

# Drink Driving Monitor

ETSC's Newsletter on Drink Driving Policy Developments in the EU

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## Editorial

The fate of the new Cross Border Enforcement Directive hangs in the balance. The Directive proposal foresees a system that would transmit and communicate drink driving offences between Member States alongside others priority areas. Member States have not been able to reach a common position on a way forward on the Directive following months of discussions. Member States have not been able to find agreement on the EC's proposal and if this Directive belongs under the first pillar (transport policy) about two thirds of the Member States would like to see a legislative instrument elaborated under the third pillar (Police and Judicial Co-operation). Although there is a large consensus amongst Transports Ministers that the objective of the Directive, for more co-operation in the field of enforcement and reaching the EU 2010 target of halving road deaths, are important priorities no compromise was reached. It is now up to the leadership of the Czechs and the Swedes who take up the EU Presidency this year to find a way forward.

Whilst the European Council was split on the matter the European Parliament gave their overwhelming support to the proposed Directive with the adoption of their Report in the Plenary on the 17th of December. MEPs favour a solution under the first pillar, they believe that road safety touches upon their constituents daily lives. Moreover if the Council decides to go down the route of developing a third pillar instrument, this would exclude the European Parliament from the decision making process, at least until the future implementation of the Lisbon Treaty.

This Drink Driving Monitor also brings news from across the EU of steps to further improve drink driving legislation: Zero Tolerance of drink driving (Hungary), a government consultation on introducing targeted breath testing and lowering the BAC limit (UK) and running the seasonal campaigns linked to increased drink driving enforcement (TISPOL). ETSC's alcolock legislation barometer has been updated to include also countries that are using alcolocks within the commercial context.

The Monitor includes an interview with Charles Mercier Guyon a medical doctor, member of ETSC's French member Association Prévention Routière and a renowned drink driving expert in France. He explains progress on the French government's plans to develop a new nationwide programme for drink driving rehabilitation with alcohol interlocks.

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# EU News / Country News

## EU News

### TISPOL Christmas Drink Driving Campaign

Police officers across Europe ran a one week campaign in December to mount a crackdown on drivers impaired by alcohol or drugs. The European Traffic Police Network (TISPOL) is warning motorists of the life-changing consequences a conviction will bring.

TISPOL President, Wolfgang Blindenbacher, said: "We are assisting police forces across Europe to ensure they provide a high-profile presence so that motorists are in no doubt that if they choose to take a risk with drinking and driving, they will be caught and dealt with." Germany tested the most drivers (120,956) and Sweden (98,449) Finland (41,116) Slovakia (40,174) and Lithuania (39,397). Dutch and Belgian Police took part in a joint control on the border between their two countries.

### Lifesaver Project

TISPOL's project Lifesaver was launched earlier this year to promote greater exchange of road safety and enforcement practices to reduce road deaths in Europe. The project focuses on three priorities of speeding, seat belt use and drink driving. The project will focus on six TISPOL member countries; (Hungary, Poland, Portugal, Romania, Slovenia and Spain), to support and encourage their road traffic enforcement activities. The aim of Lifesaver is the sharing of information and knowledge and the project includes seminars at the strategic, middle management and operational levels, with benefits for all TISPOL member countries.

One key part of Lifesaver will be the exchange of 600 Officers from the six countries to other TISPOL member countries such as Belgium, France, Germany, Netherlands, Norway and the UK to learn and experience at first hand good practice. More information visit <https://www.tispol.org/lifesaver>

## Country News

### Alcolocks in Slovenia

Slovenia is in the pilot project phase of the voluntary installation of interlock devices for private cars and public transport. They have introduced the interlocks to Ljubljana's public transport company and for the first experiment 7 busses were fitted with devices for 2 months. The important goal of this was to show passengers and other traffic participants in the city of Ljubljana, that bus drivers perform their job with a high degree of responsibility, that they drive sober and are ready to prove this every minute using an interlock. All non-professional drivers were urged to follow this example of sober driving. On November 11th - St. Martin's day - and December 2008 the Ministry of Transport organised actions to prevent driving under the influence of alcohol or drugs. During this action they also promoted busses in the municipalities of Kranj and Ljubljana fitted with alcohol interlock devices.

### Deaths go down in Hungary

In Hungary the number of deaths has fallen by 24% in the first 9 months of 2008 compared with 2007. This means that 221 less people have lost their lives on Hungary's roads. There has also been a significant improvement in the number of drink driving accidents (- 22%). Part of this change is thought to be the introduction of "Zero Tolerance" of drink driving brought in January 2008. Whenever a driver is found to be under the influence of alcohol the driving licence is withdrawn in every case. So far 7,500 driving licences have been withdrawn. Other contributing factors to the overall reduction in deaths in the past year have been the extension of automatic safety cameras, the further elaboration of the penalty point system and the introduction of "owner liability" in following up speeding offences.

### Spain to move on Alcolocks

In Spain the parliament has urged the government to begin the process needed to prepare the

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framework law for alcolocks in vehicles used for public transport and for repeat offenders. It has also urged the parliament to carry out a proper consultation process to look at how this could be implemented most effectively. Moreover in parallel the Road Safety General Prosecutor is considering the introduction of the "alcolocks" to repeat driver offenders, as a voluntary tool to replace other penalties.

### UK Consults on Introducing Targeted Breath testing and its BAC limit

In the UK, the government has recently launched its consultation on "road safety compliance". The consultation period runs until the end of February. It includes several proposals of relevance to drink driving. The key one aims to tighten up the enforcement regime by developing targeted checkpoint enforcement. The consultation is also looking at removing the option for a blood or urine test now rendered unnecessary by the proven reliability of the breath test. This would speed up the testing process and enable the Police to process drink drivers faster without having to wait for a doctor and to get back out on the road to continue their checks. It also proposes improving the High Risk Offenders scheme to ensure that offender complete medical examinations before they are allowed to start driving again.

The UK is one of the three last EU Member States with an 0.8 BAC limit and the government was expected to include a proposal to lower the BAC level. Although there is a question about the BAC level it does not propose a reduction instead asks respondents to say what priority a reduction should be given and what evidence exists, or should be sought, to support a decision. The Parliamentary Advisory Council on Traffic Safety (PACTS) welcomed the proposal to introduce targeted checkpoint testing to tackle drink-driving, but was disappointed that the Government did not propose a reduction in the BAC limit. PACTS also cited reanalysis of recent figures suggesting that around 60 lives a year could be saved by a lower limit.

### More Police Checks during UK Christmas Drink Driving Campaign

The UK's 2008 THINK! drink drive campaign was launched on the 1st of December and was focussed on the consequences of drink driving. The aim of the Christmas campaign was to confront young men aged 17-29 with the reality of getting taken to the police station during the "festive" season. The campaign showed how drink drivers are taken to the police station, interviewed, fingerprinted, DNA-tested, give breath and possibly blood and urine samples, and potentially held in a cell for a few hours. Commenting on the campaign, Deputy Chief Constable Adam Briggs, Chair of ACPO Roads Policing Operations Forum stressed that this year the UK would see more roadside stop and check operations than ever before, at all times of day and night and on all types of road. In Scotland the drink-drive warning was also issued in Polish after almost 10% of motorists found to be above the alcohol limit during the four weeks of the road safety campaign by Central Scotland Police were Polish.

Many police forces would also be using new breath testing equipment that would record the number of people breath tested, as well as gender, age and location of people tested. Police also record why a driver is tested. This will help police to gather more information on patterns of drink driving and ultimately enable forces to build up a more accurate profile of offenders. This information will also be used by the DfT in combination with a new roadside survey of drink and driving in 2009 to support future policy and publicity on drink driving.

### Taxis promoted as Alternative during Irish Christmas Drink Drive Campaign

Ireland launched its annual anti drink driving campaign which ran during December drawing on different stakeholders including the Taxi Commission. The medical community was also involved with the launch which took place in a hospital. Figures from the Department of Transport on drink driving in Ireland published recently found that 1 in 3 crashes between 2003 and 2005 were alcohol related. Furthermore, where blood alcohol levels were available for

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killed drivers, almost 6 out of 10 (58%) had alcohol in their blood. The campaign was also focusing on the “morning after” as the Health Service Executive study into drink driving in Ireland also found that 2 out of every 3 alcohol related crashes occur between 10pm on Friday night and 8am on Monday mornings. The reduction of deaths and seriously injured on Ireland’s roads is also going to be one of the three top priorities in the Irish Police’s plan for 2009. This includes extending the mandatory alcohol checks next year. Whilst 279 people tragically lost their lives on Irish roads in 2008, it is the lowest ever recorded number of road deaths in Ireland.

### New Alcohol Interlock Report

A major report has been published on alcohol interlocks by the UK Department for Transport. It reviews the international experience regard-

ing implementation of alcohol ignition interlock programmes and gathers relevant expert advice related to the current state of knowledge regarding benefits and challenges to implementing such programmes. It also reviews some existing programmes including Sweden, Haute Savoie in France and the Netherlands out of the European ones alongside others from the US, Canada and Australia. It covers advances in technology such as the integration of cameras into the device to identify the individual who provided the breath sample. A key conclusion is that participation rates must be increased. The danger of those driving whilst disqualified is also highlighted.

*A review of international evidence on the use of alcohol ignition interlocks in drink-drive offences.* Reference: A. Clayton & D. Beirness. London, Department for Transport (DfT), 2008, 91 p., 26 ref.; Road Safety Research Report; No. 89 - ISSN 1468-9138 / ISBN 978-1-904763-97-0

## Alcolock Legislation Barometer December 2008

ETSC’s alcolock legislation barometer has been updated to include also countries who are using alcolocks within the commercial context.

	Pilot project ongoing	Legislation in preparation	Legislation in discussion in Parliament	Legislation adopted	Legislation in implementation	Rehabilitation	Commercial Transport	Voluntary use of alcolocks in commercial transport
Austria								X
Finland					X	X		X
Sweden	X	X				X		X
Netherlands	X	X				X		
France	X	X				x	x for school buses	
UK	X	X	X	X				
Belgium	X	X						X
Slovenia	X						X	

## ETSC Interview

### Alcolock interlock drink driving rehabilitation programme in France

*Interview with Dr. Charles Mercier Guyon, Medical Council of Association Prévention Routière, Centre d'Etudes et de Recherches en Médecine du Trafic (CEMRT)*



**ETSC:** *What were the main features of your pilot programme in France?*

**Dr. Charles Mercier Guyon:** The alternative programme to penal action under the control of the prosecutor and of the prefect (representative of the state at the local level) is being led by the Association Prévention Routière and the Centre d'Etudes et de Recherches en Médecine du Trafic (CEMRT). This is a voluntary programme and the costs of 1,218 EUR are paid by the offender. The programme includes a two day training course. The course covers information and raising awareness about alcohol related accidents and road safety. Participants also look at accident reports from concrete cases and involve psychologists from the Alcohol Centres who employ the inter-active approach. This is aimed at reaching the psychology of the driver. The course is run by certified driving school teachers, psychologists and medical doctors specialised in alcohol related illness. This course also has a follow up. The programme runs for 6 months but is hoped to extend it to between 9 and 12 months with 6 months as a minimum with the new law. Best option would be to have 6 months as minimum and then consider extensions on a case by case basis.

To be included the driver must have been stopped on his first offence with a BAC level over 0.4 mg/l and lower than 1.0 mg/l. They must have had their driving licence for more than three years. A medical examination by the medical commission must be completed prior to inclusion in the programme.

Moreover the offender must be under an obligation to drive either for professional or other good reasons.

**ETSC:** *What were the results?*

**Dr. Charles Mercier Guyon:** Since the start of the programme in 1994 up until August 2008 we have worked with more than 200 drivers. So far there have been no major violations or exclusions. There has only been one case of recidivism in comparison to 8 in the control group of 200 similar cases which are not in the alcolock rehabilitation programme. There have been positive detections, but most of these (80%) occurred during the first two months.

The alcolock has been dealt with in the context of the extension of guilty pleas where the prosecutor will discuss with the offender different sorts of sanctions or perhaps a combination. Most of the offenders, 90%, say they have had the chance to discuss the sanction with the prosecutor.

**ETSC:** *How far is France in introducing an alcohol interlock drink driving rehabilitation programme?*

**Dr. Charles Mercier Guyon:** The French government presented its new legislation to combat drink driving on 13th of February. Rehabilitation programmes will be introduced with the installation of mandatory alcolocks for a fixed period for drink drivers. This December the programme was rolled out to four other French regions. This new proposal would envisage extending this to the rest of France. The law proposal will be discussed in the French Parliament on the 1st of April and a decision is expected before the summer. The extension of the pilot programme to the whole country will take about a year.

**ETSC:** *Who would be eligible for the new programme?*

**Dr. Charles Mercier Guyon:** All drink driving offenders will be given the option by the judges and it will be up to the offenders to decide if they want to participate. Often a crucial part of the decision is the extent to which the driver depends on their car to get around. For example in Paris public transport



## ETSC Interview

provides an alternative for a suspended driver to be mobile, this would not be the same in a rural area. Another factor is if the offender is willing to cover the cost. Moreover the offender has to pass a medical check before taking part in the programme.

### **ETSC: How would the programme work?**

**Dr. Charles Mercier Guyon:** The programme would continue to be managed by the Association Prévention Routière and the Centre d'Etudes et de Recherches en Médecine du Trafic (CEMRT). The programme would be run in a similar way to the pilot programme but with more flexibility at the end. For example if a driver is doing well they could end the programme earlier or if they are not doing so well the programme could be extended. All drivers are different and the programme should be more flexible to respond to these needs.

### **ETSC: What will be the role of the medical community in the new programme?**

**Dr. Charles Mercier Guyon:** The Medical Committee on Driving Licencing will continue to be involved as will the Alcohol Centres in the follow up of the patient on completion of the programme. Eighty percent of the people picked up are "problem drinkers". We in France very much believe in the "medical approach" and 80% have benefitted from the discussion about their alcohol consumption. Many of the offenders who take part in the programme are aged 30-40 and are no longer occasional drinkers but are on the way to becoming chronic drinkers. The step to take part in the programmes is simply a life changing experience. We really support the "control and accompanying" programme rather than the more "administrative and technical" programmes run in some other countries.

### **ETSC: How much will it cost to the participant?**

**Dr. Charles Mercier Guyon:** The offender covers the costs, and the cost will be reduced if the offender takes part in a 12 month programme instead of 6 months. But the cost is approximately 130 EUR per month which is less than a drink a day in a café. The programme will continue to be run by the Association Prévention Routière and the Centre d'Etudes

et de Recherches en Médecine du Trafic (CEMRT) which will keep the administrative costs for the government down.

### **ETSC: How will you ensure that recidivism does not occur after the programme has finished and the alcohol interlock is removed?**

**Dr. Charles Mercier Guyon:** We will continue to have a "control group" made up of those people who could have taken part in the programme but did not in order to compare with the participants. After the removal of the alcoholock, it is important to keep the driver under the auspices of medical checks made up of exams and interviews. A report is submitted about the driver at the end of the programme to the Driving Licence Medical Committee which is used in follow up. Association Prévention Routière also stays in touch with the driver.

### **ETSC: Would you welcome an EU approach to the introduction of these programmes?**

**Dr. Charles Mercier Guyon:** I have been a member of the EU's expert group for many years and seen that the EU is very diverse. It takes time for also experts to open their minds to other ways of doing things. It is also a chance to pick up good ideas. The EU should present the results of different programmes and disseminate them. Countries' systems are very different, from our culture to our legal systems. Look at alcohol consumption which is also very different in every country. However French people have changed their alcohol consumption in recent years. One important new output which will contribute very much in the coming years is the EU funded project DRUID which has a special Work Package devoted to this topic.

### **ETSC: What are your hopes for the future?**

**Dr. Charles Mercier Guyon:** That the programme brings about a change in the minds of the justice and administration bodies in France about drinking and driving. Most of the people controlled on the roads for drink driving are good guys. But they do not know the effect of alcohol. We need to get rid of the idea that they are criminals.

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