

# Impaired Driving in Saskatchewan:

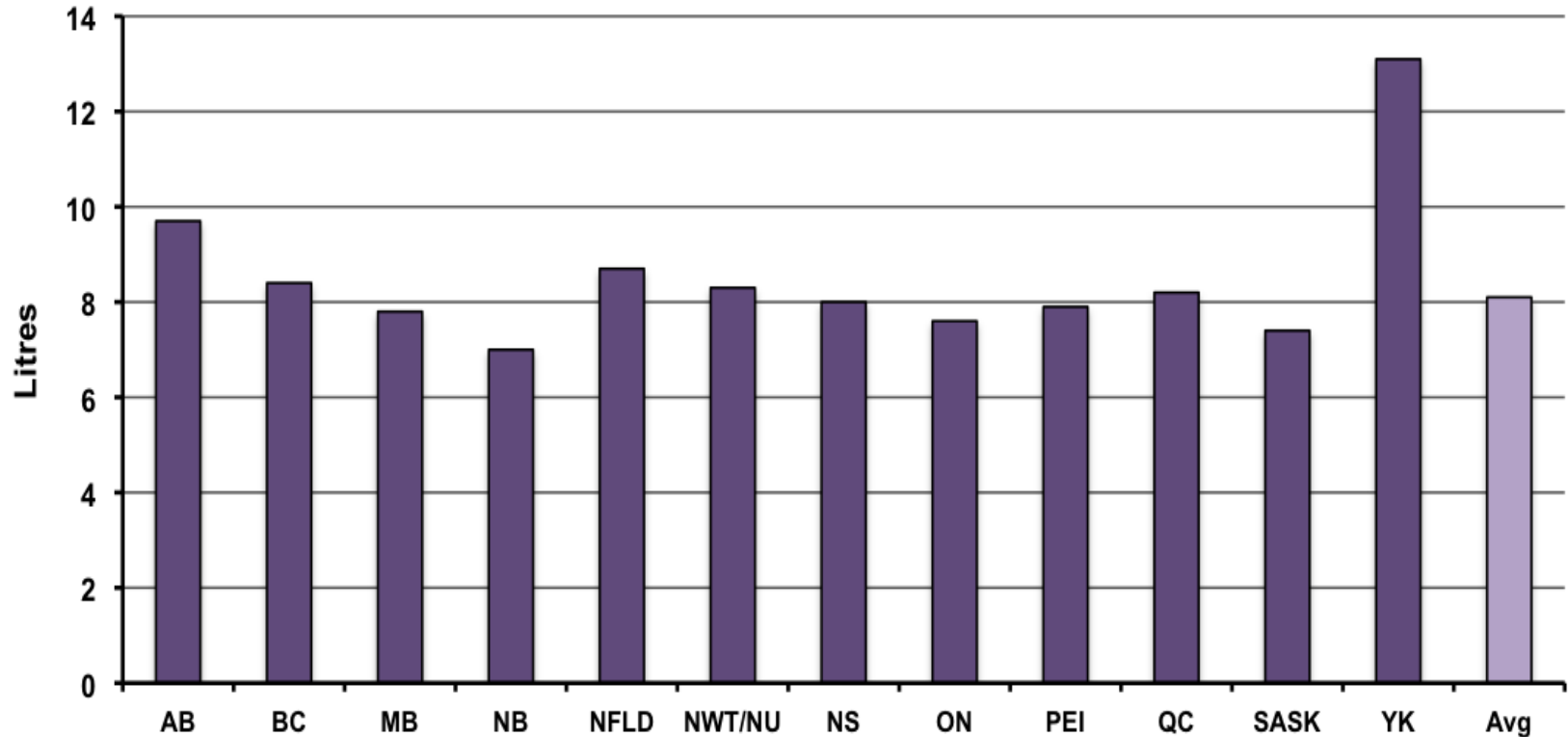


## A Presentation to the Special Committee on Traffic Safety

**madd** 

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Chief Executive Officer  
MADD Canada  
May 22, 2013

# Alcohol Consumption in Canada – 2007



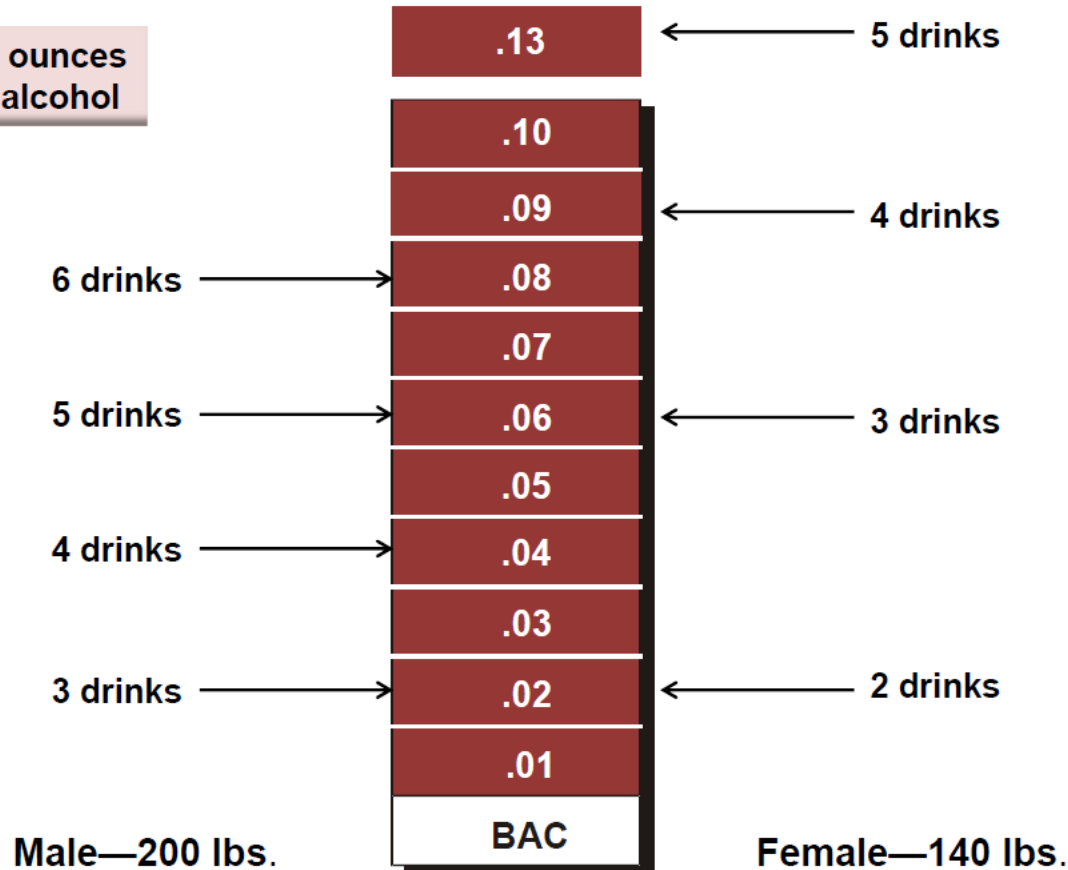
\* Not including alcohol brought across the border, or home or assisted beer and wine production.

\*\* Population aged 15 years and older.

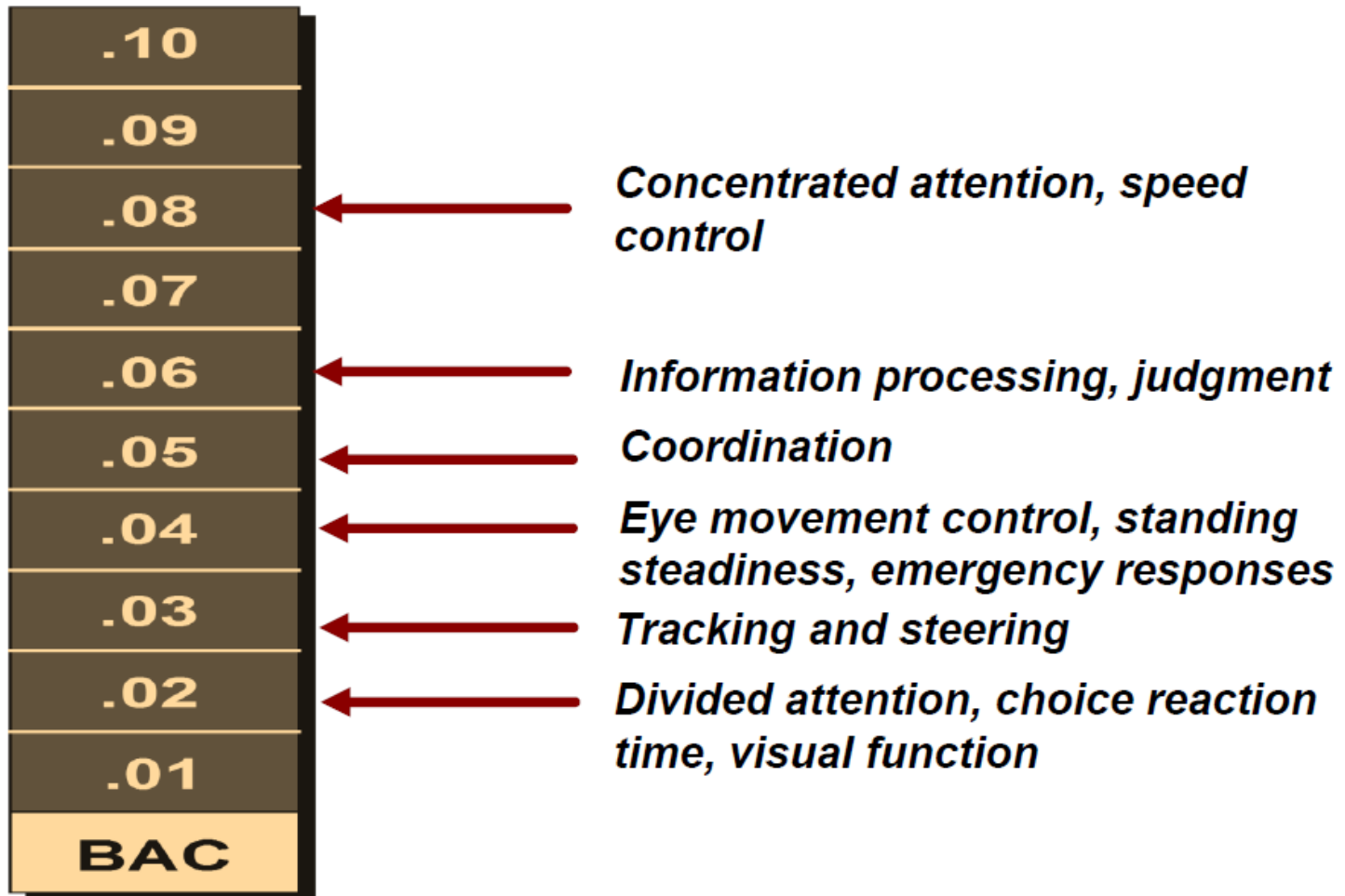
Source: Statistics Canada, *The Control and Sale of Alcoholic Beverages in Canada*.  
Fiscal year ended March 31, 2007 (Ottawa: Statistics Canada, 2008) at 30.

# Number of Drinks and BAC Level in Three Hours of Drinking

1 Drink = 54 ounces  
of alcohol



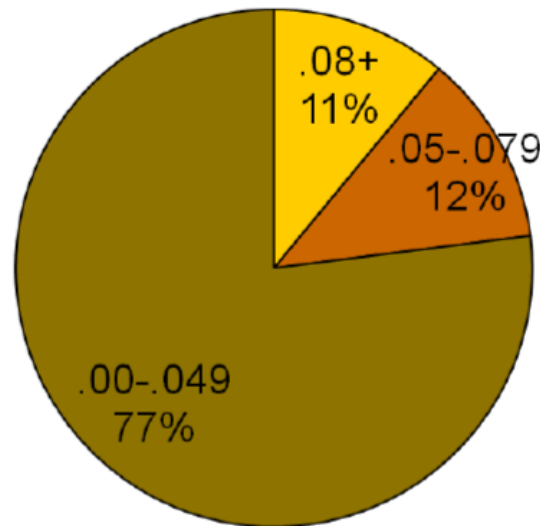
# BAC and Impairment



# National Survey of Drinking and Driving

[The Gallup Organization, March 2003, DOT HS 809 549]

## Percent of all Drinking-Driving Trips by Calculating Estimate of BAC



While the vast majority (77%) of the drinking-driving trips are made by drivers with BAC levels below .05, about one in ten (11%), or nearly 94 million trips are made by a driver with a BAC of .08 or higher.

# Prevalence of Drinking and Driving in Roadside Surveys

## **2012 British Columbia Roadside Survey (Beasley and Beirness):**

- 6.5% of drivers had been drinking
- 1.1% had BACs between 50 and 80 mg/dL
- 0.9% had BACs over 80 mg/dL

# Relative Risk of Being Involved in a Fatal Crash by BAC

<u>Driver Age</u>	<u>BAC</u> <u>.05 - .079</u>	<u>.08 - .099</u>	<u>&gt;.15</u>
<b>16-20</b>	<b>6.24</b>	<b>12.61</b>	<b>490.41</b>
<b>21-34</b>	<b>4.78</b>	<b>8.74</b>	<b>200.03</b>
<b>35+</b>	<b>4.03</b>	<b>6.89</b>	<b>111.94</b>

\*Risk relative to BAC=.00 for same age group

Relative risks are the same for men and women at a given BAC.  
Relative risk for 16-20 year old women are now the same as 16-20 year old men at a given BAC (a change from 1996).

[Source: Voas, Torres, Romano, Lacey, JSAD, (2012)]

# BACs of Dead Drinking Drivers

Year	# of Dead Drivers Testing Positive	# and % of Dead Drivers with Positive BACs at:		
		.01% - .08%	.081% - .15%	.151% +
1995	702	129 (18%)	143 (20%)	430 (62%)
1996	598	97 (16%)	133 (22%)	368 (62%)
1997	576	108 (19%)	122 (21%)	346 (60%)
1998	559	90 (16%)	136 (24%)	333 (60%)
1999	499	90 (18%)	110 (22%)	299 (60%)
2000	513	91 (18%)	118 (23%)	304 (59%)
2001	525	80 (15%)	123 (23%)	322 (61%)
2002	511	86 (17%)	134 (26%)*	291 (57%)**
2003	538	87 (16%)	141 (26%)*	309 (57%)**
2004	478	94 (20%)	130 (27%)*	254 (53%)**
2005	541	82 (15%)	159 (29%)*	300 (55%)**
2006	540	100 (19%)	137 (25%)*	303 (56%)**
2007	536	104 (19%)	120 (22%)*	314 (59%)**
2008	515	77 (15%)	137 (27%)*	301 (58%)**
2009	453	64 (14%)	118 (26%)*	271 (60%)**
2010	433	73(17%)	129 (30%)*	230 (53%)**





# Impaired Driving in Canada

Year	Total Crash Deaths	Impairment-Related Crash Deaths	
		Number	Percentage
2000	3,162	1,247	37.2%
2001	3,021	1,176	40.2%
2002	3,197	1,161	36.3%
2003	3,124	1,257	40.3%
2004	3,013	1,157	39.4%
2005	3,226	1,210	37.5%
2006	3,122	1,278	40.9%
2007	3,045	1,239	40.7%
2008	2,694	1,162	43.1%
2009	2,575	1,074	41.7%
2010	2,541	1,082	42.6%

# Provincial Impaired Driving Deaths per 100,000

<b>1. Prince Edward Island</b>	0.70
<b>2. Ontario</b>	2.15
<b>3. Québec*</b>	2.19
<b>4. Newfoundland</b>	2.73
<b>5. Nova Scotia</b>	2.86
<b>6. British Columbia</b>	3.69
<b>7. Manitoba</b>	4.29
<b>8. Alberta</b>	5.16
<b>9. New Brunswick</b>	7.17
<b>10. Saskatchewan</b>	<b>9.76</b>
<b>Canada</b>	3.17

# Impaired Driving Deaths in Saskatchewan

Year	Number	As % of total crash deaths		Per 100,000 population	
		Sask.	Canada	Sask.	Canada
2000	69	42%	37%	6.88	3.83
2001	99	58%	40%	9.90	3.91
2002	65	42%	36%	6.51	3.70
2003	80	51%	40%	8.06	3.97
2004	65	47%	38%	6.51	3.62
2005	66	40%	38%	6.64	3.75
2006	83	53%	41%	8.32	3.92
2007	83	51%	41%	8.25	3.76
2008	120	65%	43%	11.83	3.49
2009	87	50%	42%	8.44	3.18
2010	102	55%	43%	9.76	3.17

# Impaired Driving in Saskatchewan

Percentage Changes in Impairment-Related Crash Deaths Per 100,000: 2001-2010	
Saskatchewan	+1.41%
Canada	-18.92%

# *Criminal Code and Administrative* Warn Range Sanctions

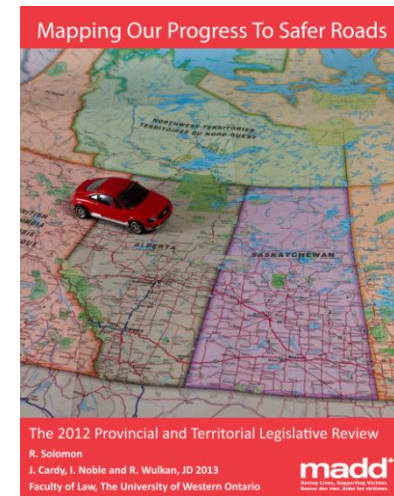
Prov	2010			2011			
	Admin	Criminal	Total	Admin	Criminal	Total	% Change over 2010
ON	17,179 (52%)	15,843 (48%)	33,022	15,447 (49%)	16,165 (51%)	31,612	-4%
MB	734 (21%)	2,718 (79%)	3,452	734 (21%)	2,745 (79%)	3,479	+1%
SK	<b>3,245 (41%)</b>	<b>4,648 (59%)</b>	<b>7,893</b>	<b>2,885 (38%)</b>	<b>4,705 (62%)</b>	<b>7,590</b>	<b>-4%</b>
AB	7,970 (42%)	10,877 (58%)	18,847	7,114 (39%)	11,009 (61%)	18,123	-4%
BC	26,553 (73%)	9,753 (27%)	36,306	12,093 (55%)	9,865 (45%)	21,958	-40%
Total	57,187 (47%)	63,617 (53%)	120,804	39,692 (38%)	64,527 (62%)	104,219	-14%

# *Criminal Code and Warn Range Suspensions as % of Population*

Prov	2010			2011		
	Charges and Suspensions	Pop.	Percentage of Pop.	Charges and Suspensions	Pop.	Percentage of Pop.
ON	33,022	13,228,000	.25%	31,612	13,370,000	.24%
MB	3,452	1,235,000	.28%	3,479	1,251,000	.27%
SK	7,893	1,044,000	.76%	7,590	1,058,000	.72%
AB	18,847	3,779,000	.50%	18,123	3,880,000	.47%
BC	36,306	4,530,000	.80%	21,958	4,573,000	.48%

# Legislative Measures to Reduce Impaired Driving in Saskatchewan

- .00% BAC limit for drivers 21 years and under, or with less than five years driving experience
- Seven-day administrative licence suspension and vehicle impoundment program at .05% BAC level
- Mandatory alcohol interlocks for all federal impaired driving offenders
- Drug-impaired driving:
  - Prohibition for any illicit psychoactive drug for all young / new drivers
  - Parallel administrative suspension and impoundment program





# Legislative Measures to Reduce Impaired Driving in Saskatchewan

## .00% BAC for Young/New Drivers

- Road crashes are #1 cause of death for 15-24 year olds; approximately **50 per cent** are alcohol-related
  - In 2009, approximately 350 young people were killed in impairment-related crashes
- Zero and low BAC restrictions have positive results:
  - U.S. review found “zero tolerance laws” reduced the odds of an alcohol-positive crash by over 24% for drivers under 21
  - Early study of Ontario’s .00% BAC restriction found a 25% reduction in the number of grade 11 and 12 males who reported driving after drinking

# .00% BAC for Young/New Drivers

Prov./ Terr.	.00% BAC Limit Beyond GLP	Minimum Age at which .00% BAC Limit Ends	Legal Drinking Age
AB	None	18	18
BC	None	18½	19
MB	Yes	20½	18
NB	Yes	21	19
NL	None	17⅔	19
NS	None (pending – 2 years)	18 ¼ (pending – 21 or 20 ¾ with driver ed.)	19
ON	Yes	22	19
PE	¼ year	19 (proposed 21)	19
QC	Yes	22	18
SK	None	17½	19

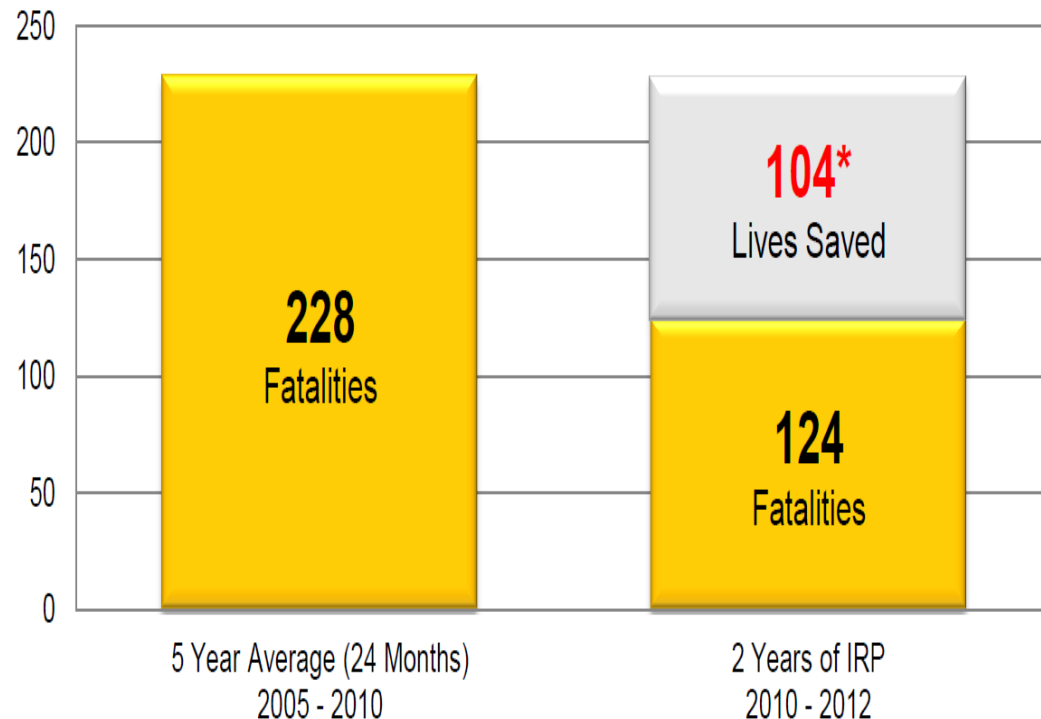
# Legislative Measures to Reduce Impaired Driving in Saskatchewan

## Administrative Warn Range Licence Suspensions at .05% BAC

- BAC estimates:
  - A 210 lb. man can have four standard drinks over two hours not go over .05% / a 130 lb. woman can have two standard drinks over two hours and not go over .05%
- At .05% BAC, drivers experience: reduced coordination, reduced ability to track moving objects, difficulty steering, reduced response rate
- Warn range administrative licence suspension programs reduce impairment-related crashes, deaths and injuries

# Administrative Warn Range Suspensions: The British Columbia Experience

British Columbia saw a significant drop in impairment-related crash deaths after enhancing its road-side prohibitions



# .05% BAC Administrative Warn Range Licence Suspensions

Province	1 <sup>st</sup> Occurrence	2 <sup>nd</sup> Occurrence	3 <sup>rd</sup> Occurrence	4 <sup>th</sup> and Subsequent Occurrences
<b>AB*</b>	3 days	15 days	30 days	30 days
<b>BC* **</b>	3 days	7 days	30 days	30 days
<b>MB</b>	24 hours	15 days	30 days	60 days
<b>NB</b>	7 days	7 days	7 days	7 days
<b>NL</b>	7 days	14 days	2 months	4 months
<b>NS</b>	7 days	15 days	30 days	30 days
<b>ON</b>	3 days	7 days	30 days	30 days
<b>PE***</b>	7 days	30 days	90 days	90 days
<b>QC</b>	24 hours for failed SFST			
<b>SK</b>	<b>24 hours</b>	<b>15 days</b>	<b>90 days</b>	<b>90 days</b>
<b>CCMTA</b>	7-14 days	30 days	45 days	60 days

\* Corresponding vehicle impoundments

\*\* 3-day vehicle impoundment for first infractions, 7-day impoundment on subsequent infractions

\*\*\*Best practice model recommended by Canadian Council of Motor Transport Administrators

# Legislative Measures to Reduce Impaired Driving in Saskatchewan:

## Mandatory Alcohol Interlocks

- Reduces recidivism rates up to 90% while on vehicle, and continue to have positive results once removed:
  - **Washington State:** 12% reduction in recidivism rates post-interlock (participation rate of 30%)
  - **New Mexico:** mandatory alcohol interlocks resulted in a 35% fatality reduction; reduced recidivism once device was removed
- Not a punishment - effective rehabilitative tool to help impaired drivers get control of alcohol consumption levels
- Keeps impaired driving offenders in the licensing system

# Mandatory Alcohol Interlocks

Prov.	Mandatory Interlocks
AB	Criminal
BC	Criminal and administrative
MB	Criminal
NB	Voluntary
NS	Based on assessment
ON	Criminal
PE	Criminal
QC	Based on assessment
SK	<b>Voluntary</b>

# Installed Alcohol Interlocks in Canada

	2007	2008	2009	2010	2011	2012
NL	34	43	78	80	89	100
PE	32	41	57	73	85	80
NS		27	330	491	599	594
NB			116	120	137	140
QC	7,083	7,555	8,224	9,114	9,533	10,583
ON	2,345	2,823	2,732	4,017	6,209	5,068
MB	100	108	127	133	155	165
SK	<b>320</b>	<b>323</b>	<b>369</b>	<b>376</b>	<b>400</b>	<b>477</b>
AB	1,168	1,289	1,449	1,762	2180	2,229
BC	206	336	633	1248	8041	7,391
YK	17	15	17	21	24	26
CAN	11,305	12,560	14,132	17,435	27,452	26,853



# Legislative Measures to Reduce Drug-Impaired Driving

## Provincial Level

- Extend administrative licence suspensions for drivers who fail SFST or roadside drug screening test
- Enact a zero tolerance law for psychoactive drugs for young/new drivers as part of their graduated licensing programs, paralleling the .00% BAC restriction

# Drug-Impaired Driving Legislation: What's Needed at the Provincial Level

Province	Drug-Related Administrative Licence Suspensions	Duration (1st occurrence)	Number
NL	Reasonable grounds to believe driver's ability is impaired by a drug or combination of drugs and alcohol	7 days	New Program
PE	Failure of SFST	7 days	New Program
NS	No drug-related administrative program		
NB	No drug-related administrative program		
QC	Failure of SFST	24 hour	New Program
ON	No drug-related administrative program		
MB	Based on SFST, believe driver is unable to drive safely; refuses SFST; or is so impaired by alcohol or drugs as to be unable to provide a sample or take SFST	24 hours	48
SK	Refusal to undergo, or a failure of, a SFST	24 hours	61
AB	Reasonably suspect driver's physical or mental ability is affected by a drug	24 hours	Not Known
BC	Reasonable grounds to believe driver's ability is affected by a drug	24 hours	4,457

# Community-Based Initiatives

- “Call 911” and “Report Impaired Drivers” programs
- “Last Drink” programs

# Call 911 Programs

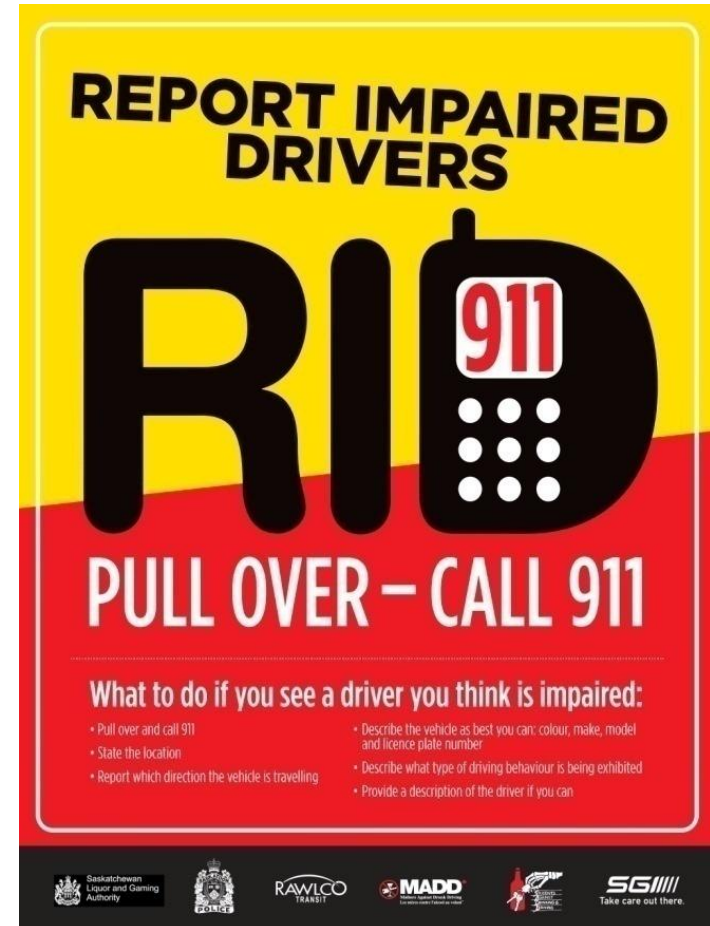
- Encourage the public to call 911 to report suspected impaired drivers to police
- Police, emergency call centres and community organizations partner on community-wide program that includes large, visible signs
- 911 calls to report suspected impaired drivers increase between 45% and 80% in the first year of implementation
- Impaired driving charges and roadside licence suspensions increase between 30% and 80%



# Report Impaired Drivers Saskatoon, Saskatchewan

2010 – 2012:

- 6,000+ 911 calls reporting suspected impaired drivers
- 324 charges / 146 24-hr drivers licence suspensions
- 2,200+ letters warning owners their vehicles were reported



# Call 911 Programs: Importance of Follow-up

Data from the Saint John, New Brunswick reinforces the need for police to track and follow-up with non-intercepted vehicles, and personal visit versus letter for repeated reports:

- 25% of the non-intercepted vehicles are reported in another 911 call within 30 days
- Of their alcohol-related deaths and injuries, over 40% of the vehicles involved in these crashes had been reported in a 911 call from the public

# “Last Drink” Programs

- Started with Durham Regional Police in Ontario and later piloted in other communities with leadership from Alcohol and Gaming Commission of Ontario
- Police ask impaired drivers where they have been drinking
- Disproportionate percentage of impaired drivers come from licensed establishments versus homes or other private venues





# Durham Police “Last Drink” Program Results

<b><i>Criminal Code Charges</i></b>	<b>2011</b>	<b>2010</b>
Number of <i>Criminal Code</i> Impaired Charges	155	138
Number Coming From Licensed Establishments	92 (59%)	87 (63%)
<b><i>Administrative Road-Side Suspensions</i></b>	<b>2011</b>	<b>2010</b>
Number of Road-Side Suspensions	142	154
Number and Percentage Coming from Licensed Establishments	92 (65%)	111 (72%)

- Four licensed establishments responsible for 32% of charges/suspensions
- 18% (52) of all charges/suspensions were youth violating the .00% BAC requirement for young drivers (49 or 94% were male)



# “Last Drink” Program: Moving Forward

- Information shared with Alcohol and Gaming Commission of Ontario; follow-up visits to licenced establishments by police and liquor inspectors
- *Last Drink Program* has been rolled out to: Durham Regional Police, London Police Services, Ottawa Police Services, Peel Regional Police, Sudbury Police Services
- Mandatory reporting from police to Alcohol and Gaming Commission of Ontario (AGCO) on all alcohol-related incidents
- Revamping how staff and management of licensed establishments are trained

# Changes Needed at the Federal Level (*Criminal Code*)

# Impaired Driving Legislative Reform Needed at the Federal Level

- Establishment of “per se” levels for drugs
- Random breath testing
- Improved collection of BAC evident from injured impaired drivers in hospitals

*While these changes need to be made at the federal level,  
support from the provinces is crucial.*

# Drug-Impaired Driving in Canada

## Background

- Driving after drug use has become more common in Canada during the last decade
  - Roadside surveys show drug-impaired driving at same, or higher, rates than impaired driving
- In 2008, *Criminal Code* amended in 2008 to give police authority to demand “physical coordination tests” (i.e. standardized field sobriety tests or SFSTs) and Drug Recognition Evaluations (DREs)

# Drug-Impaired Driving in Canada

## Detecting Drug-Impaired Drivers

- SFST and DRE provided more detailed, objective evidence of a driver's impairment, but cumbersome, expensive, and readily susceptible to legal challenge
- Training and certifying “evaluating officers” takes at least 112 hours at a cost of \$17,000 per officer

# Drug-Impaired Driving in Canada

## Prosecuting Drug-Impaired Driving

- Judges may not accept that “failing” the DRE as proof of impaired driving ability
- *R v Perillant*:
  - Accused acquitted despite: admitting to smoking cannabis before driving, failing several elements of DRE, testing positive for cannabis
  - Judge indicated that evidence proved accused used marijuana, but said that evidence of the drug’s presence did not prove accused’s ability to drive was impaired



# Drug-Impaired Driving in Canada

## Need new way to detect drug-impaired drivers

- Current system for detecting and investigating drug-impaired drivers not working; no immediate solution in sight
- SFST and DRE: effective as screening measure but weak in establishing impairment by drugs beyond reasonable doubt
- Drug impaired driving dramatically under-enforced in Canada
  - Total drug-impaired driving charges is just 1.4 % of overall impaired driving charges
  - 915 drug-impaired charges out of 65,183 total impairment charges in 2010)

# Drug-Impaired Driving Charges

Province	Total Number of Persons Charged		
	2008	2009	2010
NL	19	36	51
PE	1	5	5
NS	18	39	69
NB	13	67	37
QC	3	51	98
ON	66	317	322
MB	7	21	27
SK	8	45	57
AB	29	86	132
BC	23	128	112
Canada (total impaired)	188 (65,822)	796 (68,399)	915 (65,183)



# Federal Legislative Measures to Reduce Drug-Impaired Driving

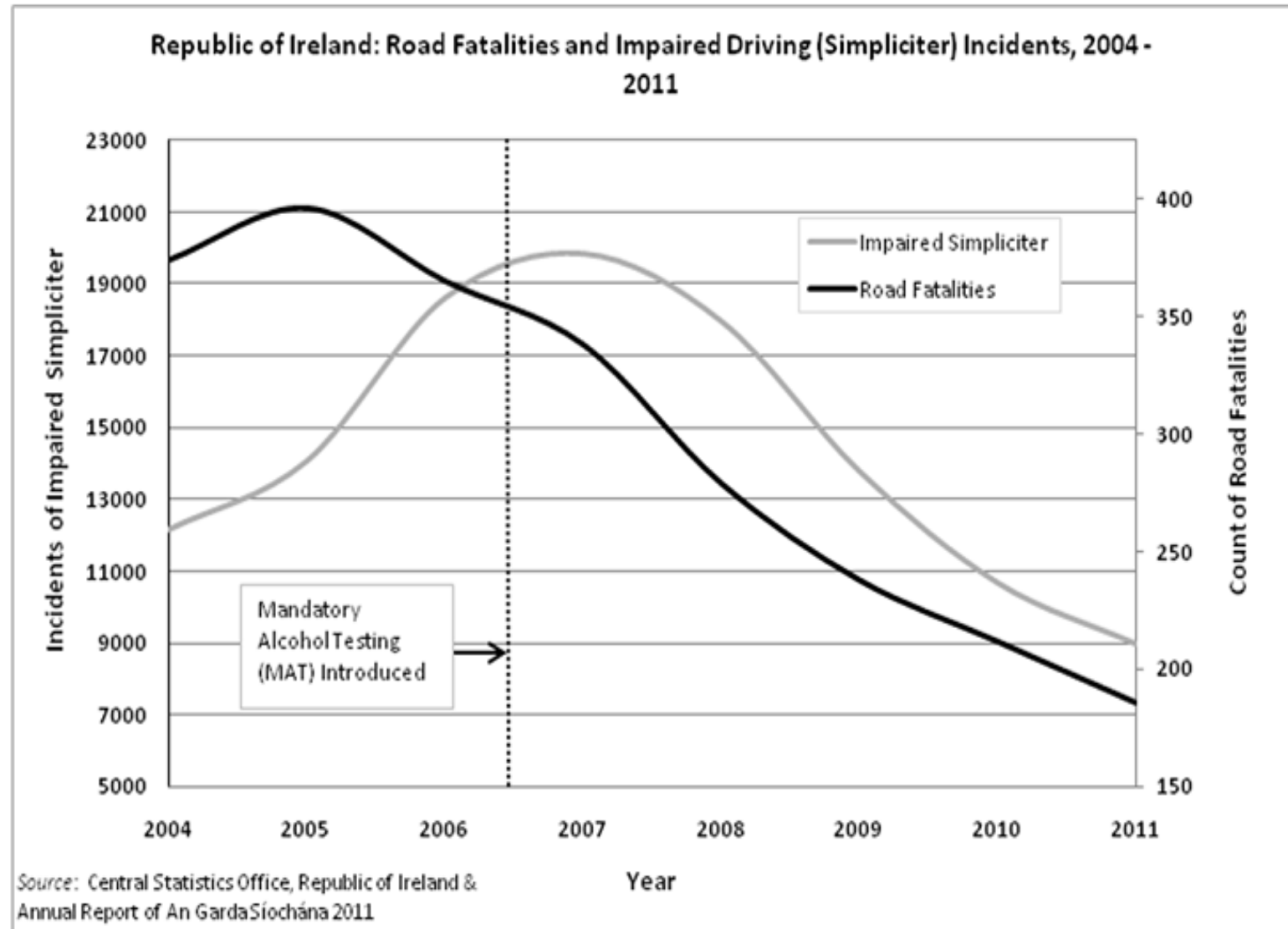
- Establish 'per se' levels for the major groups of drugs
  - Like the .08% BAC limit, '*per se*' level for driving would define point at which a typical driver's skills are impaired by a given drug
  - I.E.: some U.S. states use 5 nanograms of cannabis as driving limit
- Use of saliva testing for drug detection
  - Several European countries and Australian states have introduced random roadside screening for certain drugs
- Crucial to authorize enforcement procedures that are relatively straightforward and cost-effective, while still constitutionally valid

# Random Breath Testing

- Estimate random breath testing would result in a 20% reduction in impaired driving crash deaths
- Police miss 50% at .08% BAC and 90% at .05% BAC
- Recommended by federal Standing Committee on Justice and Human Rights in June, 2009



# Random Breath Testing in Ireland



# Blood Testing in Hospital

- 89% of legally impaired drivers admitted to a hospital emergency room are never charged with impaired
- Current laws make it very difficult for police and health professionals to gather BAC evidence in a hospital setting

