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## Summary:

- We, the undersigned organisations **strongly support the proposal to reduce permitted blood alcohol concentration (BAC)** when driving from 80mg/100ml to 50 mg / 100ml on the grounds of the estimated reduction in road casualties which would ensue.
- This reduction would **bring us into line with most of the rest of Europe**
- Public awareness campaigns calling for no alcohol consumption before driving are crucial
- We would further support a reduction of the permitted BAC to an **'effective zero' of 20 mg / 100ml** as drivers with a BAC of between 20 and 50 mg / 100ml are at a higher risk of causing, or suffering, road death than those who have consumed no alcohol.
- In advocating a further cut to 20mg, we note that the Scottish Government already wishes to pursue that limit for younger drivers
- We would broadly support the availability of **random testing for drink and drug driving** as an enforcement and monitoring measure
- Placing these reforms in their wider context, the civil liability framework should be reformed so that the burden of proof falls upon the driver to prove that they were not at fault in the event of a collision with a vulnerable road user, as is the case in most other European countries.

## Blood alcohol concentration and risk:

The evidence quoted by the North Report is clear:

*'drivers with a BAC of between 20 mg / 100 ml and 50 mg / 100 ml have at least a three times greater risk of dying in a vehicle crash than those drivers who have no alcohol in their blood. This risk increases to at least six times with a BAC between 50 mg / 100 ml and 80 mg/100 ml, and to 11 times with a BAC between 80 mg / 100 ml and 100 mg / 100 ml'* (p6).

This clearly suggests that *'Alcohol at any level impairs driving. So don't-drink-and-drive is the right message.'*

We note that this message, put across by many successful public campaigns, is set against widespread public ignorance, as demonstrated in research by Brake and other organisations, over the relationship between units of alcohol, typical measures served and drink-drive limits. A reduction to 50 mg / 100ml will be beneficial, but to cement these benefits, it should be accompanied by efforts to ensure improved comprehension of how any amount of alcohol increases risk behind the wheel, and the length of time that it typically takes the body to rid itself of alcohol.

Further to this emphasis on public understanding, we would argue that setting a limit at an 'effective zero' of 20 mg / 100 ml would cement the 'don't drink and drive' message. We believe that there would be public support for addressing the discrepancy between the public awareness campaign messages ('don't drink and drive') and the legal drink driving limit.

We note Scottish Government's desire to introduce a graduated approach with lower limits for young drivers. We would encourage exploration of the evidence in countries where this system is

used, for example Spain, as to the impact of graduated approach for drivers of different ages or levels of experience.

## **Enforcement:**

We support the emphasis placed on awareness and enforcement by a 2010 National Institute for Clinical Excellence report, which notes that:

*'the effect of lowering the BAC limit (in terms of scale and sustainability) is likely to be dependent on increasing the public's awareness and understanding of BAC limits and rigour of enforcement strategies. Currently, the actual – and perceived – risk of being detected and sanctioned for drink-driving (in the context of the BAC 0.08 limit) is low, and therefore does not act as a sufficiently strong deterrent'.*

We note the evidence presented in the North Report in England on the positive safety impact of random and selective breath testing, and would broadly support the availability of random testing for drink and drug driving as an enforcement and monitoring measure, provided that this was conducted with sufficient and transparent regard to civil liberties, due process

If you require further information, please don't hesitate to contact us.

Yours sincerely,

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Julie Townsend, Deputy Chief Executive, Brake, the road safety charity  
Ian Aitken, Chief Executive, Cycling Scotland  
Chris Oliver, Chair, CTC Scotland  
Ian Findlay, Chief Officer, Paths for All  
Helen Todd, Campaigns & Policy Manager, Ramblers Scotland  
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Cycling Scotland

