

A photograph showing a set of black car keys with a silver ring and a glass of amber-colored whisky on a wooden surface. The keys are on the left, and the glass is on the right, partially filled with whisky. The background is a light-colored wooden table.

Drink Driving

Background

England, Wales and Northern Ireland have the highest legal blood alcohol limit in Europe at 0.08% (80mg/100ml) with Scotland reducing it's legal limit to 0.05% (50mg/100ml) in 2014. The UK's BAC limit is an outlier both in Europe and globally, being 60% and 33% higher than the respective averages of each region. There have been calls from health bodies, alcohol charities and road safety organisations to lower the legal limit that was set in Road Safety Act 1967. The implementation of the act, along with high-profile campaigns have been successful in bringing down drink driving deaths from 1,640 in 1979 when records began to 260 in 2021. However, progress since 1989 has stagnated, with the number of road deaths occurring in collisions where at least one driver or rider was over the drink-drive limit fluctuating between 12-17% since 1989¹, standing at 17% as of 2021.

Current Government policy

Drink-drive limits are a devolved policy area across the UK:

- In England, Wales, and Northern Ireland the legal blood alcohol limit is 80mg/100ml.
- In Scotland, the legal limit was reduced in 2014 from 80mg/100ml to 50mg/ml.
- Drivers face being imprisoned, banned from driving, and a fine if found guilty of drink-driving.
- This could include 3 months imprisonment, up to a £2,500 fine, and/or a driving ban.

The Police, Crime and Sentencing Bill 2021² changed the law as outlined below:

- The Bill increased the maximum penalty for causing death by dangerous driving from 14 years' imprisonment to life imprisonment.
- Also increasing the maximum penalty for causing death by careless driving when under the influence of drink or drugs from 14 years' imprisonment to life imprisonment.
- And created a new offence - causing serious injury by careless driving, carrying a maximum penalty of 2 years' imprisonment.

¹A021 DfT statistics on drink-drive collisions and casualties: <https://www.roadsafe.com/2021dftstatisticsondrinkdrivecollisionsandcasualties#:~:text=Estimates%20for%202021%20show%20that,over%20the%20drink%20drive%20limit.>

²Road traffic offences: Police, Crime, Sentencing and Courts Bill 2021 factsheet: <https://www.gov.uk/government/publications/police-crime-sentencing-and-courts-bill-2021-factsheets/police-crime-sentencing-and-courts-bill-2021-road-traffic-offences-factsheet#what-are-we-going-to-do>

IAM RoadSmart Research:

- IAM RoadSmart's 2022 driving safety culture report shows other drivers checking or updating social media, text messaging or emailing and driving after drinking alcohol or using illegal drugs are considered the most serious threats to their own safety.
- 13% of drivers polled in the Safety Culture Report felt it was personally acceptable for a driver to drive even when they think they may have had too much to drink.
- Drink and drug driving remains the most preferred priority for police action against bad driving behaviour with 60% ranking this first of the six areas tested.
- 88% support a law requiring all drivers who have been convicted of drink driving to use a device (commonly known as an alco-lock) that won't let their car start if they have been drinking, even if it's their first time of being convicted.

External Research

Department for Transport³, Reported drinking and driving, 2023:

- In 2021, there were 240 fatalities where at least one of the drivers involved was over the legal limit (80mg/100ml in England & Wales, 50mg/100ml in Scotland, NI varies depending on licence stage).
- This is the highest number of fatalities since 2009 but significantly lower than the 1,350 killed in 1979.
- Overall, there were 4,600 collisions of all severities involving alcohol in 2021.
- Separate police data shows the proportion of breathalyser tests coming back positive has increased from 3% in 2011 to 6% in 2021

National Institute of Health and Care Research⁴, A lower drink-drive limit in Scotland is not linked to reduced road traffic accidents as expected, 2019:

- There was a reduction in the alcohol bought in pubs and restaurants after the legislation of 0.7% but no reduction in road traffic accidents, stating, "The findings suggest that changes to the legal limit alone may not be sufficient to reduce drink driving. Changes may need to be supported by more intensive efforts to raise awareness of the limits and enforce them, and strategies to target those not complying."
- Reductions in the limit have been found to lower alcohol related road traffic accidents in France, Australia and Austria.

RAC Foundation⁵, Saving Lives by Lowering the Legal Drink-Drive Limit, 2015:

- The RAC Foundation concluded that lowering the BAC limit from 80 to 50mg/100ml at the beginning of 2010 would, over the four years 2010–13, each year have saved about 25 lives and saved about 95 people from being seriously injured.

RAC⁶, Report on Motoring, 2017:

- The report found there is broad public for reducing the legal drink-drive limit.
- Six in 10 (59%) supported a reduction in England and Wales.
- Of those, 38% said they would like to see the drink-drive limit reduced to 50mg across the whole of the UK
- 21% would prefer it to go lower still to 20mg.
- In 2023⁷, The number of people who admit to driving while over the drink-drive limit remains at 7% (same as 2022), down on the 19% reported in 2019.

³<https://www.gov.uk/government/statistical-data-sets/reported-drinking-and-driving-ras51>

⁴<https://evidence.nihr.ac.uk/alert/a-lower-drink-drive-limit-in-scotland-is-not-linked-to-reduced-road-traffic-accidents-as-expected/>

⁵https://www.racfoundation.org/wp-content/uploads/2017/11/saving_lives_by_lowering_legal_drink_drive_limit_Allsop_December_2015.pdf

⁶<https://www.fleetnews.co.uk/news/company-car-tax-and-legislation/2017/10/09/rac-backs-call-for-a-drop-in-the-drink-drive-limit>

⁷https://assets.contentstack.io/v3/assets/bltf298597f74081431/bltdfa948adedf61d1c/65631b46867c0b6b7c3891be/CDRSD-89_ROM_Report_2023_FINAL.pdf

AA⁸, Drivers risking festive nightmare as many admit they would drive the morning after drinking, 2022:

- An AA poll conducted at Christmas revealed almost four in ten (38%) would not let being drunk the night before change their plan to drive.

PACTS & TRL⁹, Drink Driving – Taking Stock, Moving Forward 2015:

- Those taking drink-drive rehabilitation course in the UK are 2.6 times less likely to reoffend.
- Attendance of the course was effective at reducing the reoffending rate of men, younger offenders and those with a previous motoring conviction in particular.

PACTS¹⁰, Locking Out The Drink Driver: Using alcohol interlocks to reduce drink driving in the UK, 2021:

- Study found alcohol interlocks reduce reoffending by around 60-75% when fitted.

IAM RoadSmart calls to action:

- IAM RoadSmart supports **reducing the drink-drive limit** to 0.05% 50mg/100ml as a consistent limit across the UK and urges the UK Government to follow Scotland.
- We support an **effective zero alcohol limit for new drivers** in the first year after passing their test.
- All drivers and riders **convicted of drink driving should be automatically sent on a drink drive rehabilitation course** to reduce reoffending, with an option to opt out.
- We would support **increased frequency of random roadside breathalyser testing**, particularly at night on arterial routes in towns and cities between 10pm and 2am.
- **Police forces and road traffic officers need increased funding and powers** to tackle drink driving effectively.
- We welcome the removal of the blood test option in some circumstances, but the **government must bring forward proposals to allow evidential breath testing** at the roadside to save time and free up police resources.
- We support **education and campaigns** from Think! highlighting the dangers of driving the morning after drinking throughout the year.
- Implement **mandatory breathalyser testing for those involved in crashes** where possible, increasing the figure from half of those involved.
- **Legal clarification of terms** such as 'random testing' and 'suspicion of drink driving' are needed to demythologise drink driving enforcement, providing the police clarity for action
- **Increasing alcohol and drug treatment service capacity** and capability to prevent re-offence.
- **Alcolocks** should be considered for serious offenders and re-offenders alongside a drink drive rehabilitation course.

⁸<https://www.theaa.com/about-us/newsroom/drink-driving-2022>

⁹<https://www.pacts.org.uk/wp-content/uploads/PACTS-Drink-Driving-Taking-stock-moving-forward-Report-6.0.pdf>

¹⁰<https://www.pacts.org.uk/locking-out-the-drink-driver-using-alcohol-interlocks-to-reduce-drink-driving-in-the-uk/>

COMMENT

IAM RoadSmart Director of Policy and Standards, Nicholas Lyes, said:

"The number of people killed on our roads where at least one driver was over the limit has remained stubbornly high for over a decade. Cutting the drink-drive limit would be a positive step forward in reducing road casualties but we also need to see an increased emphasis on re-training and addiction treatment.

Greater resources need to be provided to our police forces and health sector to support the detection and treatment of problem drink-drivers.

An expansion in drink-drive rehabilitation courses should also be a priority with strong evidence suggesting those who take them in the UK are two-and-a-half times less likely to reoffend."