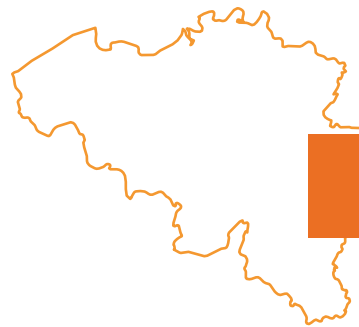




DRINK-DRIVING FACT FILE

January 2021



BELGIUM



INTRODUCTION

Belgium is slightly above the EU average, both for the reduction in the number of road deaths from 2010 to 2019 and for road mortality, with respectively a 26% reduction and 54 deaths per million inhabitants.

Figure 1. Relative change in road deaths between 2010 and 2019. *National provisional estimates used for 2019, as final figures for 2019 are not yet available at the time of going to print.
**UK data for 2019 are the provisional total for Great Britain for the year ending June 2019 combined with the total for Northern Ireland for the calendar year 2019.

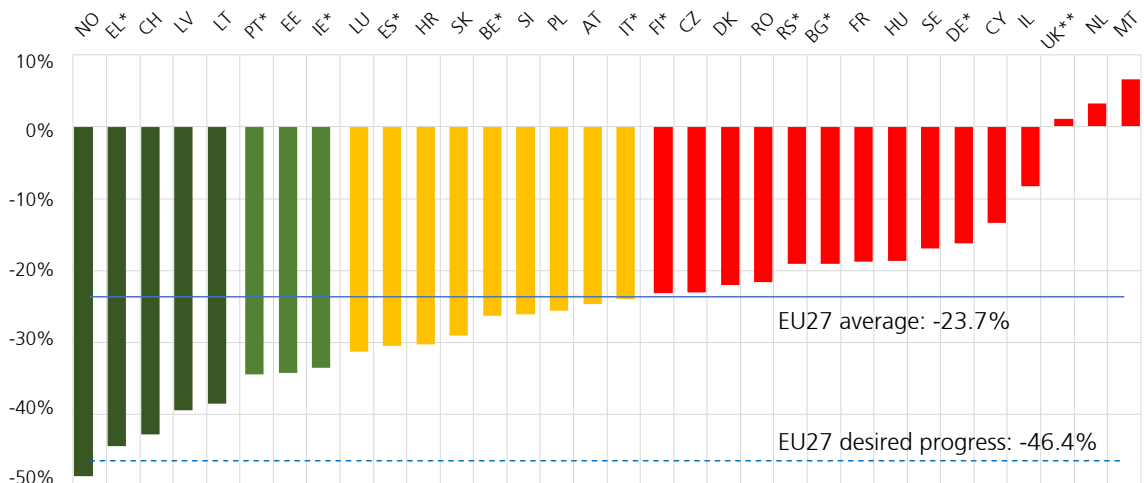
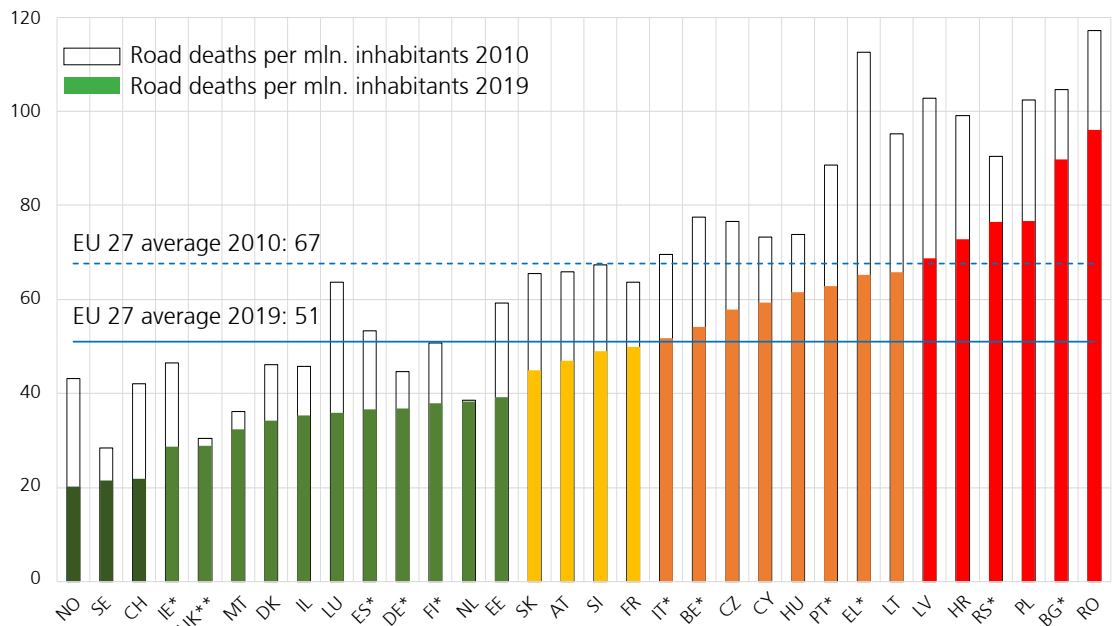


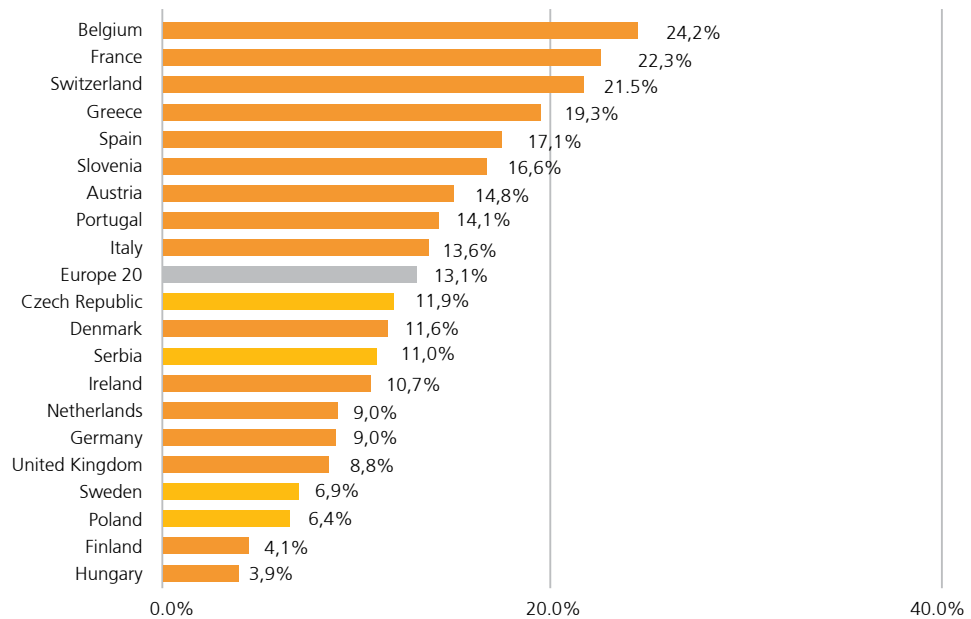
Figure 2. Mortality (road deaths per million inhabitants) in 2019 (with mortality in 2010 for comparison). *National provisional estimates used for 2019, as final figures for 2019 are not yet available at the time of going to print. **UK data for 2019 are the provisional total for Great Britain for the year ending June 2019 combined with the total for Northern Ireland for the calendar year 2019.



But the prevalence of drink-driving remains relatively high in Belgium, placing the country among the poor performers. Many factors, such as the low probability of getting caught and the cultural acceptability of drink-driving, can partly explain why this is a common phenomenon on Belgian roads, according to research published last year by Vias Institute¹.

The E-Survey of Road Users' Attitudes (ESRA 2019) showed that in Europe, approximately one in eight drivers (13.1%) reported having driven at least once in the past 30 days with a BAC level over the legal limit. This prevalence was the highest in Belgium with a proportion that was almost twice as high as the European average (24.2%).

Figure 3. Proportions of car drivers who reported they drove when they might have been over the legal limit for drinking and driving at least once in the past 30 days by country (ESRA2 survey). Countries with legal limit at 0,2 g/L or lower are marked by yellow bars.



According to police data, 39 deaths were officially recorded as alcohol-related in 2019, accounting for 6% of all road deaths; a slight increase compared to data from 2018 where alcohol-related deaths represented 4.8% of all deaths in Belgium.

However, the numbers are likely to be higher due to underreporting. In fact, Belgium has adopted the SafetyNet recommended definition of alcohol-related deaths as 'any death occurring as a result of road accident in which any active participant was found with a blood alcohol level above the legal limit' but it appears that alcohol tests are rarely done for killed and seriously injured people. Even slightly injured and unhurt people are not systematically tested for alcohol. Based on the latest figures from 2019, among all drivers involved in a car crash, 72% were tested while among overall road deaths, only 38% were tested.

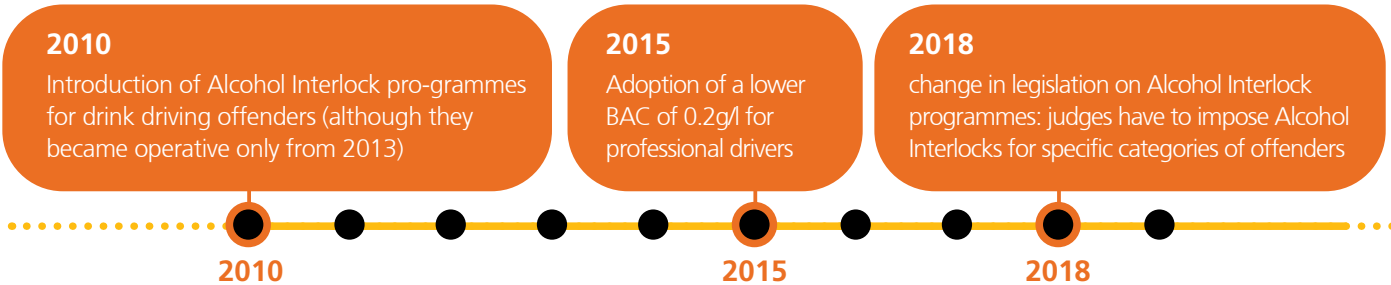
Moreover, the police database only contains breath test results, results of blood tests are not available.

¹ <https://bit.ly/3sHELpj>



NATIONAL POLICIES

The following measures have been introduced in Belgium in the last decade to target drink-driving:



In 2019, two competing bills were submitted to the House of Representatives: the first proposed to introduce zero tolerance (i.e enforcement at 0.2g/l) for all drivers, the second proposed to restrict the new limit to novice drivers. Both proposals failed to gain approval.



BAC LIMITS AND SANCTIONS

The legal limit for **standard drivers** is: **0.5g/l**

The legal limit for **professional drivers** is: **0.2g/l**

The standard limit for the general driving population has been in place since 1994. The lower limit for professional drivers was adopted in 2015. So far, no specific limitation has been adopted for novice drivers in Belgium.

A recent study on the potential effects of lowering the BAC limit in Belgium was carried out by Vias institute.² The main conclusions were that, in case of a general reduction of the legal alcohol limit, an annual reduction of 10 to 17 deaths, 8 to 20 serious injuries and 135 to 315 slight injuries could be expected. If a zero limit was only applied to novice drivers, an annual reduction of 2 to 4 deaths, 8 to 16 serious injuries and 135 to 262 slight injuries could be expected.

The table below summarises the sanctions and penalties set out in Belgian road traffic law, according to BAC level:

BAC (G/L)	Fine to pay on the spot	Driving ban
Between 0.2 and 0.5	104 €	2 hours
Between 0.5 and 0.8	179 €	3 hours
Between 0.8 and 1.0	420 €*	6 hours
Between 1.0 and 1.2	578 €*	6 hours
Between 1.2 and 1.5	1260 €*	6 hours
>1.5	1260 €*	At least 15 days. Licence withdrawn on the spot.

* Only drink-driving offenders living outside Belgium have to pay these fines on the spot. All Belgian citizens and residents have to be sentenced by the 'Tribunal de Police' (a traffic and trial court which tries minor contraventions in the judicial system of Belgium). Based on the type of drink-driving offence, the judge will decide on the length of the driving ban, the amount of the fine and, in case, imprisonment. Fines can go from 1600 € up to 16,000 €.

² <https://bit.ly/3sHELpj>

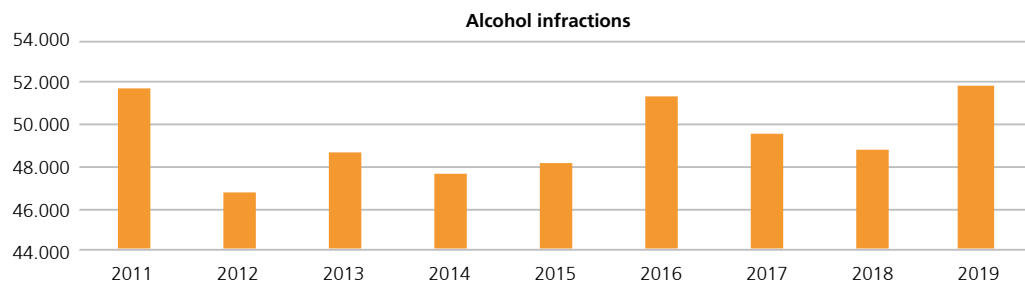


ENFORCEMENT

Within Belgian law, alcohol tests are not mandatory in case of a collision resulting in injury, even though a directive from the Board of General Prosecutors stated that every driver of a motor vehicle that is stopped for any (traffic) control, as well as any driver involved in a traffic collision (whether it is a traffic collision involving death or injury or with purely material damage), must undergo an alcohol control, even if there is no evidence of alcohol consumption. This also applies to the people accompanying a driver with the purpose of training.

A first breath test is taken only to indicate if the driver is under the influence or not. If this result is positive, the driver will undergo a second test (with another breathalyser) in order to detect the exact amount of alcohol in the breath. A blood test is only done when the breath test or analysis is not possible (e.g. if people repeatedly cannot blow or when to do so is medically impossible after a collision) or when the breath test is refused.

Recent data from the federal police showed that there were 51,723 alcohol infractions in 2019 compared to 48,724 the year before.



Source: Vias institute

Vias institute measurement study on drink-driving in 2018

ON WEEKDAY NIGHTS, THE PREVALENCE OF DRINK-DRIVING ROSE FROM 3.6% IN 2007 TO 10.7% IN 2018.

IT IS THEREFORE ALL NIGHTS, BOTH WEEKDAYS AND WEEKENDS THAT MUST NOW BE THE SUBJECT OF SPECIAL MEASURES.

Since 2003, Vias institute has monitored the Belgian drink-driving situation based on national road side studies and attitude surveys. The approach adopted is to randomly test drivers for alcohol in order to obtain a representative picture of driving under the influence of alcohol in traffic. The controls as such are carried out in a non-selective manner (i.e. no objective or subjective criteria prevail to determine which drivers are subjected to the breath test).

The study focuses specifically on car drivers. Drivers stopped by the police are, in most cases, subject to a sampling check followed by a traditional blood alcohol level check. All drivers stopped, whether under the influence of alcohol or not, are also subject to an individual (anonymous) questionnaire prepared by Vias institute to collect different information (age, destination, travel time, etc.). The field work took place from September 10 to October 10, 2018. During this period, 8499 drivers (car and van) were tested for alcohol.

Weekend nights remain a period associated with the highest frequency of drink-driving and this trend tends to increase with each edition (for 2018, 12.6%). Concerning weekday nights, the prevalence of DUI, rose sharply from 3.6% of DUI in 2007 to 8.8% in 2015 and reached 10.7% in 2018. It can no longer be concluded that many more motorists drive under the influence of alcohol on weekend nights than on weekday nights. It is therefore all nights, both weekdays and weekends, that must now be the subject of special measures.

With regard to gender, the prevalence of drink-driving has not fundamentally changed over the years and remains very different for men and women. In 2018, 2.8% of men exceeded the legal blood alcohol limit while driving, compared to 0.6% of women.

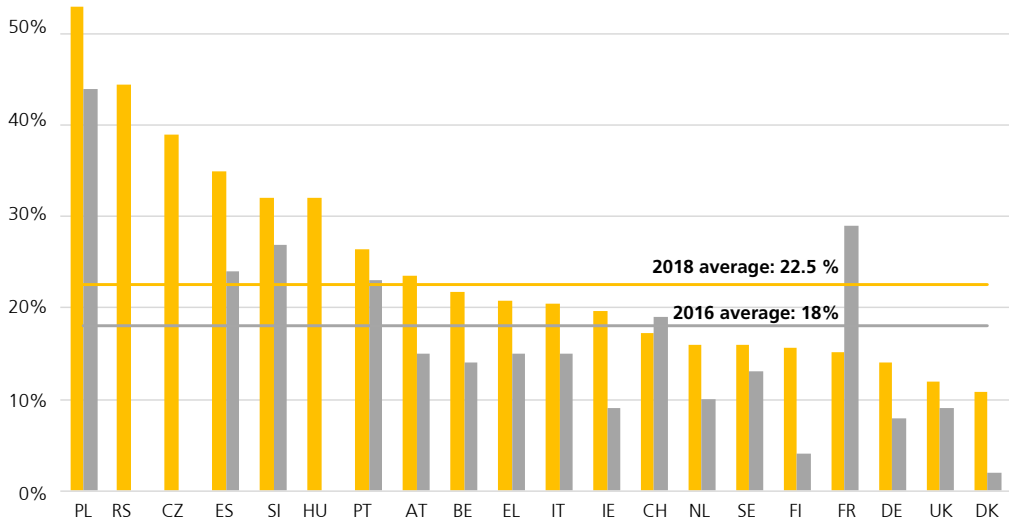


DRIVERS' PERCEPTION

Around 22% of Belgians think they are likely to be checked by the police for alcohol, almost in line with the average of other EU countries participating in the "E-Survey of Road users' Attitudes" from 2018 (ESRA2).

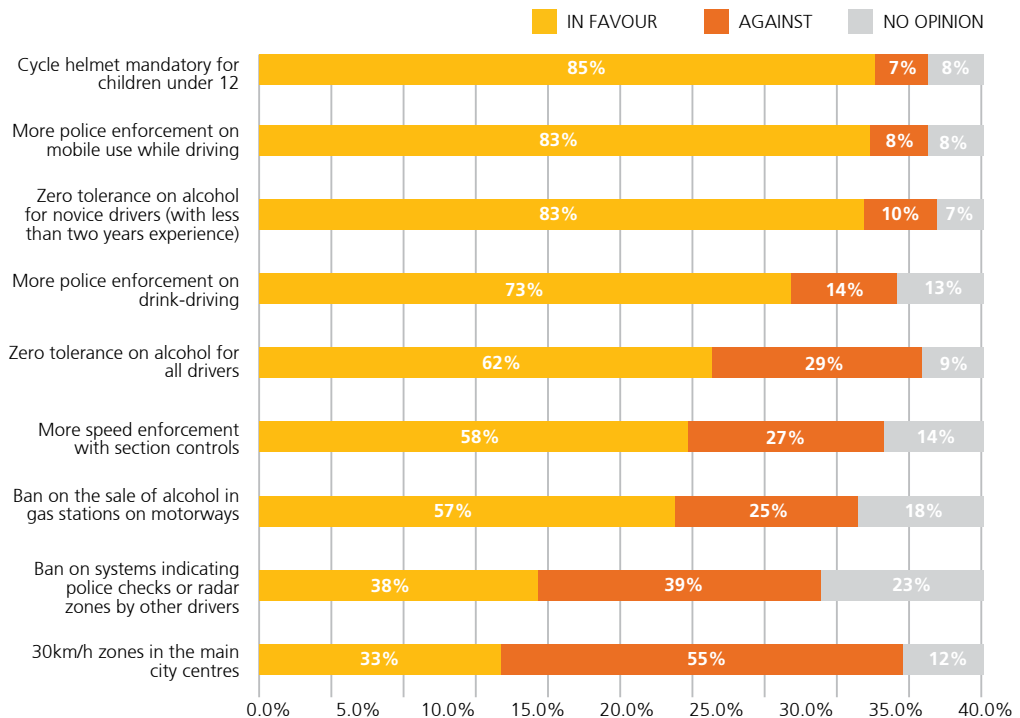
Figure 4. Proportion (%) of car drivers who considered themselves likely to be checked by the police for drink-driving.

Source: ESRA survey (2015 and 2018)



A national survey carried out annually by Vias institute on 'Road safety perception' (Enquête Nationale d'Insécurité Routière) was published in 2020. Around 6000 road users were interviewed on different road safety topics and measures that could be effective to improve safety on Belgian roads. The survey showed large support for stronger police enforcement for alcohol out of a list of several measures: 73% agreed on the need for more police checks for alcohol and 83% supported zero tolerance to be adopted for novice drivers (see table below).

Figure 5. Percentage of people interviewed being in favour, against or don't have an opinion concerning the following measures.
(Source: Vias institute)





REHABILITATION AND ALCOHOL INTERLOCK PROGRAMMES

Legislation on the use of Alcohol Interlocks as part of a rehabilitation programme came into force on 1 October 2010, however this penalty was only an optional choice for judges until 1 July 2018 when it became mandatory for the following categories of offenders:

- Repeat offenders with a BAC equal to or above 1.2 g/l: judges must impose an alcohol interlock;
- First offenders with a BAC equal to or above 1.8 g/l: judges must impose an alcohol interlock, unless clear justification;
- First offenders with a BAC equal to or above 0.8 g/l or repeat offenders with a BAC above 1.2 g/l: judges may apply an alcohol interlock (although this remains quite rare).

The duration of the Belgian Alcohol Interlock programme for any individual driver can be set from one to three years. Alcohol-dependent people (with a driving ban for medical or psychological reasons) are excluded from the Belgian Alcohol Interlock programme.

Monitoring of the driver's participation in the programme, together with awareness raising about the risks of alcohol, drink-driving, recidivism and training on technical aspects of the device are included. The driver can learn more about their own behaviour using data downloads that are reviewed together with the monitoring organisation.

The costs of the programme are as follows:

- One year programme: 3 800 euros + fine : 1,600-16,000 euros
- Repeat offender: 3,200 - 40,000 euros - the judge can subtract the costs of the alcohol interlock from the fine.



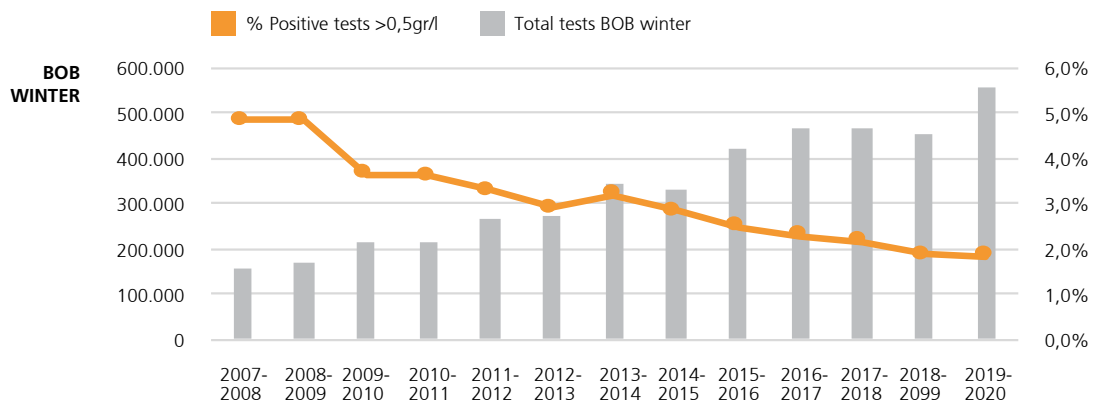
CAMPAIGNS

International surveys indicate that drink-driving is more frequent in Belgium than in other countries. According to the 2018 "E-Survey of Road users' Attitudes" (ESRA2), one third of car drivers in Belgium (33.1%) reported that they had driven after having drunk alcohol at least once during the past 30 days. This prevalence was higher than the average from the 20 European countries included in the study (20.6%).

The 'BOB' campaign is an annual campaign that began in Belgium in 1995. One of the main principles of the 'BOB' campaign is combining a prevention message with visible enforcement, with a section about awareness and another about police patrols and checks. The basic assumption is that an increased 'chance of arrest' results in a fall in the number of people driving under the influence of alcohol. The campaign was developed by the former Belgian Road Safety Institute (now Vias institute) in conjunction with the Belgian Brewers organisation. In its original meaning 'BOB' stood for 'the person who doesn't drink if he/she is driving'. He or she represents the designated driver who stays sober so that he/she can take the other passengers travelling in the vehicle home safely.



The BOB campaign is usually carried out in cooperation with the Belgian police, the Brussels, Walloon and Flanders regional authorities; the Belgian Brewers organisation and the insurers' federation Assuralia. It performs a high number of alcohol checks during summer months and again during the winter period. During the last BOB winter campaign 2019/2020 more than 550,000 drivers took a breathalyser test with 1.8% of drivers testing positive (see graph below):



Within the BOB campaign, two new videos were launched in January 2021. The new campaign is an initiative of Parents of Child Victims of the Road (PEVR), supported by the Vias institute. Both organisations want to continue to warn about the effects of drinking and driving. Positive drivers stopped by Police also receive a key ring but with the first name of a child killed in a road crash.



<https://youtu.be/YsrBnwGptuE>



<https://youtu.be/azTd--d9jdE>

One of the latest campaigns from the Wallonia agency for Road Safety (AWSR) on drink-driving was launched in June 2020, supporting the choice of non-alcoholic drinks for road users as the safer way to get behind the wheel.



Translation: '0% of alcohol, 100% safe. Let's drink to reunions'; '0% of alcohol, 100% safe. Drink or drive, no need to choose anymore'.



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