

Drink Driving Monitor

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

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Editorial

Ireland introduced a lower legal BAC level for drivers at the end of July. The previous legal BAC limit of 0.8g/l will go down to 0.2 for novice and professional drivers including taxi drivers and hauliers and to 0.5 for all other drivers. The plan to reduce the BAC limit had been included in the Irish Road Safety Plan, but it was a long hard journey requiring much political courage to see it adopted. The new limits finally bring Ireland in line with the vast majority of other EU Member States and ETSC's and the European Commission's recommendation on the BAC. Only the UK and Malta still have a 0.8g/l BAC limit. In the UK a special report undertaken by Peter North commissioned by the government also proposed a reduction in the BAC limit. At an EU level the European Commission adopted its long awaited "Road Safety Policy Orientations 2011-2020" including some actions included on drink driving.

The 11th Drink Driving Monitor brings news from across the EU on steps to further improve drink driving legislation and enforcement. Results from TISPOL's summer drink driving campaign are presented and ETSC's alcolock legislation barometer is included.

EU News

EU adopts a set of "Road Safety Policy Orientations"

On July 20th the EU adopted its long awaited strategy for the next decade on road safety. The Commission recognised that drink driving along with speeding, and the non-use of seat belts, are still the three main killers on the roads. The strategy placed an emphasis on enforcement including drink driving as one of the three top priorities. The only other specific action included was to look at the possibility of making use of alcohol interlock devices obligatory in

certain specific cases within the context of a new common road safety enforcement strategy. In an accompanying memo the Commission also stated that it would consider legislative measures to require mandatory use of alco-locks for specific professional cases, such as school buses, or in the framework of rehabilitation programmes (for professional and non-professional drivers) after drink driving offences. ETSC much welcomed that alcolocks are included as an action for professional drivers and recidivists. The EC could also have taken the opportunity to propose legislation to adopt an EU wide 0.2g/l BAC limit for novice and commercial drivers.

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EU News

Cross Border Enforcement Directive back Centre Stage

Both the European Commission and the Belgian Presidency are keen to make headway in finding agreement on the Cross Border Enforcement Directive. From the side of the Commission this was reaffirmed in its newly adopted "Policy Orientations on Road Safety 2011-2020". The Belgian EU Presidency has placed the Directive back on the agenda and has scheduled numerous meetings within the Council for Member States to elaborate a new revised text. The Lisbon Treaty has made some key changes which will provide solutions for overcoming previous obstacles. ETSC welcomed the legislative proposal of March 2008 that would allow EU drivers to be identified and thus prosecuted for offences committed in a Member State other than the one where their vehicle is registered. The original text proposed in 2008 included in its scope drink driving as one of the four road safety offences that would be followed up by law enforcement authorities across borders.

ITS Action Plan and Directive: Alcolocks

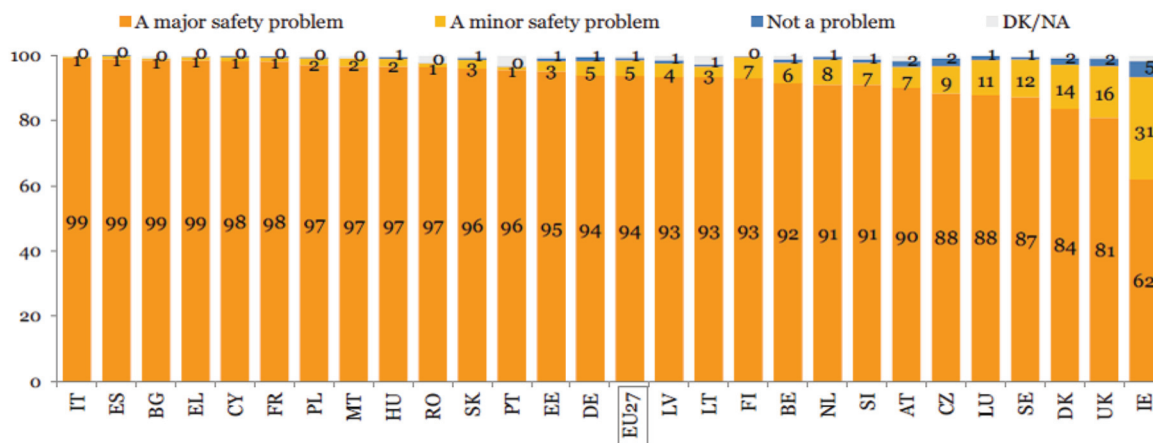
The European Commission organised a conference on June 22nd to launch its ITS Action Plan adopted in 2008. On 6 July the European Parliament adopted the common position of the Council of Ministers on the proposal for a directive on ITS (Intelligent Transport Systems) deployment in the field of road transport. An opportunity was however missed to adapt the Annex II of the ITS Directive to reflect the

action 3.1 of the Action Plan. Under Action 3.1 the ITS Action Plan included Advanced Driver Assistance Systems (ADAS) that tackle the main risk factors in road transport: drink driving (alcohol interlocks) and speeding (Speed Alert). This was to promote the deployment of advanced driver assistance systems and safety and security related ITS systems. ETSC hopes now that within the context of implementing the ITS Directive and Action Plan specific reference is made to the three most important ADAS: ISA, Alcohol Interlocks and Seat Belt Reminders on all seats.

EU Citizens place drink driving as Number 1 Problem

Public opinion on road safety issues is important in informing decision makers as regards to the support of the EU citizens for the introduction of new measures and the performance of existing policies. The results of the recent Eurobarometer show that Europeans recognise the danger of main risky behaviour in road traffic, and expect more policy actions to address them. The majority of citizens polled would like to see more action on drunk driving and speeding. People driving under the influence of alcohol are considered to be a major safety problem by 94% of EU citizens, followed by exceeding speed limits (78%) and drivers/passengers not wearing seatbelts (74%). Over 25,000 citizens were surveyed in the EU 27 Member States in June 2010.: http://ec.europa.eu/public_opinion/flash/fl_301_en.pdf

Perceptions about the seriousness of road safety problems
People driving under the influence of alcohol



Q2. In terms of road safety, do you feel the following constitutes a major safety problem, a minor safety problem, or is not a problem [IN OUR COUNTRY]?
Base: all respondents, % by country

EU News

TISPOL summer alcohol and drug controls

A series of controls to enforce drink-driving regulations across Europe saw police conduct in a seven-day period more than 420,000 breath tests, of which more than 7,500 were positive. Motorists were also checked for drugs in the operation, organised by the European Traffic Police Network (TISPOL) in 21 countries between 7 and 13 June.

Drinking and Culture ICAP Review

The International Centre for Alcohol Policies (ICAP) has published a new Review on "Drinking and Culture". Alcohol consumption is an integral part of the social fabric in most societies. Yet the role occupied by drink-ing is quite different across countries and cultures and is reflected in local customs, patterns, and attitudes. ICAP writes that despite this wide diversity, the lingua franca of the alcohol field is English, as are the publications that provide the evidence base most commonly used in international policy discussions. As a result, much of the research published in other languages and reflecting different cultural contexts and approaches escapes broader notice. The new ICAP Review issue features summaries of recent journal articles, reports, and books from 9 Central, Eastern, and Southern European countries, covering the following topics: road safety, alcohol and the workplace, drinking and violence, drinking patterns in adult population, early identification and brief intervention, extreme/"binge" drinking, motivations and expectancies, and young people. The publication is being updated and disseminated semi-annually.

Country News

Ireland lowers BAC levels

Ireland introduced a lower legal BAC level for drivers at the end of July. The current legal BAC limit of 0.8g/l went down to 0.2 for novice and professional drivers including taxi drivers and hauliers and to 0.5 for all other drivers. The Road Traffic Act which introduces lower legal Blood Alcohol Content (BAC) level for drivers has received wide cross party support in the Irish Parliament. In case of driving over the 0.5g/l limit the driver can be charged with a 5,000 EUR fine or a 6 month term of imprisonment or both. The Bill also introduces compulsory testing for alcohol for drivers involved in collisions.

New Alcolock Offender Programme Proposal in The Netherlands

The Alcohol Interlock Programme Bill was passed by the Senate on 1st June 2010 and became law on 4th June 2010. The draft ministerial regulations setting out the technical requirements for alcohol interlocks and vendors are expected to be finalised in autumn 2010. The Ministry is aiming to introduce the alcohol interlock programme as a measure for serious alcohol offenders from mid-2011. The alcohol interlock program (AIP) will be for serious drunk-driving offenders and repeat offenders. The standard period for the AIP will be two years. If during that period the participants have still not been able to demonstrate that they can separate driving a vehicle and alcohol consumption, the AIP will be extended repeatedly by six months at a time. Participants of the Dutch AIP may only use an alcohol interlock that has been type approved by the Dutch government, supplied by a vendor designated by the Dutch government and installed by an installer designated by the Dutch government. The Ministry of Transport will define the set-up of the program and will be responsible for legislation and regulations. The Dutch driver test authority (CBR) will be designated by the Ministry of transport to implement the program. The Road Traffic Authority (RDW) will be designated by the Ministry of transport to be the keeper of the alcolock data register, responsible for type approval of the interlocks, responsible for approval of suppliers and installers and responsible for supervision. The RDW will start preparing procedures for designation and for type approval with vendors of alcohol interlocks this autumn. The RDW will start issuing certificates of approval to manufacturers, vendors and installers from the beginning of 2011.

The legal procedure will start when the BAC is more than 1.3 per mille (first offender) or 0.8 per mille (repeat offender). The programme will be mandatory. But if the offender does not participate, or if the programme is not completed, then the driving license will be declared void for 5 years. The BAC-level interlock breath test will be set at 0.2 per mille. Participants will pay for costs of installation. Participants with 'good' data will be placed in a less intensive data download regime (each 3 months) whereas participants with 'bad' data indicating they have alcohol problems, will be motivated to seek professional treatment. One of the most distinctive elements of the programme is that participants who continue to show bad data will receive an extension until they show they can separate drinking and driving.

Country News

Italy adopts Zero Alcohol Limit for Novice and Professional Drivers

New legislation adopted in Italy will introduced a new 0 BAC limit for novice and professional drivers. Zero tolerance, with an alcohol limit of 0;00 g/l is now applied for novice drivers having passed the license less than three years before, drivers aged eighteen to twenty-one years old, professional drivers, taxi drivers and truckers. Employers will be allowed to dismiss them if their licences are suspended for driving without respecting the 0.00 g/l limit. For all the other categories of drives the penalties will increase if they are caught driving with a blood alcohol level higher than 0.5 g/l. With a BAC 0.0 and 0.5 (for novice and professional Drivers) the fine will be 155-624 plus penalty point withdrawal. The penalties in case of road accidents will be doubled. With a BAC between 0.5 and 0.8 sanctions are increased by one third, and the vehicle is detained for 180 instead of 90 days. The penalties in case of road accidents will still be doubled. If the BAC is higher than 1.5 the driver can be arrested for not less than 6 months (3 months with the previous legislation) up to one year. The Italian legislator also introduced a test on alcohol and drug abuse as one of the conditions to obtain the license. The new law also prohibits the sale of alcohol in public places. Finally, the alcohol tests will have to be made available to customers in all restaurants, pubs, and discos.

Denmark Alcolock Legislation

New alcolock legislation was passed by the Danish Parliament in June 2010. However, the date when the Alcohol interlock Programme for drink drivers will actually be put into force has not yet been set. Some work is still needed before all the technicalities and administrative procedures regarding the programme are ready. The Ministry of Justice will then set the date. The Alcohol interlock programme will be offered to first time offenders with a BAC above 2.0 as an obligatory alternative to prolonging the period with banned license. For example, if a driver received a 3 year license ban, they must install an alcolock for the two following years in order to be permitted to drive again. If they choose not to get the alcolock installed, the period with a banned license will be prolonged with further two years, that is five years in total. For second time offenders with a BAC under 1.2 the alcolock will be a possibility the driver can use in order have their license back one year earlier

than "normal". The alcolock must be installed for two years, and the driver is requested to have a medical examination in order to determine if they need treatment for alcoholism.

Government Expert Recommends Lower Drink Drive Limit for the UK

In the UK Sir Peter North, the expert appointed by the previous government, published his report on the legal framework around drink- and drug- driving and presented this to the new Transport Minister Phillip Hammond in June. Sir Peter recommends a reduction in the BAC limit from 0.8 g/l to 0.5 g/l for all drivers, without a lower limit for professional or novice drivers. Sir Peter also proposes that the current punishment regime be kept in place at the new lower level of 0.5 g/l, namely a minimum of 12 month disqualification and fine. He also recommends that best practice on drink and drug driving interventions, including interlocks, and employer guidelines should be rolled out throughout the transport industry. He recommends progress on breath testing too, namely that type approval and deployment of portable evidential breath testing equipment should be completed no later than the end of 2011 and that the police should have power to test anyone who is driving. The Parliamentary Advisory Council for Transport Safety (PACTS) supported the Report and North's key recommendation to lower the current alcohol limit for driving which is in line with the scientific evidence and will save lives on the roads. In evidence to the House of Commons Select Committee on Transport, PACTS stressed that even on the most conservative of the estimates quoted by North, a lower BAC level would result in about 43 fewer deaths and 280 fewer serious injuries on British roads each year. In 2008 figures, the total value of prevention of 43 road deaths and 280 serious injuries is estimated to be around £125 million. PACTS also cited, regular surveys of public opinion by organisations such as RAC and the AA show that public opinion supports a lower limit. PACTS also commented on the new provisional numbers of road deaths involving illegal alcohol levels in 2009 in comparison with 2008. They stressed that, although they are 5 per cent lower than in 2008, the corresponding fall in all road deaths was 14 per cent. Deaths related to illegal drink driving once again represent a rising proportion of all road deaths. The new government will now review the report of Sir Peter North and it is hoped that it will come forward with its proposals as a matter of priority.

Country News

Lower BAC in Scotland under Devolution

In the Queen's speech outlining upcoming legislation of the new UK government, the Scotland Bill offered two potential contributions to improving safety on Scottish roads. The Calman Commission suggested two areas of policy worthy of devolution: the regulation making powers relating to setting the drink-drive limit and the power to determine the level of the national speed limit. PACTS welcomed this possible change stating that a lower limit in Scotland and would allow authorities to assess the scale of the number of drivers caught under the new limit.

Hard hitting Drink Driving Campaign Film in France

In France the government launched a new film "Unbearable", as part of its campaign to reduce drink driving amongst young people. The short spot, prepared only for the Internet, was criticised by some in the media as being too violent. http://www.securiter-outiere.gouv.fr/article.php3?id_article=3573. The clip was made with the involvement of Patrick Pelloux, the President of the French Association of Doctors from the Emergency field. Mr. Pelloux responded to the criticism by saying that it comes from the same people who adore TV series featuring violence. Every weekend he is confronted with reality meaning the preventable loss of life. He asked no longer to be on call on Saturday nights as he couldn't stand to be confronted with the regular arrivals of young people's dead bodies any longer. Secretary General Pierre Gustin of the French "Association Prévention Routière" stated: "This is a legitimate campaign: we must raise consciousness and curb the drama experienced everyday by families due to drink driving.

Self Alcotesters Promoted in French Restaurants and Clubs

In France the Transport Minister Dominique Bussereau signed together with six professional organisations from the hotel, café and restaurant and nightlife sector a national charter to promote the use of alcotests. The signatories committed to promote self control of levels of alcohol. They will ask their members to provide consumers with chemical alcotests or certified electronic alcotests and more broadly promote the practice of self testing and link in with anti drink driving campaigns.

ETSC News

Safe and Sober Talk in Portugal

Forty road safety experts, including the Minister of Interior Rui Pereira, gathered on 3rd of May in Lisbon to discuss strategies to reduce alcohol misuse in road transport at the 11th "Safe and Sober" Talk held in Lisbon, Portugal. The event was organised by the European Transport Safety Council (ETSC) and the Portuguese Road Safety Authority (ANSR) in the framework of ETSC's "Safe & Sober" drink driving programme, which the ETSC runs in partnership with the VOLVO Group. Portugal has seen a spectacular decrease in the number of road deaths over the past decade: from over 271 per million population in 1995 down to 91 per million in 2006. Since 1985 the total number of road victims has decreased by 50%, against a fourfold increase in traffic volume. This success can be largely attributed to its National Road Safety Plan. Launched in March 2003 it became a first programme in Portugal with quantitative long-term targets, including fighting speed and drink driving, improving infrastructure, enhancing safety for pedestrians and two-wheelers. The participants agreed that a more systematic approach is needed to address drink driving, including special focus on repeated offenders. There has recently been a discussion on a possibility to make the use of alcolocks mandatory in buses transporting children, as to follow the French and Finnish legislation. Alcohol interlocks are only used on a voluntary basis by a number of private transport companies.

Drink Driving Event in France

In the framework of ETSC's Drink Driving Policy Network programme supported by Diageo, ETSC and the Association Prévention Routière jointly organised an event in Paris on the 14th of September. If France achieved the 4th best reduction in road deaths in the EU between 2001 and 2009, in particular thanks to impressive speed reductions, progress in reducing drink driving has been deceiving. Dr. Charles Mercier-Guyon, Member of the Medical Council of Association Prévention Routière, presented the results of international studies showing the positive effects of alcolocks for recidivist drink driving offenders if coupled with a medical follow-up. Matti Järvinen, from Liikenneturva, presented the Finnish experience in tackling drink driving, articulated around a high level of drink driving enforcement (the highest level in Europe) and accompanying measures for recidivists including alcolocks and medical follow-up. Agustín

ETSC News

Hidalgo, Prosecutor at the Road Safety Prosecutor's Office, in Spain, presented this unique experience in Europe where a central office is organising the coordination of the judicial response in the field of road safety in Spain (see Interview with Agustín Hidalgo in this Monitor). Anne-Marie Cailloux, from Diageo, showed how alcohol producers can contribute to responsible alcohol consumption. Presentations given at the event are available on www.etsc.eu/lunches.php.

ETSC's PRAISE project, "Preventing Road Accidents and Injuries for the Safety of Employees", has published a new Fact Sheet about a Danish company that has introduced alcolocks. The project PRAISE aims at mobilising knowledge needed to create work-re-

lated road safety leadership. It also aims to present the work-related road safety standards of road safety champions, by presenting employers' success stories, notably through the PRAISE Fact Sheets. This Fact Sheet follows from ETSC's PRAISE report 3 on "Fitness to Drive" published in May 2010. The Danish Haulage company Fredsø Vognmandsforretning, which is based on the island of Mors in Denmark's North Jutland region, has bought and installed alcolocks in all of its trucks: 25 in all. ETSC has interviewed the haulage contractor Benny Nielsen of Fredsø Vognmandsforretning. Fredsø Vognmandsforretning's decision to install alcolocks demonstrates that, despite good safety records, there is no room for complacency.

Interview

What is your role in road safety work in Spain?

Our work focuses on the coordination and monitoring of the road safety's prosecution network in Spain. This was set up to disseminate implementation criteria and set standards as well as to increase the penal law response in the field of road safety. We also stay in touch with a number of institutions, both public and private, to collaborate in all sorts of projects and actions to reduce road accidents.

What do you think is the role of the judiciary in preventing road collisions from happening in the first place?

Penal law – with its general deterrent function – is a vital part of the work to reduce road traffic accidents. Therefore, as prosecutors, and hence as the ones starting the prosecution proceeding, we must ensure the correct application of penal provisions in every single case. In this way we communicate to society the importance that road safety has in everyone's life.

Why did Spain take the initiative to create such a special office?

There are a number of reasons why we believe it was necessary for public prosecutors to intervene in this field. We can promote and assist in improving road safety within the areas of our competence.

Firstly, we wanted to become involved in this field given the very high number of fatalities that occurred in the past few years on Spanish roads. Secondly, we took this initiative because of the impulse given by the Road Safety Strategic Plan 2003-2008. Finally, this possibility came about also because of the new policy of specialisation in the field of prosecution.

Are you aware of any other EU country that has set up a similar office?

We know that road safety is a major concern in the daily work of public prosecutors in Europe, but we are not aware of a specialised prosecution system as the one we have in Spain. We would be interested in hearing from other countries about this.



ETSC awarded Spain its PIN Award for its exemplary progress made in reducing road deaths in the EU. What do you think has been your contribution to the impressive progress made in Spain in the past 8 years?

The successful road safety policy in Spain is certainly not attributable to a single concrete action. The progress made is due to a wide range of measures including the courts. The Road Safety Prosecutor's Office undoubtedly also played a role to increase the penal response in this area.

What do you see as the ideal model for rehabilitating traffic offenders? How should we differentiate for the different offences: speed, alcohol and drugs, seat belt use?

Generally speaking people speeding and not wearing seat belts are those who in most cases respect other social norms. Thus, their rehabilitation should make them understand the consequences of failing to comply with the rules. This should be achieved through courses or programs. Greater awareness

Interview

may lead to a change in the offender's behavior. More difficult to address is the issue of drug or drink driving, as the population with consumption habits are highly drivers.

What ideas do you have on what the EU can do to support the work of the judiciary on road safety in the countries?

I regret to say that I have the feeling that the EU is not as involved as it should be in the issue of road safety from a penal perspective, especially when comparing its interventions in other criminal offences. At present it seems that the EU underestimates its importance regarding the cross-border enforcement of criminal court judgments and decisions. I say this in light of recent European decisions on criminal justice. These could be very useful tools for effective enforcement in the field of penal provisions in the field of road safety.

So far, the principle of mutual recognition for traffic offences has only been accepted in the one Council Framework Decision 2005/214/JHA on financial penalties.

Spain is preparing its road safety strategy for 2020 at the moment. What future plans do you have to realise in the

long perspective to improve the role of your job? What will your job look like in 2020?

In the Office of the Road Safety Division we believe that collaboration with all kinds of institutions dealing with road safety is the best way to progress, we would like to extend these relations to the European level because we share a common space both physically and politically. That's the reason we are committed in creating a judiciary road safety European forum, where through seminars and working groups, we'll share our respective regulations and experiences, problems and difficulties faced in the criminal area of road safety, in order to create a framework of trust through knowledge, which in turn will allow us to provide a better response in the respective criminal national level but also an effective cross-border enforcement. On the other hand, we believe that more effective measures should be adopted for the protection of vulnerable groups, and that there is still a lot of room for improvement in relation to urban road safety. In the coming years we intend to continue to be available, and in contact with the public (and victims in particular) in order to shape our actions according to the changing needs.

Alcolock Legislation Barometer October 2010

ETSC's alcolock legislation barometer gives an update on the "weather" for new legislation on introducing the use of alcolocks either within the commercial or rehabilitation 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 for use in school transport vehicles			x	x	x	x
Sweden	x	x for use in rehabilitation programmes				x		x
Netherlands	x		x	x		x		
France	x	x for use in rehabilitation programmes and first time offenders	x			x	x for school buses	
UK		Included in Road Safety Compliance Consultation						
Belgium	x			x	x	x	x	x
Slovenia	x							
Denmark				x		x		

Members

Accident Research Unit - Medical University Hannover (D)
 Association Prévention Routière (APR) (F)
 Austrian Road Safety Board (KfV) (A)
 Automobile and Travel Club Germany (ARCD) (D)
 Automotive safety centre, University of Birgmingham (UK)
 Belgian Road Safety Institute (IBSR/BIVV) (B)
 CTL – “Centro di ricerca per il Trasporto e la Logistica”,
 Università degli studi di Roma “La Sapienza” (I)
 Centro Studi Città Amica (CeSCAM), University of Brescia (I)
 Chalmers University of Technology (S)
 Comité Européen des Assurances (CEA) (Int)
 Commission Internationale des Examens de Conduite
 Automobile (CIECA) (Int)
 Confederación Nacional de Autoescuelas (CNAE) (ES)
 Confederation of Organisations in Road Transport
 Enforcement (CORTE) (Int)
 Czech Transport Research Centre (CDV) (CZ)
 Danish Road Safety Council (Dk)
 Dutch Safety Board (OVV) (NL)
 European Federation of Road Traffic Victims (Int)
 Fédération Internationale de Motocyclisme (FIM) (Int)
 Finnish Motor Insurers’ Centre, Traffic Safety Committee
 of Insurance Companies (VALT) (FIN)
 Finnish Traffic Safety Agency (Trafí) (FIN)
 Folksam Research (S)
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 Foundation for the Development of Civil Engineering (PL)
 German Road Safety Council (DVR) (D)
 Hellenic Institute of Transport (HIT) (GR)
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 INTRAS - Institute of Traffic and Road Safety, University of
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 Liikenneturva (FIN)
 Lithuanian National Association Helping Traffic Victims
 (NPNA) (LT)
 Motor Transport Institute (ITS) (PL)
 Netherlands Research School for Transport, Infrastructure
 and Logistics (TRAIL) (NL)
 Parliamentary Advisory Council for Transport Safety (PACTS) (UK)
 Provincia di Crotone, Direzione Generale - Servizio Sicurezza Stradale (I)
 Road and Safety (PL)
 Road Safety Authority (IE)
 Road Safety Institute Panos Mylonas (GR)
 Safer Roads Foundation (UK)
 Swedish National Society for Road Safety (NTF) (S)
 Swiss Council for Accident Prevention (bfu)(CH)
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