Drink Driving Reforms Fact Sheet – 10/09/2021

### When did the drink driving reforms commence?

The drink driving reforms came into effect on Friday 10 September 2021.

### What are the drink driving reforms?

The drink driving reforms incorporate two key elements:

* a significant overhaul and expansion of the existing Alcohol Ignition Interlock Program, and
* the introduction of education programs designed to change driver behaviour and separate drinking and driving.

**What is the** **Alcohol Ignition Interlock Program?**

The Alcohol Ignition Interlock Program applies to drivers who are convicted of high-risk drink driving offences. The interlock program aims to help drink drivers separate drinking and driving when they get their licence back.

### How has the Alcohol Ignition Interlock Program changed?

Prior to 10 September, the Alcohol Ignition Interlock Program (Interlock Program):

* applied to repeat offenders and high-risk drink drivers, including those with a high-range blood/breath alcohol concentration (BAC) of 0.15 and above;
* was time based (12 months); and
* had a sit-out period of 2 years.

From 10 September, the Interlock Program:

* has expanded to include mid-range drink drivers (BAC 0.10-0.149);
* is now performance based, meaning if a driver fails any of the interlock breath samples or breaches other conditions, such as getting regular interlock services and not tampering with the interlock, their time in the Interlock Program will be extended; and
* has a sit-out period of 5 years.

### Who does the Interlock Program apply to?

The interlock program applies to anyone who commits and is convicted of any of the following offences:

* driving under the influence of alcohol
* drink driving with a blood/breath alcohol concentration (BAC) of 0.10 or more
* failing to provide a blood/breath specimen for analysis
* dangerous driving while affected by alcohol
* 2 or more drink driving offences (regardless of BAC) within 5 years.

### Is the Interlock Program mandatory?

No. Eligible convicted drink drivers can choose not to enter the Interlock Program. However, they will have to adhere to the sit-out period, which means they cannot drive for 5 years.

### Are there any exemptions to the Interlock Program?

Exemptions can only be granted if a person meets strict eligibility criteria, which are stipulated in the legislation. An exemption **will not** be granted if a person is unable to install an interlock for employment, educational or financial reasons.

Eligible convicted drink drivers who are granted a restricted (work) licence by the courts are not exempt and will have to fit an interlock to any vehicle they drive, including work vehicles.

### Who pays for the Interlock Program?

The participants are responsible for all costs associated with undertaking the Interlock Program. This is estimated to be, on average, $3000 per vehicle for the first 12 months. These costs include:

* installing an interlock in their vehicle(s);
* required periodic servicing of the interlock and
* relicensing fees, including applying for an interlock condition on their licence.

### What is an interlock?

An interlock is a device connected to a vehicle's ignition system that requires a breath sample to start the vehicle. The vehicle will only start if no alcohol is detected.

### Couldn’t drivers get someone else to blow in the interlock?

Under the new program, all interlocks will be fitted with a camera which will take a reference photo at the start of the program and each time a breath sample is provided. These photos can be reviewed to ensure the driver provided the breath sample and is complying with the zero BAC requirement. It is an offence for someone else to blow into the interlock device for the interlock participant.

### What are the education programs?

There are two education programs being introduced as part of the reforms.

* **Plan.Drive.Survive.** *Foundations* course applies to all drivers who commit and are convicted of a drink driving offence (from 10 September onwards). Drivers who don't complete the course will not be able to apply for their licence for 5 years.
* **Plan.Drive.Survive.** *Comprehensive* course applies to any drivers who commit and are convicted of two or more drink driving offences from 10 September onwards. These repeat offenders will need to undertake this multi-session course in order to complete the Alcohol Ignition Interlock Program.

### STATISTICS AND RATIONALE:

### Why are these reforms needed?

Drink driving is one of the fatal five behaviours. It accounts for more than a fifth of all lives lost on Queensland roads. The consequences of drink driving worsened considerably in 2020.

### How many lives were lost as a result of drink driving crashes in 2020?

62 people died on Queensland roads because of drink drivers in 2020 compared with 46 in 2019. That's 16 more lives lost – an increase of 35 per cent.

A further 783 people were seriously injured and hospitalised as a result of crashes involving drink drivers compared with 633 people the year before.

That's in a year when there was significantly less traffic on the roads due to COVID shutdowns.

### Why are mid-range drink drivers being added to the Alcohol Ignition Interlock Program?

Research has shown that the risk of crashing increases significantly and exponentially when drivers have a blood/breath alcohol concentration (BAC) of 0.10 and higher.

A driver with a BAC of 0.10 is five times more likely to crash than a driver who hasn't had any alcohol. By 0.12 the risk is 9 times greater, by 0.14 it's 16 times greater and by 0.15 the driver is 22 times more likely to crash.1

Data shows that drink drivers in the mid-range (BAC 0.10-0.149) account for a quarter of all drink driving offences in Queensland. Together with high-range drink drivers (BAC 0.15 and above) they represent more than half of all drink driving offences in Queensland (56 per cent of offences in 20202, up from 52 per cent in 2019).

### What's the rationale for the education courses?

Research has shown that education programs reduce the rate of re-offending.3 By introducing a mandatory course for all drivers convicted of a drink driving offence, these drivers can be provided with knowledge and tools to separate drinking from driving in the future.

Repeat offenders present a particular challenge as their behaviour is often ingrained. However, there is evidence that intervention programs for drink drivers, such as the multi-session, face-to-face *Comprehensive* course, can reduce recidivism.4

The course is run in conjunction with the Interlock Program to reinforce behavioural changes and help participants separate drinking from driving after the interlock has been removed.

#### Research references:

1. Compton et al. 2002 - 'Crash Risk of Alcohol Impaired Driving'

2. There were 15,342 drink driving offences detected in 2020. This incorporates:

* 6,766 low-range offences (BAC = 0.01-0.99, including those exceeding their No Alcohol Limit)
* 4,101 medium-range offences (BAC = 0.10-0.149)
* 4,475 high-range/high-risk offences (BAC ≥0.15 and those who did not provide a breath or blood specimen)

3. Sommers et al. 2013; Davis et al. 2012; WHO 2009

* Sommers, M. S., Lyons, M. S., Fargo, J. D., Sommers, B. D., McDonald, C. C., Shope, J. T., & Fleming, M. F. (2013), ‘Emergency department–based brief intervention to reduce risky driving and hazardous/harmful drinking in young adults: a randomized controlled trial’ Alcoholism: Clinical and Experimental Research, 37(10), 1753-1762.
* Davis, H. T., Beaton, S. J., Worley, A. V., Parsons, W., & Gunter, M. J. (2012), ‘The effectiveness of screening and brief intervention on reducing driving while intoxicated citations’, Population Health Management, 15(1), 52-57.
* World Health Organization (2009), Evidence for the effectiveness and cost-effectiveness of interventions to reduce alcohol-related harm.

4. Beirness D, Beazley E. Review of Assessment and Treatment Programs for Drivers Impaired by Alcohol or Other Drugs, Internal report prepared for the Canadian Council of Motor Transport Administrators. Ottowa; 2016.