



DRINK-DRIVING FACT FILE

July 2021



INTRODUCTION

In terms of overall road safety the Netherlands recorded the slowest rate of progress among EU countries, with only 5% decrease in annual road deaths, over the period 2010 – 2020. The Netherlands is also slipping down the EU road mortality ranking – it was third with 39 deaths per million inhabitants in 2010 and seventh with 35 in 2020, overtaken by Denmark, Spain, Ireland and Germany.

Figure 1. Relative change in road deaths between 2010 and 2020. *National provisional estimates used for 2020, as final figures for 2020 are not yet available at the time this report went to print.

**UK data for 2020 are the provisional total for Great Britain for the year ending June 2020 combined with the total for Northern Ireland for the calendar year 2020. The annual number of deaths in LU and MT are particularly small and, therefore, subject to substantial annual fluctuations. The annual numbers of deaths in CY and EE are also relatively small and may be subject to annual fluctuations.

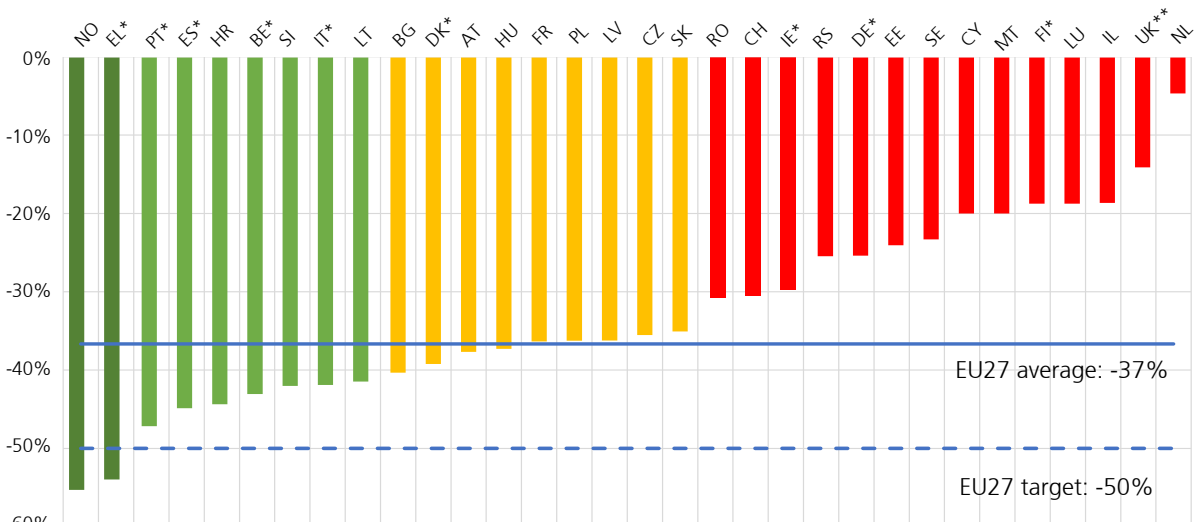
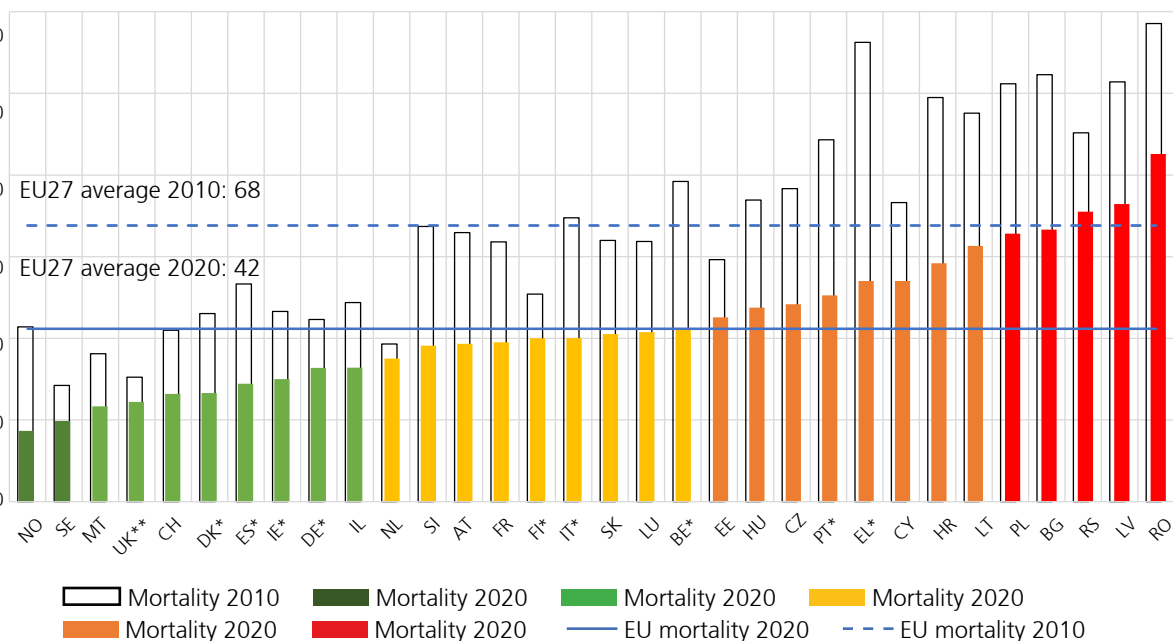


Figure 2. Mortality (road deaths per million inhabitants) in 2020 (with mortality in 2010 for comparison).

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Reliable estimates on the proportion of crashes due to alcohol in traffic are not known. There are various reasons why alcohol breath tests of road users involved in a fatal collision are not always done in the Netherlands. Police and hospital data are incomplete as alcohol tests are not always carried out. In the Netherlands post-mortem alcohol tests are not permitted unless a district attorney explicitly requires it. It is also possible that, even when the alcohol test is done, the results are not always recorded in the road collision database.

In 2015, it was estimated that 12 to 23% of road deaths in the Netherlands were alcohol-related. There were only nine alcohol-related deaths officially reported in police records in 2015, but a study by SWOV estimated that the actual number was between 75 and 140 in the same year.¹

More recently, a new study from SWOV published in 2021 stated that drink-driving remains a particular cause for concern in The Netherlands. The percentage of offenders for drink-driving increased in 2019 (2.3%) compared to 2017 (1.7%). The proportion of more serious offenders with a BAC of 0.8g/l or more increased as well compared to previous years from 0.5% in 2017 to 1.1% in 2019.²

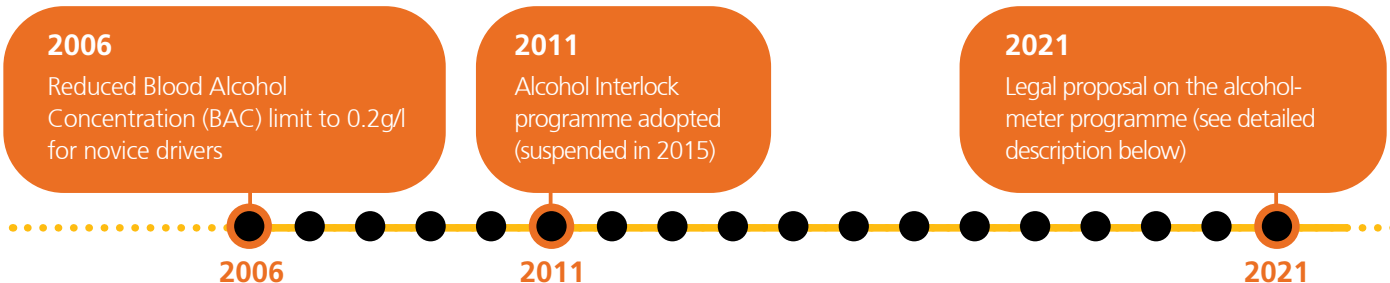
¹ SWOV (2018). Driving under the influence of alcohol. SWOV Fact sheet, June 2018. <https://bit.ly/3wXuyGq>

² SWOV (2021) Aanvulling op De Staat van de Verkeersveiligheid 2020. <https://bit.ly/3gP03NT>



NATIONAL POLICIES

Timeline of national measures to tackle drink-driving:



The Dutch National Strategic Road Safety Plan to 2030 includes several policies related to drink-driving. These are:

- **Work on the basis of data, insight and improved research methods:** establish a nationwide monitoring network which could lead to a national indicator for an approach to the issue based on the level of risk;
- **Put stronger efforts to raising awareness** on the risks related to driving under the influence among the driving population;
- **Match measures with types of offender:** the largest group of users of alcohol and drugs is the occasional user who is driving under the influence of alcohol. For this group, the approach focuses on preventive policies that encourage increased awareness about the risks of substance use and a clear social norm. There are also serious offenders or addicts, a relatively small group that poses the greatest threat to road safety. This requires a customised approach;
- **Approach issues from a broader perspective:** cooperation with partners from the field to be examined (for example the Ministry of Public Health, Welfare and Sports);
- **Increase (subjective) chance of being caught:** to lead to a decrease in the number of people who drive while under the influence;
- **The limit for a psychiatric evaluation into alcohol dependence is to be lowered,** so that a larger group of alcohol users cannot drive for at least a year if they have a positive score. These administrative legal measures would also be extended to drivers of mopeds, scooters and mobility scooters.

In addition, recently this year, a meeting with the Department of Transport, Police, Public Prosecutor, SWOV and other stakeholders took place to draw the first outlines for a new multi-year (2023-2030) research program on "Driving Under the Influence" (covering both alcohol, illicit drugs and medication). This new program should start in 2023 and take into account aspects on all kinds of intoxication and road traffic.

ALCOHOL-METER: A NEW LEGISLATIVE PROPOSAL



The Netherlands has trialled an ankle bracelet that is worn permanently as a measure to help enforce alcohol bans that have been imposed on criminals where alcohol was a factor in their crimes or violent behaviour. A legislative amendment is under preparation for the introduction of an Alcohol Meter programme at the national level and is due to be discussed in Parliament by the end of 2021.

The Alcohol Meter checks 24 hours a day, 7 days a week whether the convicted offender is complying with the imposed ban. It measures the blood alcohol level via an individual's perspiration. The probation service receives the measurement results once a day via a modem at the wearer's home. Until now, a convicted person who faced an alcohol ban would only be checked by the probation service two or three times a week with a breath, blood or urine test. However there is little to stop the user from drinking in between the tests. It is hoped that full-time monitoring, as well as helping people cut out problematic drinking, could also have an effect on reducing incidents of drink-driving.



BAC LIMITS AND SANCTIONS

The legal limit for standard drivers is:

0.5g/l



The legal limit for novice and light-moped riders is:

0.2g/l

For pedestrians there is no legal alcohol limit. However, the police can report a pedestrian for public intoxication. In such a case, the police will not take a breathalyser test or a blood test, but assess the physical characteristics of drunkenness and the behaviour of the pedestrian.

Driving under the influence of alcohol is a traffic crime. Drivers who are caught for driving under the influence are often punished with one or more of the following measures: a fine, suspension of the driving licence, an educational measure, or an examination of fitness to drive.

A driver who is caught for driving under the influence in the Netherlands often faces two procedures, each with its own measures: a criminal procedure in which a penalty is imposed by law and an administrative procedure in which the offender may face a disqualification procedure from the organisation responsible for driving licences in the Netherlands (CBR). The main purpose of the criminal procedure is to punish the offender. The purpose of the disqualification procedure is to determine if a driver is still sufficiently capable or skilled to perform the driving task, and whether they require a measure to prevent them committing another alcohol offence. The disqualification procedure therefore focuses more on prevention and future behaviour.

Sanctions for drink-driving offences based on the BAC level are summarised in the table below:



BAC level (g/L)



Fine in €



Rehabilitation course



Driving ban

From 0.54 to 0.8g/l	325	Possibly LEMA (for novice drivers)	
From 0.81 to 1.0g/l	425	Possibly LEMA	2 months (novice drivers)
From 1.01 to 1.15g/l	550	Possibly EMA	2 months (novice drivers)
From 1.16 to 1.3g/l	650	Possibly EMA	4 months (novice drivers)
From 1.31 to 1.5g/l	650	Possibly EMA	4 months
From 1.51 to 1.65g/l	750	Possibly EMA	6 months
From 1.66 to 1.8g/l	850	Possibly EMA	7 months
Above 1.81g/l	Min. 950	Possibly: examination of fitness to drive	8 months
Above 2.36g/l		Min 60 h. community service Possibly: examination of fitness to drive	Minimum 12 months

* EMA = Educational Measure Alcohol - LEMA = Light Educational Measure Alcohol. These terms are explained in the later section on Rehabilitation and Alcohol Interlock programmes

In case of recidivism, fines are higher and the driving ban is longer. The driving licence is revoked if the driver is caught for a second time with a BAC above 1.3g/l. In this case, the driver must also pass the theoretical and practical exam again in order to get back their driving licence.



ENFORCEMENT

According to the law, a police officer can only carry out a breath test if a driver is suspected to be under the influence. Police do not usually publish data on the hours spent on alcohol checks as they are random, therefore it is not possible to estimate the level of enforcement in place in The Netherlands.

However, a study published by the Ministry of Infrastructure at the beginning of 2021 on driving under the influence showed some interesting figures.

In The Netherlands, alcohol checks are carried out every two years in collaboration with the police, spread over the 10 Dutch police regions. More than 10,000 breath tests were conducted in 2019. In 2017, the number of breath tests taken was higher (more than 13,000).

The checks were carried out randomly on motorists driving or riding on Friday and Saturday nights between 10pm and 4am. Every motorist passing through the testing location was obliged to take a breath test and, if the alcohol limit of 0.5g/l (experienced driver) or 0.2g/l (novice driver) was exceeded in this breath test on the roadside, a full breath analysis test would follow to determine whether the driver actually exceeded the limit.

The most important outcomes from the study were:

- The percentage of offenders has increased sharply from 1.4% in 2017 to 2.3% in 2019.
- Among men, those between the ages of 35 and 49 were the most likely to commit violations in 2019 (3.7%). This represents an increase of 1.6 percentage points compared to 2017.
- Only among men aged 18 to 24 has the proportion of offenders remained the same (1.7%).
- Among women, those between the ages of 25 and 34 were the most likely to drink too much (2.9%), as in 2017. This group also showed the biggest increase.
- Among women aged 50 and over, the proportion of offenders fell sharply (from 0.9 to 0.2%).
- Over the years, the proportion of offenders has shifted from rural areas to more urban areas. Men are more likely to commit offences than women, but the differences are narrowing.

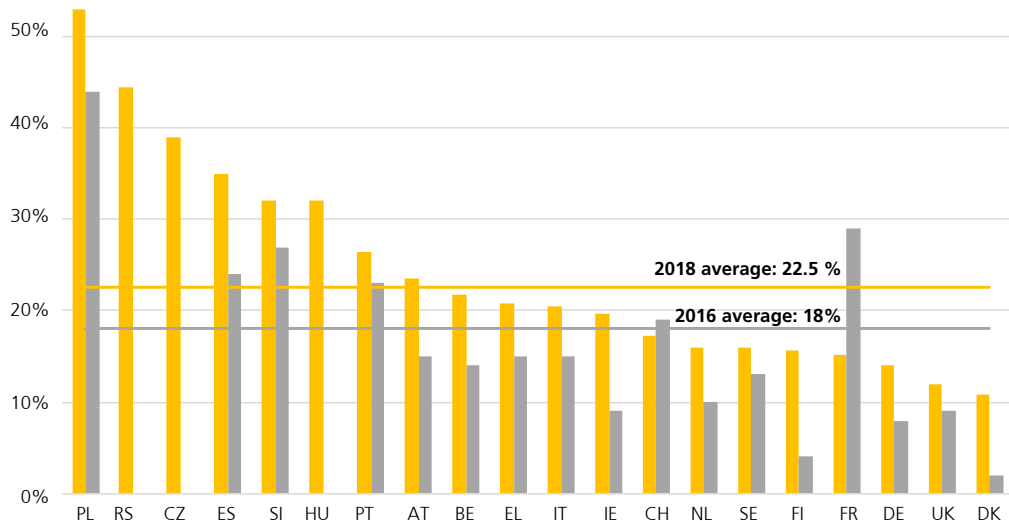


DRIVERS' PERCEPTION

The E-Survey on Road Attitudes published in 2019 showed that the perceived likelihood of a police drink-driving check was below the EU average in The Netherlands, with only 16% of drivers considering themselves likely to be checked by the police for drink-driving, compared to the EU average of 22.5%.

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)



This result was much worse in the previous survey from 2015, where only 10% of drivers felt they would be tested by the police for alcohol, compared to the EU average of 18%.

According to experts from the Ministry of Transport, it is difficult to give a single explanation for these results. Many factors may have contributed, such as

- the reduced capacity of police enforcement in general and, as a consequence, on drink-driving enforcement in particular;
- very little "large scale" testing in place;
- the spread of information on social media, helping drivers avoid spots where roadside checks are occurring.



REHABILITATION AND ALCOHOL INTERLOCK PROGRAMMES

Alcohol Interlock programme

The Dutch alcohol interlock programme was a mandatory programme for first offenders with a BAC of 1.3-1.8 g/l. Above 1.8 g/l, a medical psychological assessment was conducted on alcohol dependency. If the driver was assessed not to be alcohol dependent, he/she was obliged to participate in the alcohol interlock programme. For novice drivers and for repeat offenders the BAC limit for inclusion was set lower at 1.0 g/l.

The Dutch Alcohol Interlock Programme was suspended for new cases in 2014, and in March 2015 the Council of State ruled that the CBR (the administrative department responsible for driver testing and licences) could no longer impose it, the main argument being that the AIP may have disproportional effects in a considerable number of cases. In a plenary debate in the House of Representatives of the Dutch Parliament in 2016 it became evident that the political parties still regard the alcohol interlock programme as the best countermeasure against heavy drinking alcohol offenders. However, as to date the programme remains suspended and no specific change is foreseen in the near future.

4%

were
RE-CONVICTED
of a drink-driving
offence
WITHIN

2 years

The Dutch alcohol interlock programme was twice as effective as other sanctions at reducing recidivism, and the effects continued after participation in the scheme, according to research by the Dutch Ministry of Justice research centre (WODC) published in January 2020. According to the researchers, 4% of those who followed the programme were re-convicted of a drink-driving offence within two years, compared to 8% for a control group who faced other sanctions. An education programme for drink-driving offenders had a recidivism rate of 7%, compared to 9% for a control group. The Dutch alcohol interlock rehabilitation scheme ran from 2011 to 2015, but was suspended by the Dutch Council of State for legal reasons. The government announced tougher penalties for drink-driving last year, but road safety researchers at the Dutch Foundation for Road Safety Research (SWOV) said these were unlikely to solve the problem. SWOV recommended higher levels of enforcement and the return of the alcohol interlock.³

Rehabilitation courses

LEMA (Light Educational Measure Alcohol) and EMA (Educational Measure Alcohol) are two educational measures that can be imposed in The Netherlands on drink-driving offenders. LEMA and EMA are courses about the risks of alcohol use in traffic, and on the necessity of separating alcohol consumption and traffic participation.

The LEMA-course takes two afternoons or two mornings with a week in between. The two-day EMA-course is spread over seven weeks. During the course, participants exchange experiences and make assignments at the course location and at home. The course ends with a personal meeting of one hour with the trainer.

³ <https://etsc.eu/dutch-study-confirms-effectiveness-of-alcohol-interlock-programmes/>



CAMPAIGNS

In 1995, the Bob campaign encouraging groups going out drinking to appoint a designated driver, was launched in Belgium. In late 2001 it was introduced in the Netherlands. The campaign is a joint initiative of the Ministry of Infrastructure, the drinks industry, including Dutch Brewers, and the Safe Traffic Netherlands association. The campaign concept is renewed every so often, to keep the appeal of the Bob message for the target group. The slogan changed over the years and in 2015 became "When you are the BOB, say it loud." (Ben je de BOB zeg het hardop).

In the period 2001-2016, the Bob campaign most likely contributed to strengthening acceptance of the message that one should agree on who the designated driver is before going out drinking. In 2017 BOB teams reached 1.5 million people at festivals and 126,500 breathalyser tests were carried out; 200,000 people were reached at the Zwarte Cross festival and 20,000 breathalyser tests were carried out. The effect of Bob campaigns, however, goes hand in hand with the intensified enforcement of driving under the influence, often aligned with the Bob campaign.





SOURCES

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