



Alcolocks debate in the Belgian Federal Parliament on the 9th of December - Summary

On the 9th of December 2010 ETSC, together with the Belgian Road Safety Institute (IBSR/BIVV), organised a debate in the framework of ETSC's "Drink driving policy network" supported by DIAGEO. Measures to tackle alcohol misuse in road transport were in the spotlight at a round-table discussion in the Belgian Federal Parliament. Etienne Schouppe, State Secretary for Transport, was present to announce the implementation of alcolocks in rehabilitation programmes for first-time high-level offenders and recidivists. The decree putting into force the framework law on alcolocks in Belgium was indeed published on the same day, making the event a real opportunity to discuss the new law among the participants. France and The Netherlands were also represented by a Member of the Medical Council of Association Prévention Routière and a Policy Advisor at the Dutch Ministry of Transport who shared their experience within the framework of the Alcolock Programme in their countries, giving their feedback on the Belgian newborn programme against alcohol abuse on the roads.

Welcome words by Prof. Herman De Croo, ETSC President

Prof. De Croo thanked all the participants for coming to discuss the implementation of alcolocks in rehabilitation programmes in Belgium. He thanked Minister Schouppe for having published the decree on the day of the ETSC/IBSR event and congratulated him for making Belgium the second country after Finland to legislate on alcolocks for drink driving offenders. Prof. Dr Croo stressed the contribution of alcolocks to the fight against drink driving and urged to go even further.

Introductory statement by Etienne Schouppe, Belgian State Secretary for Mobility

Main points considered:

- The European Road Safety Observatory (ERSO) estimates that around one quarter of all road traffic victims are due to drinking and driving. In Belgium this corresponds to around 230 people killed in drink driving related collisions (out of 955 total deaths).
- An IBSR study based on police enforcement data shows that the situation is not improving over time. In 2009, 30% of the drivers checked during week-end nights were over the legal BAC limit and 6% during weeknights.
- Contrary to what people think, young people are not the only ones to drink and drive. The age group 30 to 45 is the more prone to drink and drive. Yet, young people are still the category most involved in fatal collisions due to drink driving.
- It is therefore crucial to strengthen all police drink driving checks, during holidays but not only, combined with specific campaigns, such as the BOB campaign. Checks must be increased all year round to increase the subjective risk of being caught.
- Belgium is one of the first EU countries to introduce alcolocks in rehabilitation programmes. The decrees published in the 'Moniteur Belge' are putting into force the law from MP Jef Van Den Bergh from June 2009.
- We paid great attention to the reliability of the system (alcolocks will have to be periodically verified), the protection of private life of the participants and the follow-up by independent service centres.

- Our objective is to save lives but also to allow drink driving offenders to continue driving without alcohol and the society to make sure that they drive sober.
- Further measures might be envisaged in the near future such as the use of alcolocks as a preventive measure for instance in school buses (as in France) or buses in general, for the transport of dangerous goods or HGVs in general as quality assurance. This would ease the implementation of the collective convention mandating regular alcohol checks at work.

Presentations

Drink Driving in Belgium, Miran Scheers (IBSR)

- The latest SARTRE opinion surveys show that alcohol at the wheel is considered as the second main reason for fatal collisions. Still, some of us have not changed our behaviour and continue to mix alcohol consumption and driving.
- Drink driving accident data in Belgium remain incomplete and patchy, with breath test results available in only half of the collisions with injuries. Killed drivers are generally not tested for alcohol, whereas there is a high risk of the presence of alcohol in fatal collision.
- Alcohol behind the wheel concerns all the age groups, not only novice and young drivers. But the risk for a young person (18-25) to get involved in a collision when under the influence is 17 time higher than a sober driver.
- The -50% target will not be met by 2010 in Belgium. Prioritising the fight against drink driving will lead to fast progress.
- Campaigns are key. The BOB campaign is celebrating its 15 years in 2010 with a new concept "I BOB YOU" meaning I drive you home safely because "I LOVE YOU".
 - BOB is someone who loves his friends and brings them home safely
- Controls needs to be strengthened: only 15% of drivers are checked each year, meaning that a driver is tested on average only once every 8 years!
- Drivers underestimate the consequences of driving under the influence. When asked, only 9% believe they might be tested for drink driving. And if they were to be checked and tested positive, 20% of them believe there would be no consequence – which is wrong. If a driver is checked under the influence, they would have to face a sanction in 98% of the cases. There is a need to inform the public about that reality.
- Alcolocks are an effective tool in reducing drink-driving, and recidivism in particular. There is a small hard core of heavy drinkers who are not susceptible to police supervision and public information. In addition to maintaining or increasing risk of being caught, measures are required that strongly reduce recidivism. International assessment studies show that alcolocks can be such a measure.

Drink Driving in Europe, Graziella Jost (ETSC)

- Too few drink driving checks in the EU: in a majority of Member States, being checked for alcohol is rather exceptional. Drink driving checks should be intensified and targets set, e.g. 1 in 5 motorists should be checked each year. Each driver stopped for whatever reason should be systematically checked for drink driving, as well as all road users involved in fatal collisions.

- The society needs to make sure that drivers caught under the influence do not mix drinking and driving. Alcolocks can offer such help in particular to people that are alcohol dependant.
- ETSC publishes an “Alcolock barometer” in each Drink Driving Monitor (<http://www.etsc.eu/documents.php?did=2>) giving an update on the “weather” for new legislation on introducing the use of alcolocks either within the commercial or rehabilitation context. [Latest Drink Driving Monitor, December 2010, www.etsc.eu/documents/DDMonitor_12.pdf]

The French experience in preparing an Alcolock Programme, Dr. Charles Mercier-Guyon (Member of the Medical Council of Association Prévention Routière)

- The newborn Belgian alcolock programme is a very promising one as it has found a balance between repression and prevention.
- France is currently discussing the introduction of a similar law introducing alcolocks in rehabilitation programmes and will be looking at the Belgian example. Belgium might consider introducing a penalty point system. The penalty point system has contributed together with the safety camera to the massive decrease in road deaths in France.
- The risk of getting involved in a collision increases already with a low BAC level (Robert Borkenstein, 1985), which is not reflected by the legal BAC limits in most EU countries.
- Sanctions for drink driving follow the sanctions for speeding; fines are also set to warn others: “I will not break the speed limit because my neighbour got a high fine”. But drinking limits self-control mechanisms and the capacity to take rational decisions. Alcohol-dependant people have difficulties separating drinking from driving as they cannot control their drinking and fail to take rational decisions.
- Alcolocks are effective in supporting people with alcohol dependence to make rational decision and separate drinking and driving. As alcolocks are set at low BAC levels, they will prevent accident involvement at low BAC. Alcolocks will also prevent participants to take the wheel with a positive BAC in the morning after a party, as they are often unaware they are still under the influence of alcohol. This will also have a pedagogic benefit as some of the participants will be checked positive the morning after a party.
- Alcolocks have proven their efficiency: this is now the time to act. The success depends on the supervision and evaluation programme of the participants. The Belgian system is a good example as supervision is mandatory and will be run by an independent service centre.

The Dutch experience in preparing an Alcolock Programme, Desiree Schaap (Senior Advisor at the Dutch Ministry of Transport)

- The number of drivers under the influence has remained stable over time in the Netherlands, as in many other countries, while road safety has improved in other areas. This is why there is a need to tackle drink driving more effectively and find new solutions.
- A new bill introducing alcolocks in rehabilitation programmes is being discussed in the Dutch Parliament at the moment. Belgium has been more rapid than us, but we hope to have a similar system in place any time soon.
- The programme will target first-time high-level offenders and recidivists over 0.8 g/l and will last minimum two years.

- The decision to install an alcolock will not be taken by a judge. It will be an automatic administrative sanction.
- The supervision programme will be run by the public administration (CBR). All participants will be followed closely, in particular to prepare the exit of the programme.
- The supervision can be reduced if the participants are respecting the programme. After three different attempts with a positive BAC, participants are excluded and their driving licences removed.
- Around ten alcolocks were type-approved by the Dutch government, under the CE norm, CENELEC standard.
- Private life and data protection will be guaranteed.
- The new law on alcolocks is expected to come into force in May 2011. But the Parliament is debating the possible exclusion of the offenders with a BAC limit exceeding a certain amount and alcohol-dependent people.
- Around 4,000 participants could take part in the programme each year. Costs are difficult to estimate depending on the market costs, they can be around 500 EU per year per person.
- It has been estimated that the alcolock programme will save eight to ten lives at the beginning, then around 30 to 35 lives every year in the Netherlands.

The contribution of alcohol producers for responsible alcohol consumption, Anne-Marie Cailloux (DIAGEO)

- DIAGEO is committed to fight drink driving and any alcohol misuse. Alcohol must be consumed responsibly and DIAGEO is committed to make its clients aware of the risks associated with alcohol consumption.
- Alcohol and driving are not compatible. DIAGEO promotes a zero alcohol consumption when driving.
- Alcohol producers have a responsibility as they are selling dangerous products. This is reflected by two laws in France: the 'Law Evin' of 1991 (inappropriate advertising of alcohol products is forbidden) and the 'Law Bachelot' of 2009 (the sale of alcoholic drinks is forbidden to people under 18 years old).
- DIAGEO is running a series of prevention activities towards its own employees, bartenders, health professionals and schools among others.

Panel debate Sober Driving in Belgium?

Jef Van Den Bergh (MP, Belgian Chamber of representatives, author of the law of June 2009)

- Alcolocks are an effective tool to tackle drinking and driving, in particular recidivism, but a high level of drink diving police checks is key to identify the offenders.
- We visited a number of countries when preparing the law on alcolocks. Sweden was our first inspiration, but we also visited the US and Canada. It is very interesting to hear also about the Netherlands. The idea to make alcolocks mandatory starting from a certain BAC level is a good idea to be investigated also in Belgium.
- The system foreseen now rests on the judges of Police: there is a need to inform them about the new alcolock programme.

- Costs: the Belgian law allows the judge to deduce the costs of the installation of alcolocks from the fine.

Denis Hendrichs (Federal Public Service, Mobility and Transport)

- Brief summary of the Belgian legislation on alcolock and the implementing decrees [see text of the decrees and the implementation scheme on www.etsc.eu/lunches.php]
- Private life of alcolock users will be preserved and their data will be protected.
- Frauds will be detected and sanctioned.
- Different models of alcolocks were type-approved, in line with the EC norm, CENELEC standard.

Wim Reding (Belgian Police)

- Alcolocks are complementary to police controls. We are increasing the number of controls and trying to systematically test a driver whenever they are stopped. But still on average only one driver out of 10 is checked while our ambition is to test one out of three.
- Main concerns concerning the alcolocks programme: the lack of information from the judges but also from the offenders and the costs. Offenders might not be able to pay for the installation of alcolocks.
- But one should be optimistic: let's start and look for the solutions when the problems are coming.

Eric Desmedt (Judge of Police in Mechelen)

- Mr. Desmedt clarified he was giving his opinion and was not speaking on behalf of the magistracy.
- As judge of Police he is often confronted with drink drivers. From his experience, he could identify three main categories of drink drivers: the alcohol-dependant people, those who drink at parties and then drive and recidivists.
- Alcolocks can be useful for the 2nd and 3rd categories: the party-men and the recidivists. The alcoholics should be treated for their alcohol dependency and not be allowed to drive even with an alcolock.
- Main concern: the costs. Most of the recidivist drivers cannot pay the fines because they are insolvent. Maybe the creation of a fund to help those drivers could be envisaged. This would prevent to have drivers that can afford it continuing to drive with an alcolock and drivers that cannot afford the alcolocks to see their driving licence withdrawn. This would be seen as a two-speed justice.
- It is also fundamental to inform citizens about the programme so that they are made aware of the possibility of the alcolocks. This will save judges a lot of time as we won't have to explain the system and convince offenders.

Charles Mercier-Guyon reacted saying that the question of the costs is a recurrent one. The Association Prévention Routière was offering a staggering of the costs to participants. Several participants with alcohol problems actually said they were saving money as they were not buying drinks anymore.

Denis Hendrichs said that the coordination centres could grant credit facilities. At the Ministry we will receive the data from the alcolocks so we will have the feedback if the system needs to be amended.

Jef Van Den Bergh hoped that other EU Member States would follow the Belgian example and introduce alcolocks so that the market price could be lowered. He also hoped that companies would install alcolocks. He was at a taxi company for people with reduced mobility that same morning and they committed to install alcolocks.

Prof. De Croo thanked all the participants and closed the meeting.