

Rt Hon Chris Grayling MP  
Secretary of State for Transport  
Department for Transport  
Great Minster House  
33 Horseferry Road  
London  
SW1P 4DR

23 March 2017

Dear Mr Grayling

### **Lowering the Drink Drive Limit**

I am writing to formally express my concerns with regards to the current drink drive limit in England and Wales, in addition to the concerns already raised by the Local Government Association (LGA) and fire and rescue authorities. Your department, working with Central Government and Parliament could influence changes and improvements.

A cursory glance at Appendix I highlights how out of kilter our drink drive limit is with European standards. With Malta announcing their intention to cut the drink drive limit by a third, we will soon have the highest drink drive threshold in Europe.

I understand that the current position of the Department for Transport is that enforcement and severe penalties for drink driving are more effective than changing the drink drive limit. I appreciate that a proportion of 'high risk' offenders will always flout the law. However, when lowering the limit and ensuring rigorous enforcement would seemingly provide the strongest deterrent, I question the 'either/or' approach.

From speaking with local residents throughout my time as Police & Crime Commissioner, it is clear that under the current drink drive limit, nobody conclusively understands how much alcohol they can safely and legally consume before getting behind the wheel.

We know that any blood alcohol level impairs driving. A lower alcohol limit, where one drink could push motorists above the threshold and cost them their licence, would more effectively deter motorists from drinking at all before getting behind the wheel.

### **Scotland**

In December 2014, legislative change in Scotland saw the legal alcohol limit reduced from 80mg to 50mg in every 100ml of blood, bringing the Scottish threshold in line with the rest of Europe.

Since lowering the legal limit, the number of drink driving offences has fallen. Figures show that offending in the nine months after December 2014 fell by 12.5% compared with the same period

the previous year<sup>1</sup>. Meanwhile, the total annual number of convictions for alcohol-related motoring offences in England and Wales in 2015 was up on the previous year (+4%)<sup>2</sup>.

More importantly, attitudes appear to have shifted. In a drink drive survey carried out by Dorset Police, only 74% of local respondents said they would not have a drink before driving, compared to 82% of Scots who believe that drinking any alcohol before driving is unacceptable.

Of the Dorset residents that completed the survey, 23% said they would have one drink before driving and almost 3% admitted they would have two or more drinks. Under the current rules in England & Wales, a 'safe' amount to drink and drive is open to significant interpretation.

Lowering the drink drive limit would provide our motorists with the clarity that their Scottish counterparts benefit from: the safest option is not to drink any alcohol if you plan to drive.

### **Carrying breathalysers**

The way alcohol affects individuals depends on:

- weight, age, sex and metabolism
- the type and amount of alcohol consumed
- consumption of food
- stress levels

With numerous variables and a generous drink drive threshold, we are in a position whereby we rely on motorists in England and Wales to make a good judgement call before getting behind the wheel. This is not an infallible method and too many motorists who consume alcohol take decisions to 'risk it' with a misplaced confidence.

In France, motorists are required to carry breathalyser kits so that they can test themselves. Every time drivers get into their vehicle, they are provided with a physical reminder of their personal responsibility to check that they are fit to drive.

Has the Department for Transport conducted any research into the efficacy of self-breathalysing?

It is the responsibility of the Department for Transport to maintain high standards of safety in transport. In order to achieve these objectives, legislative change must be considered to give motorists improved guidance.

### **Opportunities for improvement**

Our roads are among the safest in Europe, but that does not mean that we should pass up on opportunities to make them even safer.

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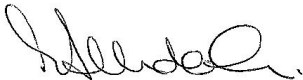
<sup>1</sup> BBC News Scotland (December 2015), 'Drink-drive numbers fall after Scottish limit reduced'  
<http://www.bbc.co.uk/news/uk-scotland-34999421>

<sup>2</sup> Institute for Alcohol Studies, Drink-driving, pp.6. <http://www.ias.org.uk/uploads/pdf/Factsheets/FS%20drink-driving%20082016.pdf>

The Department for Transport has not achieved any consistent reduction in drink drive related deaths since 2010. Numbers continue to fluctuate between 220 and 240 each year. In 2016 in Dorset alone, there were 51 road traffic collisions where the driver of the vehicle was impaired by alcohol. This is concerning and should not be met with complacency.

As the elected Police & Crime Commissioner for Dorset, I will continue to fulfil my pledge to lobby the Government to recognise and remedy this inconsistency by lowering the drink drive limit to the same levels seen in Scotland and Europe. It is time that we join our European counterparts in sending a clear message to motorists that the only safe amount to drink and drive is none.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Martyn Underhill', written in a cursive style.

Martyn Underhill  
Dorset Police & Crime Commissioner

## **Appendix I**

At present, the blood alcohol content limits (grams per litre) across Europe are as follows<sup>3</sup>:

	<b>Standard</b>	<b>Commercial drivers</b>	<b>Novice drivers</b>
England & Wales	0.8	0.8	0.8
Malta	0.8	0.8	0.8
Austria	0.5	0.1	0.1
Belgium	0.5	0.2	0.2
Bulgaria	0.5	0.5	0.5
Croatia	0.5	0.0	0.0
Denmark	0.5	0.5	0.5
Finland	0.5	0.5	0.5
France	0.5	0.5	0.2
Germany	0.5	0.0	0.0
Greece	0.5	0.2	0.2
Ireland	0.5	0.2	0.2
Italy	0.5	0.0	0.0
Latvia	0.5	0.5	0.2
Luxembourg	0.5	0.2	0.2
Netherlands	0.5	0.5	0.2
Portugal	0.5	0.2	0.2
Scotland	0.5	0.5	0.5
Slovenia	0.5	0.0	0.0
Spain	0.5	0.3	0.3
Switzerland	0.5	0.1	0.1
Lithuania	0.4	0.0	0.0
Cyprus	0.2	0.2	0.2
Estonia	0.2	0.2	0.2
Poland	0.2	0.2	0.2
Sweden	0.2	0.2	0.2
Czech Republic	0.0	0.0	0.0
Hungary	0.0	0.0	0.0
Romania	0.0	0.0	0.0
Slovakia	0.0	0.0	0.0

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<sup>3</sup> "Blood Alcohol Content (BAC) Drink Driving Limits Across Europe | ETSC". Etscc.eu. N.p., 2017. Web.