



# Drinking & Driving

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## IAS Factsheet

Produced by the Institute of Alcohol Studies,  
1 The Quay,  
St Ives,  
Cambs.,  
PE27 5YB

Tel: 01480 466766  
Fax: 01480 497583  
Email: [info@ias.org.uk](mailto:info@ias.org.uk)  
Website: <http://www.ias.org.uk>

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*The World Health Organisation's European Charter on Alcohol states that Governments should:*

*"Establish and enforce laws that effectively discourage drink-driving."*

*The WHO Charter has been signed by the Member States of the European Union, including the UK.*

## **Introduction**

Since the early 1980s, there has been a substantial decline in drinking and driving and in the number of alcohol-related deaths and injuries on the roads, which reached their lowest levels in 1998 and 1999. The number of drink drive fatalities stabilised or increased somewhat from 1999, but the provisional figure for 2007 is 460 fatalities, the same number as in 1999 and 1998. For comparison, in 1979 there were 1640 fatalities. Around half of drink drive casualties are of people other than the drink driver themselves.<sup>1</sup> However, there is now some doubt as to the accuracy of the official road casualty statistics, which are based on police figures. This is due to a growing disparity between the figures collected by the police and those collected by hospitals, with the latter showing substantially more casualties than are recorded by police.<sup>2</sup> This opens up the possibility that there are actually more drink drive casualties than the official figures suggest.

There were probably an additional 250 people killed in accidents involving drivers and riders with raised blood alcohol levels but still below the current legal limit.<sup>3</sup>

Altogether, therefore, around one in five road deaths are alcohol related.

## **In What Ways Does Alcohol Affect Driving Skills?**

After drinking, the brain works inefficiently, taking longer to receive messages from the eye; processing information becomes more difficult and instructions to the muscles are delayed. Alcohol can slow down reaction time by 10 to 30 per cent. It also reduces ability to perform two or more tasks at the same time.

Alcohol reduces the ability to see distant objects and night vision can be reduced by 25 per cent. Blurred and double vision can also occur. Ability to perceive what is happening at the roadside is weakened. Loss of peripheral vision could be crucial. Alcohol may also create a sense of overconfidence, with the result that people are prepared to take greater risks.

Even when sober, young drivers and riders are more accident prone than older, more experienced drivers. Their lower tolerance to alcohol further increases their accident risk. The vulnerability of a young person to the effects of alcohol is shown by the lower average blood alcohol levels of young drink driving offenders compared with older offenders. The same pattern is found in drivers who are killed. For young people accident risk increases after one drink; after two it doubles and after five it can have increased ten fold.

## **The Legal Limit for Driving**

The legal blood alcohol limit for driving is 80 milligrammes of alcohol in 100 millilitres of blood (80mg%) equivalent to 35 microgrammes of alcohol in 100 millilitres of breath, or 107 milligrammes of alcohol in 100 millilitres of urine. However, prosecution guidelines followed by police services mean that in practice drivers are not normally prosecuted until they reach 40 microgrammes of alcohol per 100 millilitres of breath, equivalent to over 90 mg%. Before its election and again in 1998, the UK Government announced that it intended to reduce the legal limit to 50mg% and this proposal was put out for consultation. The police, virtually the whole road safety community and public opinion all favoured lowering the limit. In March 2000, the Government announced that it had decided not to lower the limit, giving as the reason awaiting possible moves to harmonise drink drive limits in the European Union. In reality, the Government simply bowed to pressure from the alcohol industry.<sup>4</sup>

## Drink Drive Limits in the European Union<sup>56</sup>

	Limit mg%
Austria	50
Belgium	50
Bulgaria	50
Cyprus	90
Czech Republic	0
Denmark	50
Estonia	20
Finland	50
France <sup>*[1]</sup>	50
Germany	50
Greece	50
Hungary	0
Ireland	80
Italy*	50
Latvia	50
Lithuania	40
Luxembourg	80
Malta	80
Netherlands	50
Poland	20
Portugal	50
Romania	0
Slovakia	0
Slovenia	50
Spain**	50
Sweden	20
UK	80

\*With effect from 1 July 2002

\*<sup>[1]</sup> 20 for drivers of buses and coaches

\*\*From January 1999, 50 for car drivers and 30 for drivers of heavy goods vehicles and public transport vehicles.

**Alcohol involvement in fatal crashes in a number of European countries.<sup>7</sup>**

<b>Country</b>	<b>Percent of Alcohol Involvement</b>	<b>Definition of Alcohol-Involved</b>
Austria	8.5% at 50 or higher (1998)	<ul style="list-style-type: none"> <li>▪ Illegal BAC for Driver</li> <li>▪ Illegal BAC for Pedestrian Measure</li> </ul>
Belgium	8.9% had any alcohol (1998). Illegal BAC is 50	<ul style="list-style-type: none"> <li>▪ Any Alcohol in Driver</li> <li>▪ Any Alcohol in Pedestrian</li> </ul>
Denmark	20.2% (1995) at 50 or higher	<ul style="list-style-type: none"> <li>▪ Illegal BAC for Driver</li> </ul>
Finland	24% of fatally injured drivers at 50 or higher	<ul style="list-style-type: none"> <li>▪ Illegal BAC for Driver</li> <li>▪ Alcohol Measure Only for Driver Fatality</li> <li>▪ Alcohol Measure for All Drivers</li> </ul>
France	19% at 50 or higher (1998)	<ul style="list-style-type: none"> <li>▪ Illegal BAC for Driver</li> <li>▪ Alcohol Measure for All Drivers</li> </ul>
Germany	17% at 30 or higher (1997) The illegal BAC is 50.	<ul style="list-style-type: none"> <li>▪ Alcohol Measure for All Drivers</li> </ul>
Netherlands	7.8% had any alcohol (1998) Illegal BAC is 50. An	<ul style="list-style-type: none"> <li>▪ Alcohol in Driver</li> <li>▪ Alcohol Measure for All Drivers</li> </ul>
Spain	41% had any alcohol. 29% over illegal limit (80) (Jan. and Feb. 1998)	<ul style="list-style-type: none"> <li>▪ Any Alcohol in Driver</li> <li>▪ Any Alcohol in Pedestrian</li> <li>▪ Illegal BAC for Driver</li> <li>▪ Illegal BAC for Pedestrian</li> <li>▪ Alcohol Measure Only for Driver Fatality</li> </ul>
Sweden	3.3% were suspected by police of alcohol involvement (official statistic). 18% had alcohol based on fatally injured drivers autopsied (1998)	<ul style="list-style-type: none"> <li>▪ Police Suspicion</li> <li>▪ Alcohol Measure Only for Driver Fatality</li> </ul>
United Kingdom	10% of motorcyclists; 19% of cars and other motor vehicles at 80 or higher (1998)	<ul style="list-style-type: none"> <li>▪ Illegal BAC for Driver</li> </ul>

## Who Are The Drink Drivers?

More than 9 out of 10 of those convicted are male. Under 21s account for around 10 per cent of convictions. The peak age for becoming a 'high risk offender' is 27; relatively few people become high-risk offenders after the age of 45. Young male manual workers (or unemployed) who drink beer in pubs have been identified as one high-risk group, but so have older professional/managerial men.

Approximately half of convicted drink drivers have blood alcohol levels in excess of 150mg%. Around 12 per cent of convicted drink drivers are convicted of a second offence within ten years.<sup>8</sup>

Drink drive accidents can be caused by drivers of all ages, but the highest rates of drink drive accidents per 100,000 licence holders occur in young men aged up to 34, particularly the age group 20-24.

52% of convicted drink drivers are aged under 33, but the average age of drink drive offenders is higher than that of other serious traffic offenders.<sup>9</sup>

40% of convicted drink drivers have previous convictions for other types of offences, and drink drivers are twice as likely to have a criminal record as a member of the general population of the same age and gender.

A 1990 roadside survey found that 0.3 per cent of 16-19 year olds were over the legal limit compared with 0.8 per cent of 20-24 year olds. The breath test failure rate in 1996 among drivers tested following injury accidents was 3.5 per cent for under 20s and 5 per cent for 20-24 year olds.

Between 1986 and 1995 the average percentage of drivers killed in accidents who were over the legal limit was 14.9 per cent among 16-19 year olds and 28.6 per cent among 20-24 year olds.

These findings suggest that the drink drive problem is greater among those in their early to mid-twenties than among the youngest drivers. However, when the mileage driven is also taken into account it is found that drivers aged 17-19 have 24 drink drive injury accidents per 100 million miles driven, whereas for 20-24 year olds the rate is 16 per 100 million miles. The higher rate among 17-19 year olds presumably reflects the fact that this age group has a higher involvement in accidents of all kinds.

Persons convicted of drinking and driving in England, Wales and Scotland<sup>10</sup>

Year	England & Wales			Scotland (c)			Screening breath tests (England and Wales)
	Male	Female	Total	Male	Female	Total	Thousands
1963	7,373	101	7,474	3,498	38	3,536	
1964	7,931	128	8,059	3,759	29	3,788	
1965	8,732	125	8,857	4,187	26	4,213	
1966	9,432	158	9,590	4,968	35	5,003	
1967	9,887	151	10,038	5,309	54	5,363	
1968(a)	18,173	201	18,374	5,540	57	5,597	51
1969	23,417	304	23,721	6,969	67	7,036	59
1970	25,930	343	26,273	8,333	80	8,413	73
1971	38,207	567	38,774	9,642	139	9,781	97
1972	46,382	716	47,098	10,002	156	10,158	120
1973	54,077	976	55,053	11,379	186	11,565	132
1974	55,033	1,120	56,153	12,012	189	12,201	124
1975	56,757	1,388	58,145	11,435	250	11,685	134
1976	48,651	1,348	49,999	9,420	201	9,621	134
1977	43,966	1,403	45,369	8,460	231	8,691	131
1978	48,023	1,672	49,695	10,171	279	10,450	142
1979	54,352	1,968	56,320	10,594	288	10,882	164
1980	63,828	2,566	66,394	11,516	355	11,871	180
1981	58,285	2,501	60,786	10,202	347	10,549	177
1982	61,099	2,733	63,832	9,432	313	9,745	207
1983(b)	80,651	4,019	84,670	10,397	367	10,764	241
1984	83,150	4,353	87,503	10,404	358	10,762	208
1985	88,281	4,912	93,193	10,411	405	10,816	250
1986	88,885	5,096	93,981	9,882	419	10,301	303
1987	95,588	5,585	101,173	9,497	407	9,904	400
1988	99,308	5,719	105,027	8,782	468	9,252	443
1989	95,245	5,505	100,750	7,395	402	7,797	541
1990	94,035	6,105	100,140	7,251	453	7,704	597
1991	85,748	5,982	91,730	7,000	476	7,476	562
1992	79,344	5,587	84,931	6,691	490	7,182	531
1993	75,198	5,634	80,832	6,224	488	6,712	600
1994	72,172	5,833	78,005	6,047	445	6,492	679
1995	75,174	6,290	81,464	6,170	518	6,688	703
1996	77,768	7,244	85,012	6,651	573	7,226	781
1997	81,346	7,912	89,258	7,020	678	7,698	800
1998	75,084	7,990	83,074	6,070	629	6,699	816
1999	71,637	7,868	79,505	5,761	536	6,297	765
2000	68,762	7,984	76,746	5,399	599	6,003	715
2001	68,185	7,924	76,109	5,459	651	6,115	624
2002	72,444	8,989	81,433	7,151	973	8,125	570
2003	74,243	9,539	83,782	6,589	934	7,523	534
2004 (d)	76,428	10,169	86,597	6,003	966	6,969	578

(a) 1967 Road Safety Act came into force on 9 October 1968.

(b) 1981 Transport Act introduced evidential breath testing from 6 May 1983.

(c) From 1988 the total for Scotland includes a number of cases where the sex was not documented.

(d) Figures for Scotland relate to financial year 2004-05.

**Car drivers in road injury accidents:  
Accidents per licence holder and per mile driven: GB 2007<sup>1</sup>**

	Number					
	Car driver drink drive accidents		Drink drive accidents per 100 thousand licence holders		Drink drive accidents per 100 million miles driven	
	1996	2006	1996 <sup>1</sup>	2006	1996 <sup>1</sup>	2006
Under 17	70	50	–	–	–	–
17 - 19 <sup>2</sup>	930	1,000	64	65	22	24
20 - 24	2,070	1,900	68	63	13	14
25 - 29	1,710	1,340	45	43	7	7
30 - 34	1,330	990	33	29	4	4
35 - 39	990	890	28	22	4	3
40 - 49	1,280	1,180	20	16	2	2
50 - 59	610	580	12	9	2	1
60 or over	340	250	6	3	1	1
All ages <sup>3</sup>	9,450	8,330	29	22	4	3

Sources: National Travel Survey and STATS19

<sup>1</sup> Based on NTS 1995–1997 average

<sup>2</sup> Figures based on a small NTS sample.

<sup>3</sup> Includes age not known.

## Prevalence of Drink Driving

### 1. Tracking Surveys

Surveys tracking the effect of the Government anti-drink drive campaign have found:

In 1979, 51 per cent admitted to drinking and driving on at least one occasion during the previous week. By 1997 this had dropped to 23 per cent. Over the same period, among those who reported six or more drinks on at least one occasion in the previous week, the proportion who admitted to driving afterwards fell from 15 per cent to 4 per cent.

### 2. Roadside Surveys

Roadside surveys conducted in two areas of England in 1988 during the traditional drinking hours of 10pm-3am found alcohol present in 17.3 per cent of drivers, around 5 per cent of them being above 50 mg%, 1.7 per cent being over 80 mg% and 0.2 per cent being more than 160 mg%.

Subsequently in 1990, further roadside surveys were carried out between 7pm and 2am at weekends in 10 areas of England and Wales. In total, around 13,500 drivers were breath tested, 3.2 per cent were found to be over half the legal limit and 1 per cent were over the legal limit.

### 3. England and Wales:

A survey carried out in England and Wales for the Home Office in 2002<sup>11</sup>, found:

- Nearly half (44%) of all drivers in the Omnibus Survey had driven after drinking some amount of alcohol in the previous year. One in eight drivers (12%) had driven after drinking what they believed was an 'over the limit' amount of alcohol in the previous year.
- Young men were the most likely to believe they had driven whilst 'over the limit'. Over one quarter of 16- to 29-year-olds admitted to driving whilst 'over the limit' in the previous year. Frequent drinkers were also more likely to have driven whilst 'over the limit'.
- One in eight (13%) of all respondents (drivers and non-drivers) had been a passenger when they thought the driver was 'over the limit' in the previous year.

#### 4. Driving and Other Drugs

There is a growing problem of drivers and other road users being under the influence of drugs other than alcohol, both medicinal and illicit.

A study of fatally injured drivers, riders, passengers and pedestrians detected at least one medicinal or illicit drug in 24% of the sample. Alcohol was present in 31.5% of the sample, 21.5% being over the present legal limit for driving. Whereas the incidence of alcohol in road accident fatalities had reduced from 35% ten years earlier, the incidence of drugs had increased threefold.

11.7% of the fatal casualties tested positive for a single drug, 6.3% for multiple drug presence.

In males, the majority of drug use was in those aged under 40, in women in those aged 40 and over. This reflected a difference in the type of drug consumed – a higher incidence of illicit drugs being found in males, and medicinal drugs in females. Drug use was highest (38.5%) among fatalities reported as being unemployed, this group having a particularly high incidence of cannabis and multiple drug use<sup>12</sup>

#### Alcohol and Drug Use in Fatal Casualties

Illicit and Medicinal Drugs Only	17.2%
Drugs and Alcohol (over the legal limit)	4.1%
Drugs and Alcohol (under the legal limit)	2.7%
Alcohol Only (over the legal limit)	17.4%
Alcohol Only (under the legal limit)	7.3%
Alcohol Only (under the legal limit)	51.2%

## 5. Drink-Related Deaths And Injuries

Estimated number of drink drive accidents and casualties: GB 1979-2007<sup>1</sup>

Number				
Casualties				
Year	Killed	Serious	Slight	Total
1979	1640	8300	21490	31430
1980	1450	7970	20420	29830
1981	1420	7370	19160	27950
1982	1550	8010	20660	30220
1983	1110	6800	18610	26520
1984	1170	6820	19410	27390
1985	1040	6810	19380	27220
1986	990	6440	19220	26650
1987	900	5900	17670	24470
1988	790	5100	16860	22740
1989	810	4790	16620	22220
1990	760	4090	15550	20400
1991	660	3610	13610	17880
1992	660	3280	12770	16710
1993	540	2660	11780	14980
1994	540	2840	11780	15160
1995	540	3000	12450	16000
1996	580	3010	13450	17040
1997	550	2940	13310	16800
1998	460	2520	12610	15580
1999	460	2470	13980	16910
2000	530	2540	14990	18060
2001	530	2700	15550	18780
2002	550	2790	16760	20100
2003	580	2590	15820	18990
2004	580	2340	14060	16980
2005	550	2090	12760	15400
2006	560	1970	11840	14370
2007 <sup>P</sup>	460	1760	12260	14480

<sup>P</sup> Provisional data. The sample of fatality data from Coroners for 2006 has now been finalised but 2007 estimates are based on a reduced sample of coroners' returns and may be biased. They remain provisional until more complete information for 2007 is available.

Source: STATS19

**Estimated number of fatal casualties in road accidents where at least one of the drivers or riders involved was over the legal limit<sup>13</sup>**

Year	Car drivers	Other road users (including pedestrians)
2000	400	130
2001	400	140
2002	420	130
2003	430	150
2004	430	160

Note: Estimated figures are rounded to the nearest 10 and therefore may not sum to previously published totals. Figures are estimated using data from the police and from coroners' records

**Deaths below the current (80mg%) limit**

The Department of Transport stated in 1998 that drinking by drivers with blood alcohol levels of between 50mg% and 80mg% was a significant but largely hidden cause of accidents. The Department estimated that around 80 road deaths a year were attributable to blood alcohol levels between 50mg% and 80mg%.<sup>14</sup>

On average, there are 200 - 300 road deaths each year associated with blood alcohol levels between 10 - 80mg%.<sup>(2)</sup> An estimate does not appear to have been provided of the number of injuries associated with blood alcohol levels below the present limit.

Blood alcohol concentration information is only available for two-thirds of cases in which a driver was killed. In these cases, the number of road accidents involving at least one driver or rider with a blood alcohol level of a) under 50 ml, b) 50-80 ml or c) over 80 ml is shown below:

**Number of accidents by blood alcohol level 1997 - 2004<sup>15</sup>**

Blood alcohol level	1997	1998	1999	2000	2001	2002	2003	2004
Under 50ml	866	857	881	907	941	892	1051	926
50-80ml	25	28	26	21	25	24	34	26
Over 80ml	193	166	185	212	219	224	251	261

**Blood Alcohol Levels In Fatalities Aged 16 And Over: GB: 2007<sup>1</sup>**

	Cumulative percentage over blood alcohol levels (mg/100ml)						Sample size	Percentage over 80mg/100ml time of accident	
	9	50	80	100	150	200		22:00-03:59	04:00-21:59
Motorcycle riders	21	14	13	11	9	4	447	40	9
Other vehicle drivers	35	28	26	25	19	11	848	53	17
Passengers	39	32	28	24	12	6	238	45	17
Pedestrians	48	41	39	37	32	24	324	74	21
Cyclists	26	18	13	12	10	6	68	50	10

Source: Coroners and Procurators Fiscal

## Drivers killed: percentage over the legal blood alcohol limit: GB 1980-2006<sup>15</sup>

### Cars and other motor vehicles

	16-19	20-29	30-39	40+	All Ages	All drivers and riders
1980	34	43	35	23	32	31
1981	20	45	40	20	31	30
1982	31	50	52	20	36	33
1983	34	42	43	14	31	28
1984	18	39	33	15	26	26
1985	25	40	38	15	28	26
1986	19	36	33	13	25	24
1987	16	32	27	13	22	23
1988	12	30	27	9	20	21
1989	11	24	30	10	18	19
1990	13	22	33	10	18	18
1991	11	29	24	13	20	19
1992	13	26	18	10	17	20
1993	20	28	26	10	20	19
1994	16	31	30	11	22	21
1995	18	28	26	13	21	19
1996	24	38	32	9	23	21
1997	25	23	26	12	19	17
1998	17	25	24	9	17	15
1999	22	31	31	7	20	17
2000	20	32	34	12	22	18
2001	18	35	25	14	22	18
2002	18	31	37	14	19	19
2003	18	33	28	12	19	19
2004	26	31	32	16	25	21
2005	25	33	33	13	24	20
2006	25	33	24	19	25	20

### Who Dies From Drink Driving?<sup>9</sup>

In 1996, 2,840 car drivers and passengers were killed or seriously injured. Of these, 1,280 were drivers over the limit and 360 under the limit. 1,200 were passengers. Of the 580 deaths in drink drive accidents in 1996, 59 per cent were drivers or riders over the limit and 41 per cent were innocent victims. In the 16 - 24 age group, 1090 car drivers and passengers were killed or seriously injured in drink drive accidents. 460 of these were drivers who were over the limit and 70 were under the limit. 560 passengers in this age group were killed or seriously injured.<sup>16</sup>

## Estimated number of casualties in road accidents where at least one of the drivers or riders involved was over the legal limit: GB 2007<sup>1</sup>

	Number					
	Car driver drink drive accidents		Drink drive accidents per 100 thousand licence holders		Drink drive accidents per 100 million miles driven	
	1996	2006	1996 <sup>1</sup>	2006	1996 <sup>1</sup>	2006
Under 17	70	50	–	–	–	–
17 - 19 <sup>2</sup>	930	1,000	64	65	22	24
20 - 24	2,070	1,900	68	63	13	14
25 - 29	1,710	1,340	45	43	7	7
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40 - 49	1,280	1,180	20	16	2	2
50 - 59	610	580	12	9	2	1
60 or over	340	250	6	3	1	1
All ages <sup>3</sup>	9,450	8,330	29	22	4	3

Sources: National Travel Survey and STATS19

<sup>1</sup> Based on NTS 1995–1997 average

<sup>2</sup> Figures based on a small NTS sample.

<sup>3</sup> Includes age not known.

### When Does It Occur?

During the hours of 10pm to 4am, about half of drivers and riders killed are above the legal limit. During Friday and Saturday nights this proportion rises to 60 percent. The number of drink drive accidents is highest in July and August, followed by over the Christmas and New Year period. At weekends during these periods, the proportion is 60 per cent.

### Counter Measures

- **Anti Drink-Drive Publicity Campaigns**

The first Government anti-drink drive campaign was launched in 1967 and was an attempt to promote the introduction of breath-testing. Campaigns then ended until 1975 because of lack of funding.

Department of Transport officials believe that recent advertising campaigns have been effective in reducing casualties. They point to a large drop in 1987 when the slant of the slogans and advertising shifted from warnings about getting caught to an emphasis on the fact that drivers who drink endanger lives - the “Drinking and Driving Wrecks Lives” slogan. Since then there have been variations on the same theme, including in 1992 a television advert that could only be broadcast after the 9pm watershed, showing a girl lying on the pavement covered with blood.

The campaigns are targeted primarily at young men in their late twenties who are over-represented in accidents, particularly at Christmas.

The publicity campaign is believed to have been effective. However, it is difficult to isolate the effect of publicity from the other measures introduced over the same period such as tougher laws and higher levels of enforcement.

- **Breath Tests**

The number of breath tests has increased greatly during the 1980s but dropped again from 1999/2000. As amended by the Transport Act 1981, Section 7 of the Road Traffic Act 1972 empowers a Constable in uniform who has reasonable cause to suspect that a person driving a motor vehicle on a road,

- has alcohol in his body
- has committed a moving traffic offence, or
- has been involved in an accident

to require that person to provide a specimen of breath for testing.

The police (Association of Chief Police Officers) have asked for a general power to require drivers to undertake a breath test.

**Roadside screening breath tests by outcome in England and Wales  
1984-2003 (Numbers In Thousands)<sup>17</sup>**

	<b>Number Required</b>	<b>Of Which: Positive/Refused</b>	<b>%</b>	<b>Convictions (thousands)</b>
1984	208	88	42	101
1985	250	96	38	107
1986	303	98	32	107
1987	400	111	28	115
1988	443	112	25	119
1989	541	108	20	114
1990	597	102	17	113
1991	562	90	16	104
1992	531	88	17	95
1993	600	89	15	91
1994	679	93	14	90
1995	703	94	13	92
1996	781	101	13	95
1997	800	104	13	100
1998	815	102	13	93
1999	764	94	12	89
2000	715	95	13	86
2001	624	100	16	85
2002	570	104	18	91
2003	534	106	20	94
2004*	578	103	18	

\* Additional data taken from Road Casualties in Great Britain 2005 – Dept. of Transport

- **Penalties**

The penalties for driving with excess alcohol are a fine, and a statutory minimum period of disqualification of 12 months. The size of the fines and the maximum length of period of disqualification depend on the seriousness of the offence, mainly the amount by which the driver is over the legal limit. The normal fine for a basic drink drive offence is between £400 and £450.

The Road Traffic Act 1991 introduced a new offence of causing death by careless driving when under the influence of drink or drugs with a maximum of 5 years imprisonment, later increased to 10 years, and then to 14 years in 2004. The Road Safety Act 2006 contains provision for serious, including repeat, drink-drive offenders to be made to retake the driving test at the end of their period of disqualification. It also makes provision for the courts, when imposing disqualification as a penalty, to order a reduced period of disqualification if it also makes an order requiring the offender to comply with the conditions of an alcohol ignition interlock programme.

- **Disqualifications**

In 1994, 60 per cent of disqualifications for driving were against people who had consumed alcohol or taken drugs. The proportion disqualified for more than one year for this offence has increased from 45 per cent in 1984 to 59 per cent in 1995.

- **Non-Legal Penalties**

Many insurance companies are reviewing their treatment of policy holders who are convicted for drink driving. One company will not insure anybody who has had a drink drive conviction within the last five years if they were previously with another insurance company. They also operate a stepped loading system that depends on the amount the motorist is over the limit - for most people, the equivalent of being one drink over the limit means that fifty per cent will be added onto premiums. One insurance company recently decided to stop insuring motorists with any drink drive convictions in the last seven years. Another will reinsure anyone insured

with them prior to the conviction, but also operates the same two-tier system as above. This could mean a premium increase of between 80 and 150 per cent after conviction.

- **High Risk Offenders**

Also introduced in 1991 was the 'High Risk Offender' (HRO) scheme. This is intended to manage convicted drink-drivers who may have a drinking problem. After their period of disqualification, high risk offenders' licences are returned only if they can convince the court that they do not have or have overcome a drink problem. High Risk Offenders are drivers who:

- Have been found to be over 2 1/2 times the legal limit
- Have two convictions for drink driving at any blood alcohol level within a ten year period
- Have refused to provide a sample

Each year, between 30,000 - 40,000 offenders are classed as HROs.

- **Experimental Educational Programmes**

In 1993, an experimental scheme was set up by the Department of Transport to provide education/ rehabilitation courses for drink drive offenders in 22 areas of Great Britain. The courses, aimed primarily at first-time offenders, are voluntary and offenders have to pay the cost themselves, the maximum cost being set at £200. Offenders who complete the course are entitled to a 25 per cent reduction in their period of disqualification. This feature of the experimental courses was criticised by some road safety groups, motoring organisations and others for, in effect, allowing offenders in some parts of the country to buy a reduction in their sentence.

Independently of this experimental scheme, educational courses for drink drive offenders have been running for some years in various parts of Britain, often provided by Probation Departments and as a condition of a probation order.

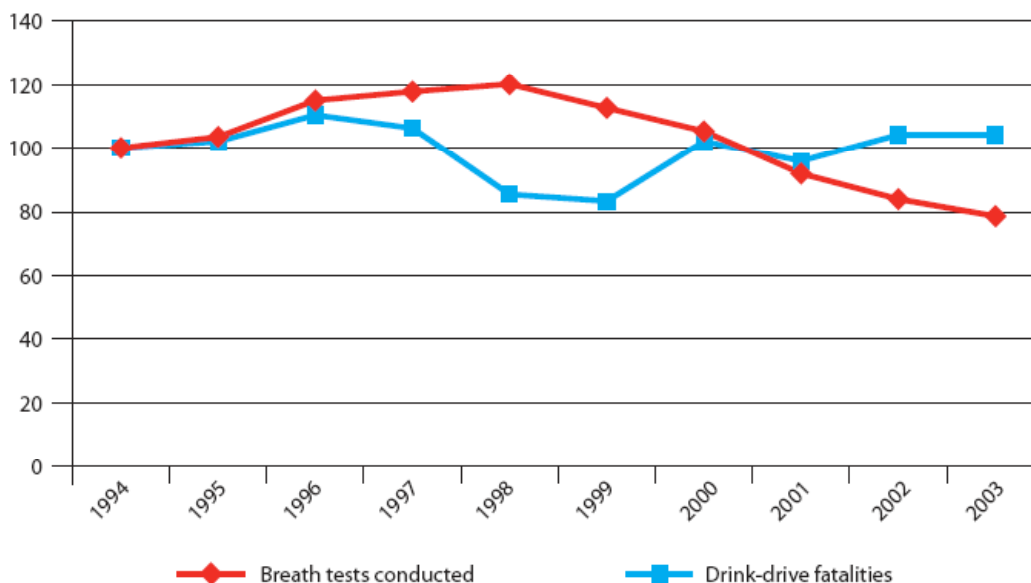
### **Further Measures To Reduce Casualties**

#### **A General Power to Breathalyse –**

The Police have asked for restrictions on their powers to breath test drivers to be removed. This would help them to use their powers more effectively both as a deterrent and also to target drinking drivers who remain undeterred. There is ample evidence that high profile police breath testing of drivers cuts casualty rates.<sup>10</sup> The White Paper on road safety published in March 2000 suggests that the Government may be prepared to increase police breath testing powers.<sup>18</sup> The Government's latest review of its road safety strategy again raises the possibility of introducing what it calls 'random breath testing'.<sup>19</sup> There is a clear inverse relationship between the number of breath tests carried out and the number of drink drive casualties.

## Number of breath tests carried out and number of drink-drive fatalities

Index 1994 : 100<sup>19</sup>



### A Lower Legal Limit

An argument frequently employed by the alcohol industry against lowering the limit is that such a step would not affect casualties as road deaths tend to be caused primarily by drivers with very high blood alcohol levels who would ignore a lower limit just as they ignore the present one. In fact, about the same number of people die in accidents associated with alcohol levels below the present limit as with very high levels.

The Department of Transport estimates that reducing the legal limit to 50mg% could save 50 lives and prevent up to 1500 injuries each year. However, this is a conservative estimate as it is calculated purely on the basis of the proportions of the injuries and fatalities caused by blood alcohol levels of between 50mg% and 80mg%. It therefore makes no allowance for the possibility that reducing the limit would also reduce the numbers of drivers at all blood alcohol levels including those with very high levels. This appears to have been the experience of the United States.

In Europe, reducing the limit to 50mg% in France (in 1995) is reported to have reduced fatalities by 4 per cent. In Belgium, where the limit was reduced to 50mg% in 1994, there was a 10 per cent decrease in fatalities in 1995 and a further reduction of 11 percent in 1996.<sup>9</sup> The experiences of Sweden and Japan suggest that lowering the limit still has beneficial consequences even where the limit is low to begin with.<sup>20</sup>

The White Paper on road safety indicated that the Government had reneged on its promise to lower the limit.<sup>14</sup> This was confirmed by a statement on 20 March 2002 by Transport Minister, David Jamieson. The Second Review of the Government's Road Safety Strategy, published in 2007<sup>19</sup>, stated:

"During this review, many stakeholders have advocated reducing the UK's blood alcohol limit from 80mg to 50mg. But the limit cannot be considered in isolation. The UK has stringent penalties for drink driving, and has better enforcement than many countries that have lower limits. We will keep under review the case for a reduction in the blood alcohol limit. But our first priority is to improve the enforcement of the current limit, building on the recent achievements of the police. We are confident that this has the potential to deliver a substantial further reduction in deaths and serious injuries, so continuing the good progress of recent years. And it is right that we should first ensure effective enforcement of the existing limit, so as to tackle those who are the most seriously impaired."

However, in June 2007, Road Safety Minister Steven Ladyman said that the government was in favour of moving to a 50mg limit, but that it first wanted to see evidence that it would be properly enforced by the Police. Speaking at a seminar in London, Mr Ladyman said that later in 2007 the government would publish a consultation paper to gauge public opinion.<sup>21</sup>

Mr Ladyman said that, based on the evidence available, the government believed there was a case for reducing the permitted blood alcohol concentration from 0.8g/l to zero (or 0.2g/l, which in practice is effectively zero) for novice drivers.<sup>21</sup> If the Department introduced a lower permitted blood alcohol concentration for novice drivers it would be assiduous in countering any impression that it was acceptable for more experienced drivers to drive under the influence of alcohol.

**Institute of Alcohol Studies**

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