal limit

This and much other work defines a drink-related death in relation to the legal limit

But we should think again about doing so!

Why we should think differently about what is drink-related

- Harm done by drink-driving is no respecter of the legal limit we set
 - e.g. In England for every 4 deaths recorded above the limit there is one more in a collision involving a drink-driver below the limit
- Our definition should include all the harm

Percentage of road deaths recorded as drink-related

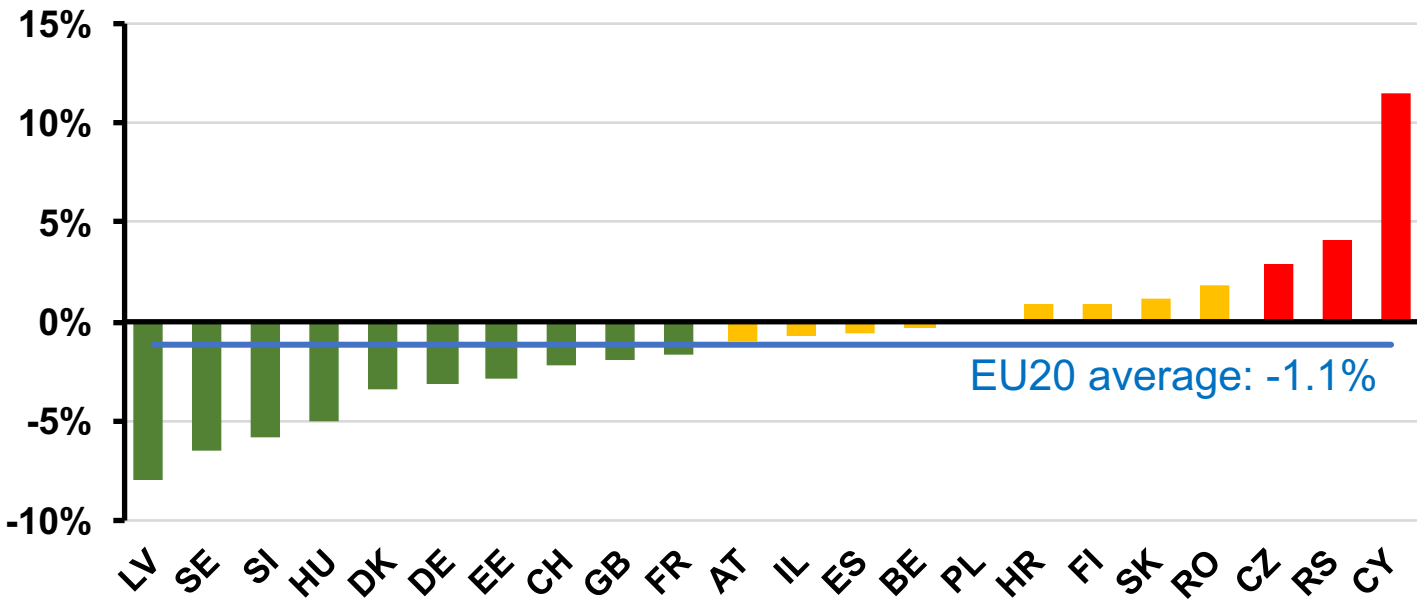
- A study for the EC in 2014 found that this should be about 25%, but national estimates averaged 12.9%
- In 2014 they ranged from 5% to 30%
 - even in countries using the SafetyNet definition the range was 9% to 30%
- So percentages in Europe are not yet comparable between countries

Numbers of road deaths recorded as drink-related

- But year-on-year changes in the numbers recorded are comparable if the definitions do not change
- So ETSC in its PIN programme has compared annual average percent changes in numbers of drink-related deaths and of other road deaths over the period 2001 to 2014

Tackling drink driving in 20 European countries 2001-2014

Difference between average annual percentage change in deaths recorded as drink-related and corresponding change in other road deaths



How low should the limit be?

- No lower than a country is ready to enforce strictly
 - Except in Scandinavia, many early limits were 0.8g/l or 1g/l
 - When limits have been lowered, they have usually stayed lower
 - Limits below 0.2g/l are hard to enforce strictly
- but any limit above 0.2g/l should be considered for lowering

How well do people understand the limit?

- Citizens need to understand what the law requires of them
- For the BAC limit this entails continuing public information keeping pace with
 - the changing drinking population
 - the changing range of drinks
 - the changing drinking culture

Enforcement of the limit

- Any law that is about life and death should be enforced
- Portable evidential breath-testing devices make extensive roadside testing practicable
- But it needs costly police resources and clearly defined powers

Enforcement of the limit to deter and to detect

- To deter – the aim is to maximise perceived risk of detection
- To detect – the aim is to maximise the probability that the tested driver is over the limit
- Publicised detection and conviction contributes to deterrence

Enforcement – a need for research to inform practice

- Authorities and Police are faced with choices about the balance between *to deter* and *to detect*
- We all need to know more about effects of different kinds and levels of enforcement upon drink driving behaviour

Treatment of convicted offenders

- Exceeding the limit is serious – it can have effects like manslaughter and grievous bodily harm
- So those found to have done so should feel consequences – like lengthy community service, disqualification from driving, confiscation of the vehicle

Treatment of convicted offenders

- It is not just a matter of punishment – the offender will still be around
- Some offenders feel remorse and are ready to be helped not to reoffend when they continue or resume driving
- Others' lives are so affected by alcohol that they should not resume

High risk offenders

- Within this spectrum, some like repeat offenders or those found to have driven with very high BACs can usefully be identified as *high risk offenders*
- They may be subjected to extra requirements like medical tests before having their licence restored after disqualification

Retraining can help

- Courses can help offenders to understand better how alcohol affects them and their driving, and how to keep within the limit
- In Britain, for example, re-offending within 3 years has been found to be halved among those choosing to complete approved courses when referred to them by the court

Technology is at hand

... in the form of the **alcohol interlock**

– long-established in North America and now in use or being trialled in many European countries, *e g* for:

- mandatory use by convicted offenders
- voluntary use in commercial transport
- mandatory use in professional driving with vulnerable passengers

Alcohol interlocks used with the mix of offenders

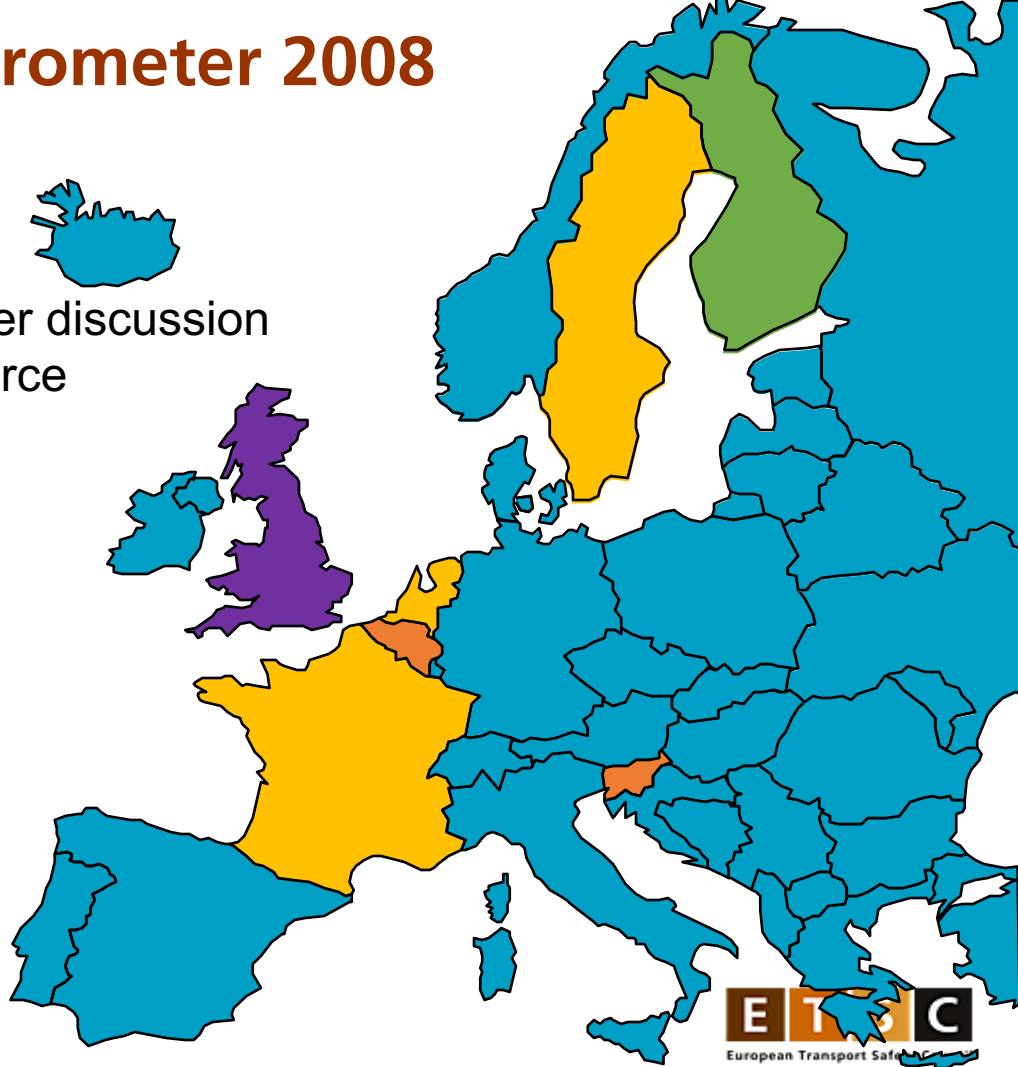
- Requirement to use an alcohol interlock for a time is an additional form of punishment in itself
- But it also provides flexibility in the use of other punishments – allowing more consideration of the situation of each offender – *E.g.* effect of disqualification differs among those offending similarly

Alcohol interlocks used with the mix of offenders

- Requirement to use an alcohol interlock is more preventive of drink driving than disqualification
- But used by itself the preventive effect does not persist when the user is free to drive without the interlock
- So its use can well be accompanied by a rehabilitation course

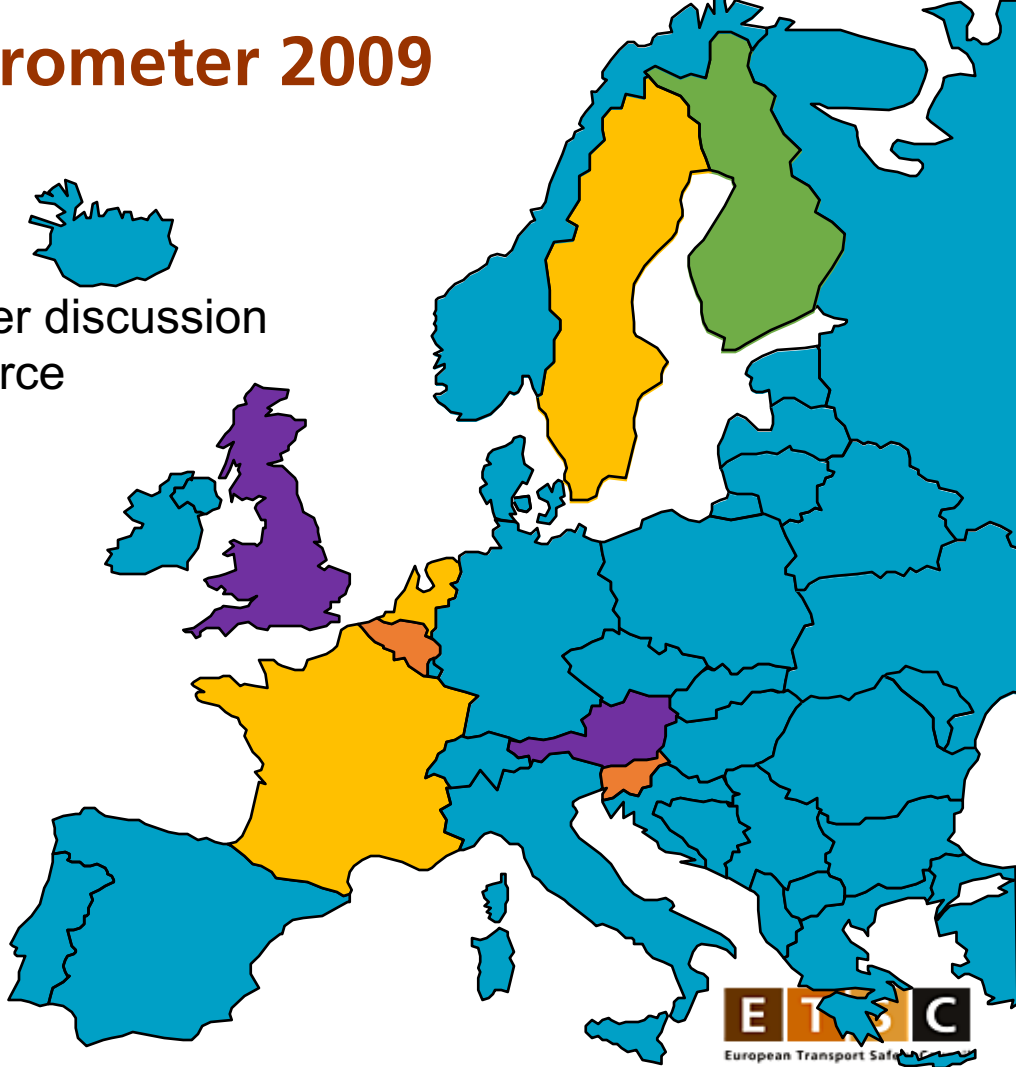
Alcolock Barometer 2008

- Voluntary basis
- Pilot project
- Legislation under discussion
- Legislation in force



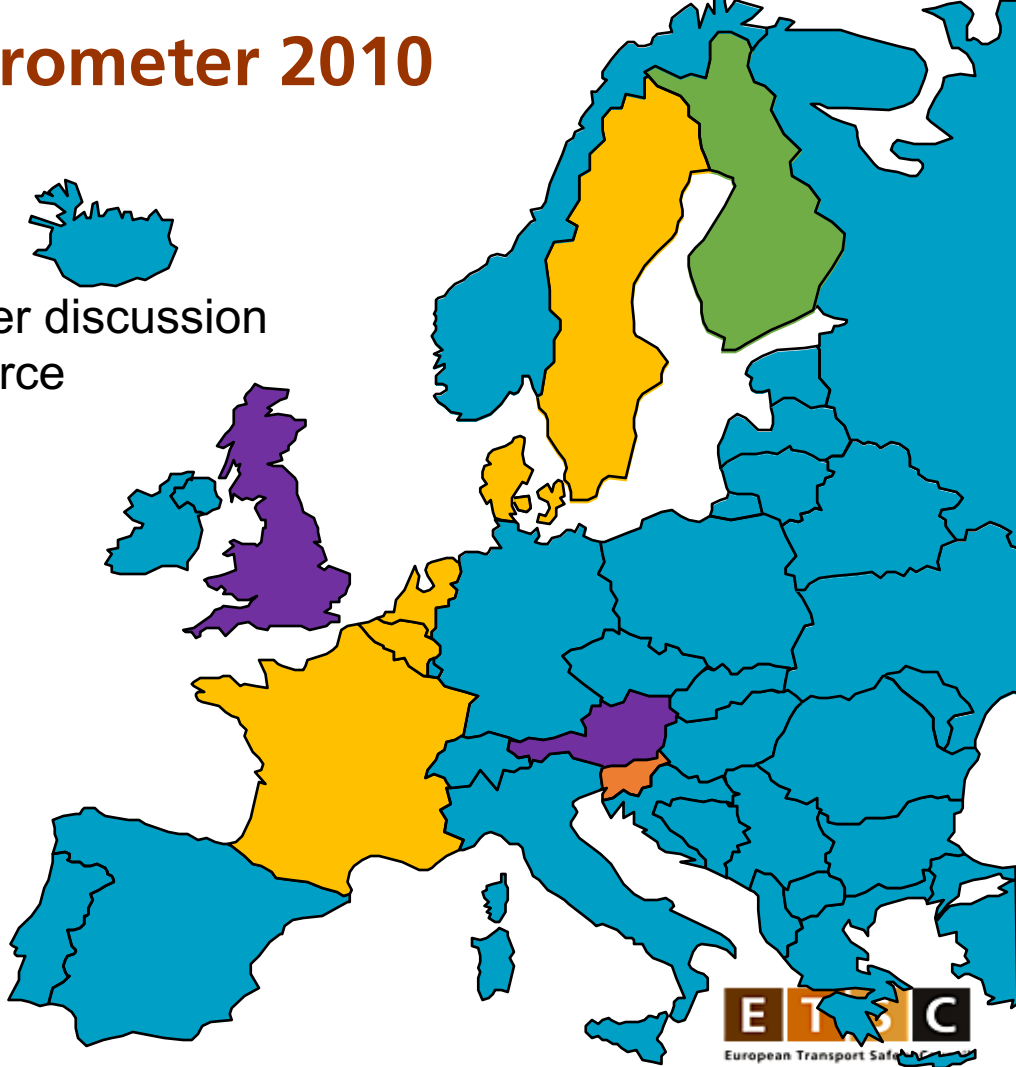
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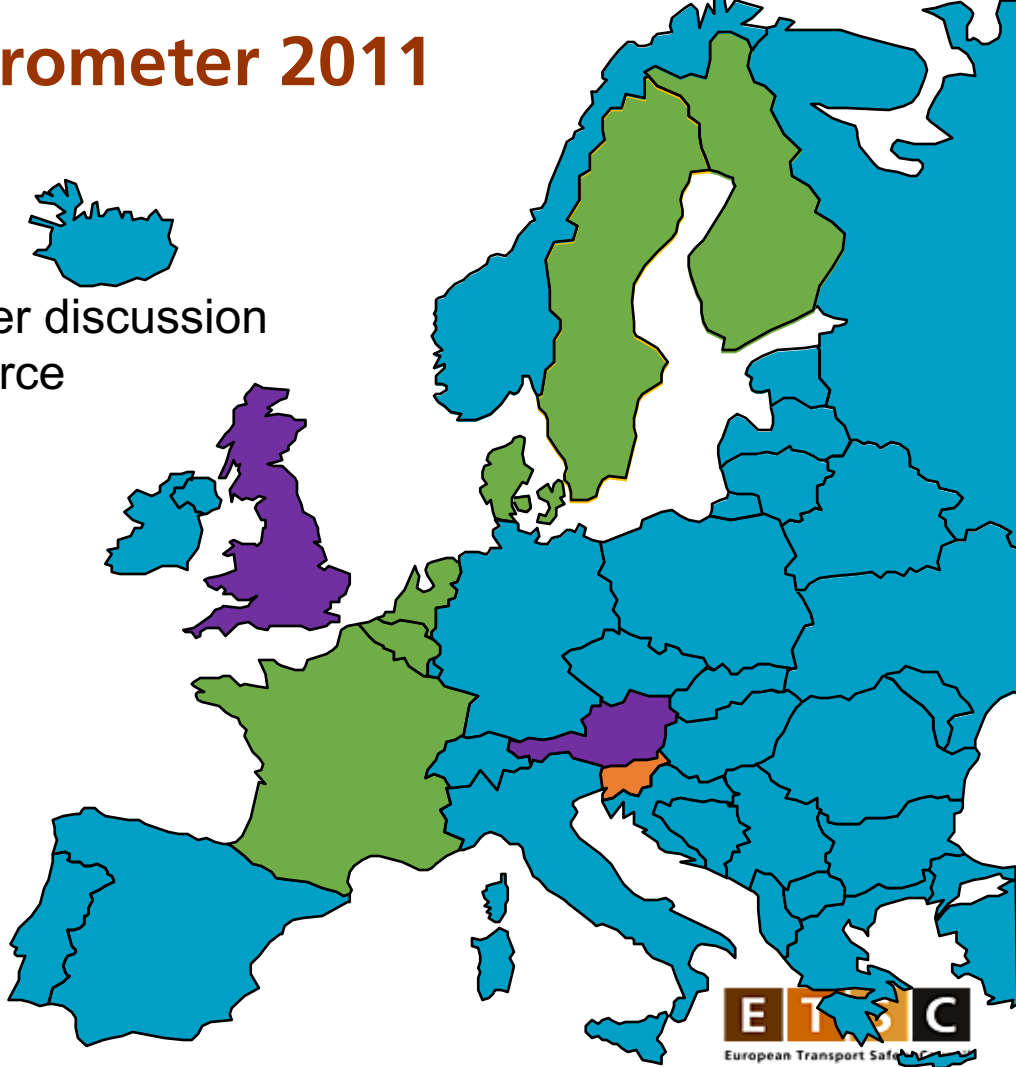
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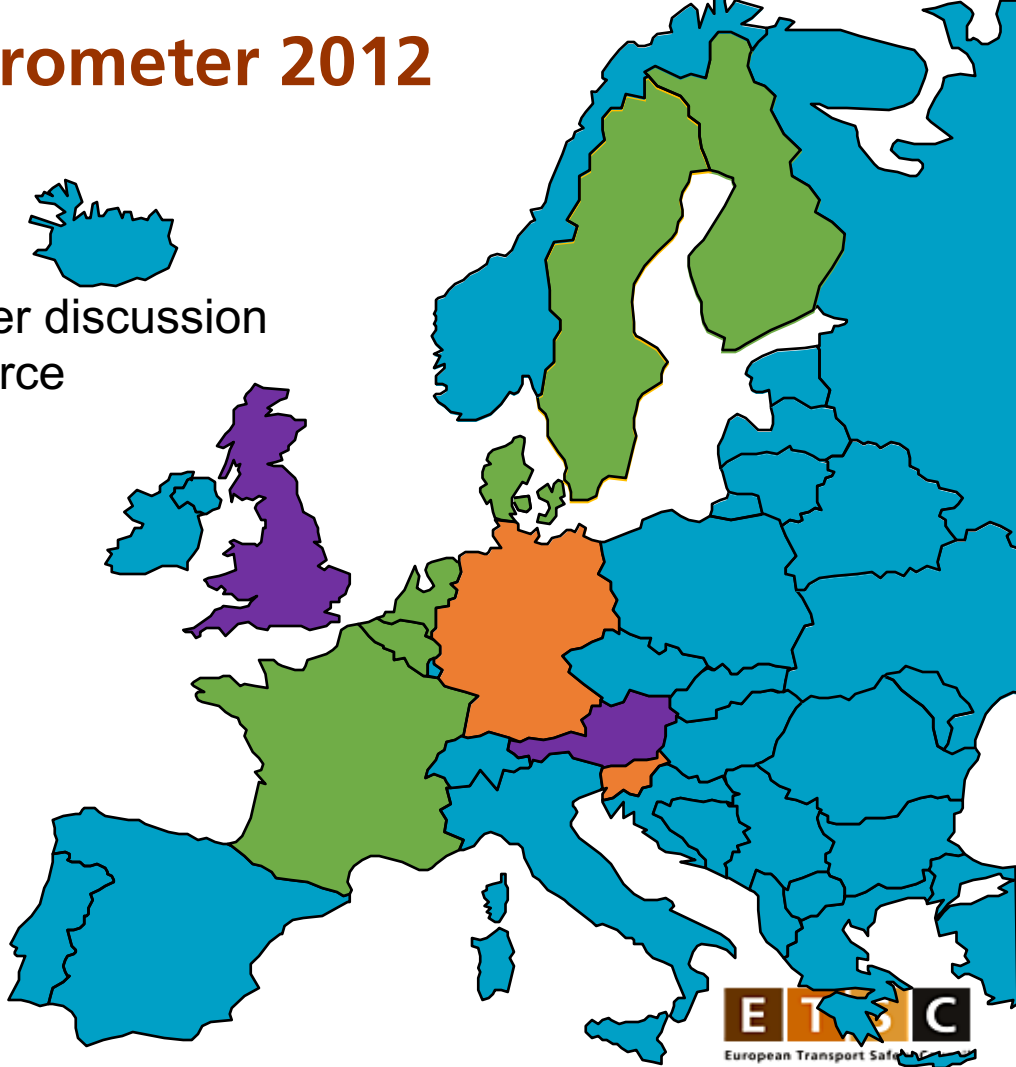
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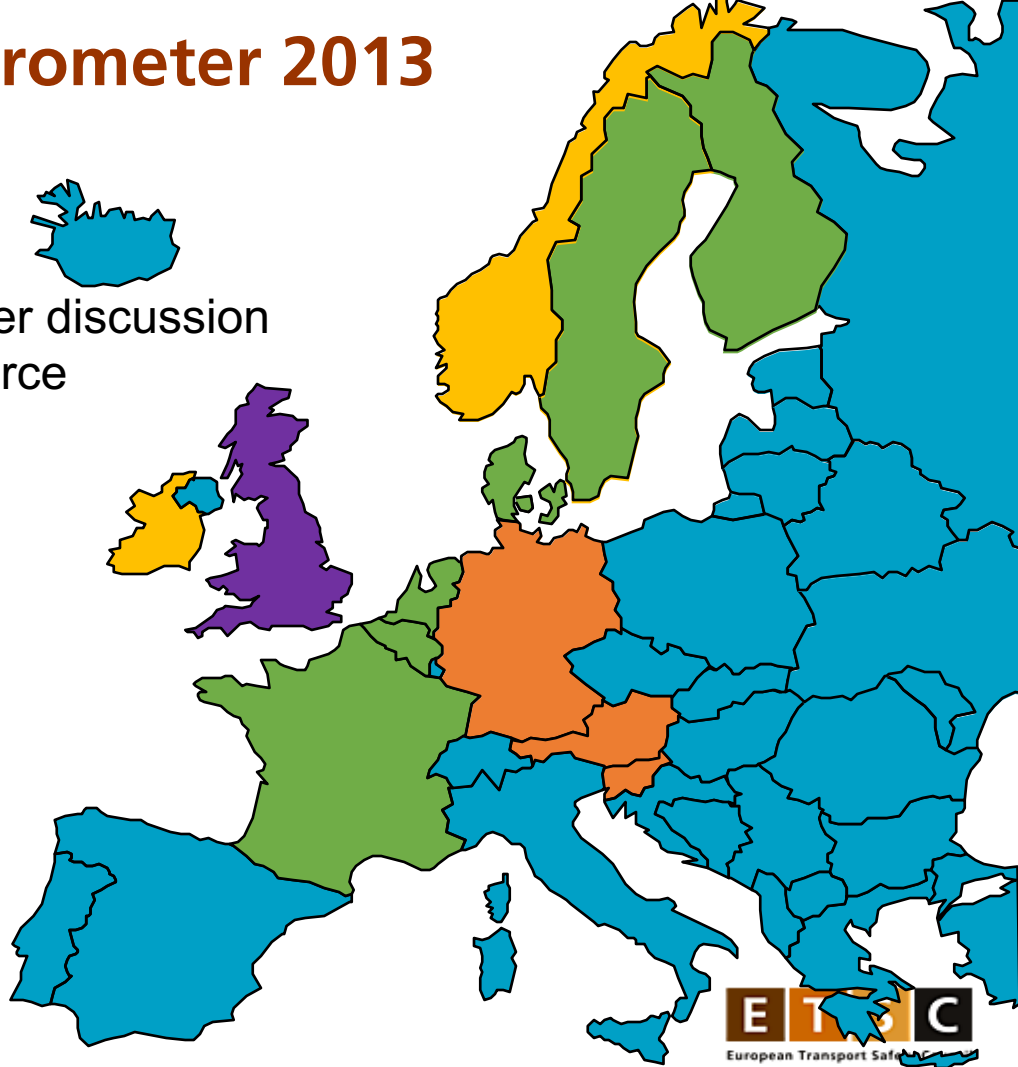
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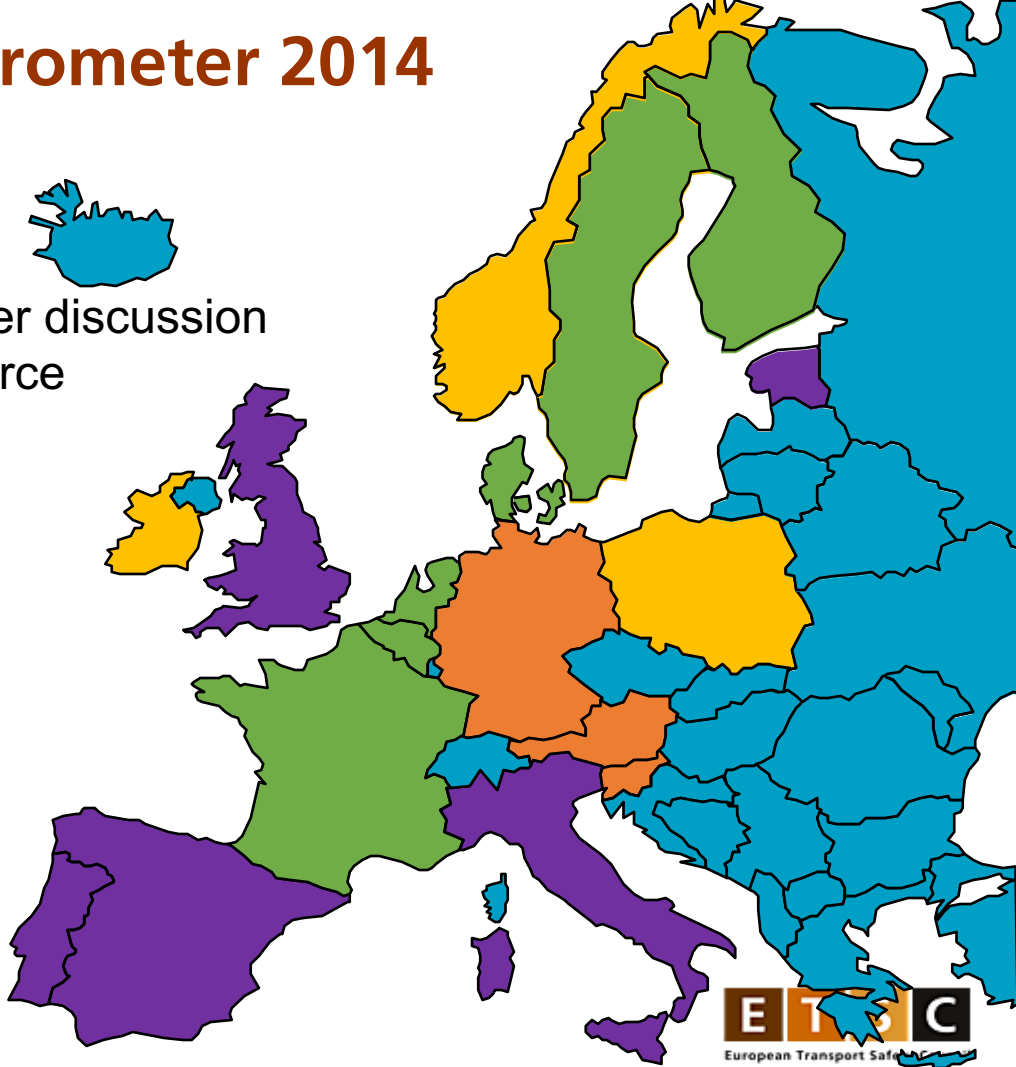
Alcolock Barometer 2013

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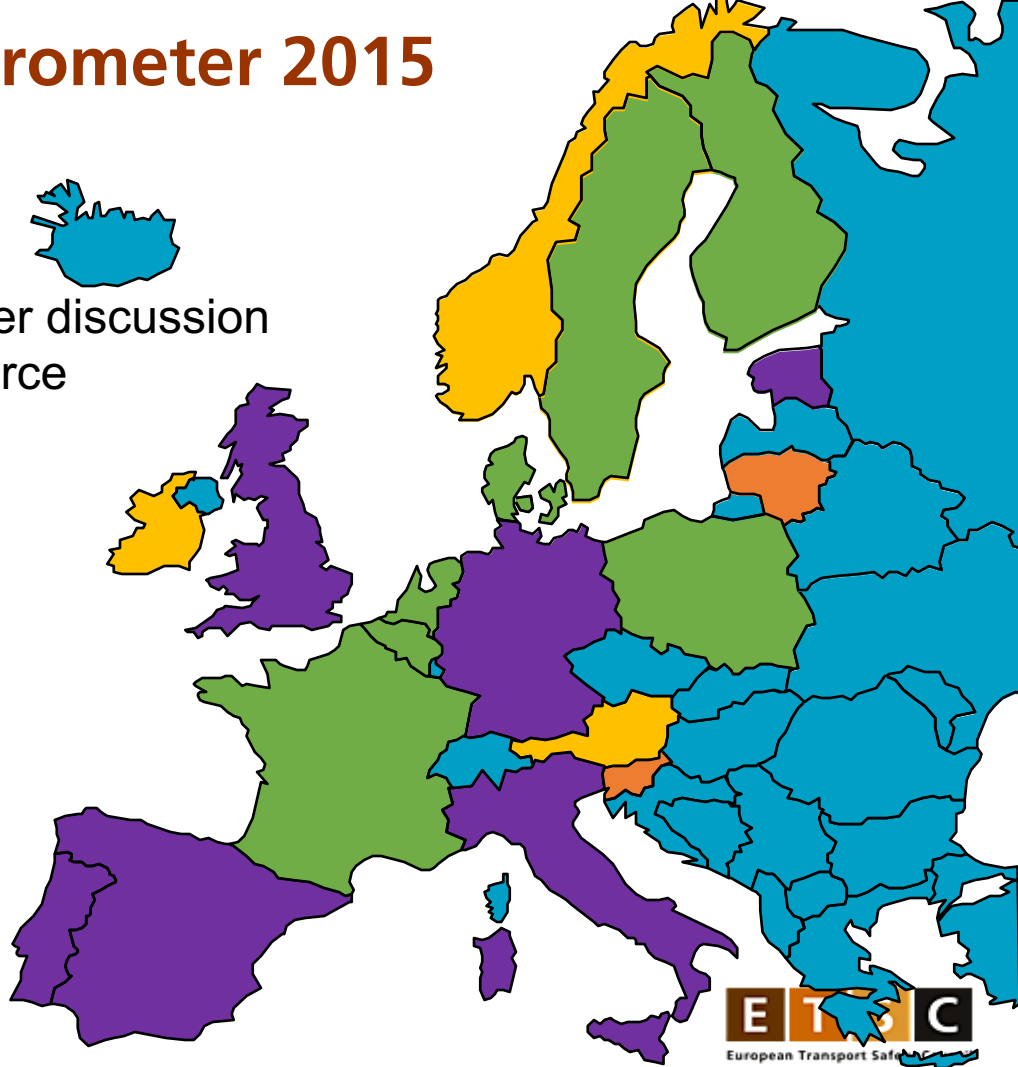
Alcolock Barometer 2014

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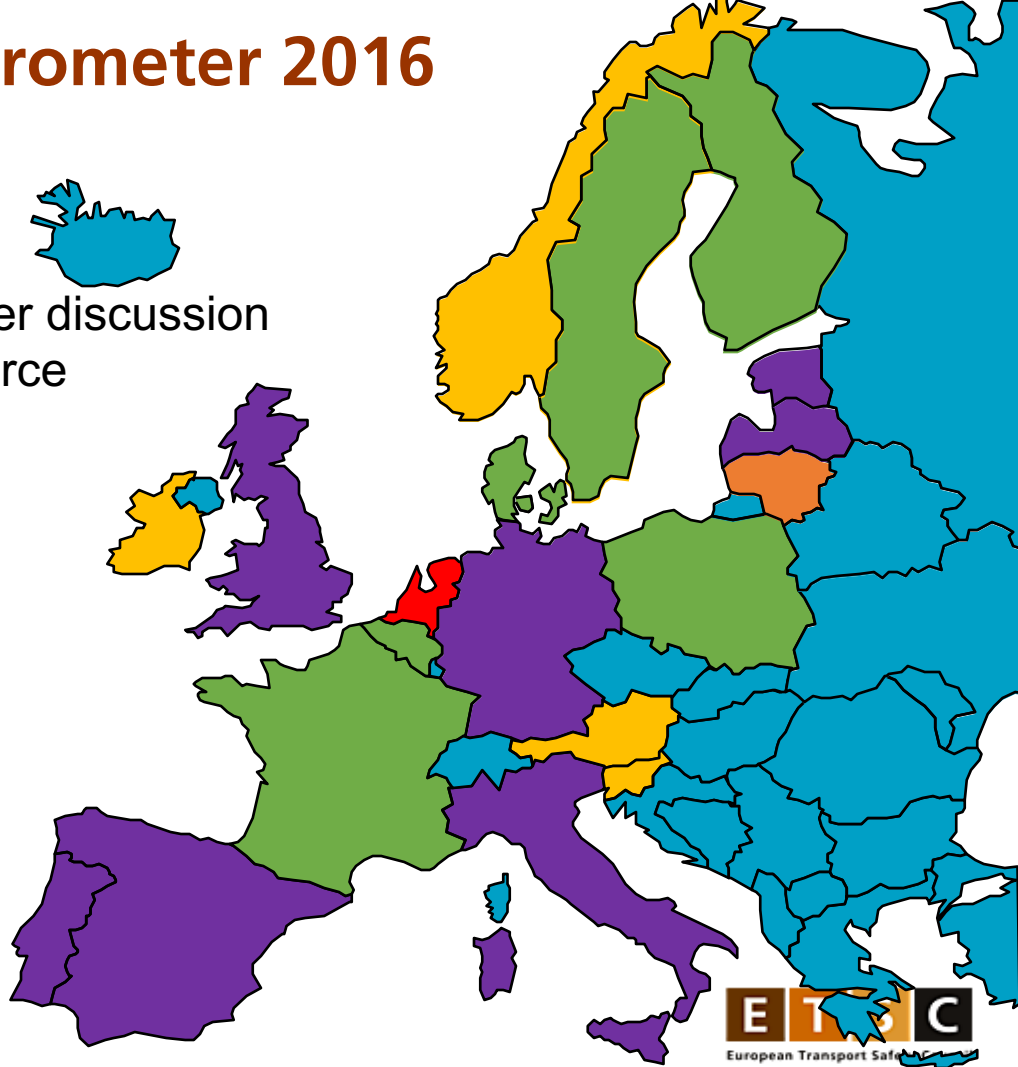
Alcolock Barometer 2015

- Voluntary basis
- Pilot project
- Legislation under discussion
- Legislation in force



Alcolock Barometer 2016

- Voluntary basis
- Pilot project
- Legislation under discussion
- Legislation in force
- On hold



... so it's not plain sailing

- Many possibilities for interlocks are being explored but issues are arising:
 - motivation of the judiciary
 - cost of the interlocks and who pays
 - procedure for and costs of using log data from interlocks to support users and to inform policy
 - public perception of users

How far have we come?

- Widespread understanding that driving after drinking is risky
- Recognition of the need to keep reinforcing this message
- Some way towards defining and measuring the harm being done
- Widespread legal limits on driving with high BACs – and a tendency to lower these limits

How far have we come?

- Motivation to enforce the limit but limited understanding of how best to do so
- Portable evidential breath testing
- Mixed readiness for penalties to reflect the seriousness of exceeding the limit
- Alcohol interlock technology

Where to go from here?

- Better appreciation of increased risk of a fatal or life-changing collision
- Even greater effort to get message to those least ready to hear it
- Develop a definition and indicator that embrace all of the harm that results from drink driving
- Harmonise recording of BACs in fatal and then in life-changing collisions

Where to go from here?

- Harmonise monitoring of progress
- Keep all limits higher than 0.2g/l under review for possible lowering
- Improve people's understanding of how to keep within the limit
- Research how to help police to balance deterrence and detection
- Consider raising penalties where these are low

Where to go from here?

- Progress use of alcohol interlocks and rehabilitation courses to achieve more tailored penalties and reduce reoffending
- Encourage use of alcohol interlocks for prevention
- Harmonise alcohol interlock technology, require fittability and improve convenience of use

Thank you for your attention

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