



Transport  
Canada

Transports  
Canada



**MADD**  
Mothers Against Drunk Driving™  
Les mères contre l'alcool au volant™

**TP 14760 E**

---

*Impaired Driving Survey for Transport Canada/MADD Canada*  
*Final Report*

Prepared by:  
**EKOS Research Associates Inc.**

December 2007

---

TC-1002461

**Canada**

Ce document est également disponible en français :

Enquête sur la conduite avec facultés affaiblies menée pour Transports  
Canada/MADD Canada - Rapport final, TP 14760 F


© Her Majesty the Queen in Right of Canada,  
Represented by the Minister of Transport, November 2007

This publication may be reproduced without permission provided that its use falls within the scope of fair dealing under the Copyright Act, and is solely for the purposes of private study, research, criticism, review or newspaper summary. The source must be fully acknowledged. However, reproduction of this publication in whole or in part for purposes of resale or redistribution requires prior written permission from the Minister of Public Works and Government Services. Contact Crown Copyright and Licensing at (613) 996-6886 or by e-mail at [copyright.droitdauteur@pwgsc.gc.ca](mailto:copyright.droitdauteur@pwgsc.gc.ca).

Catalogue No. T46-46/2007E

TP 14760 E  
TC-1002461

978-0-662-47426-5

		Transport Canada	Transports Canada	<b>PUBLICATION DATA FORM</b>		
1. <b>Transport Canada Publication No. (TP)</b> TP 14760 E			2. <b>ISBN</b> 978-0-662-47426-5		3. <b>Catalogue No.</b> T46-46/2007E	
4. <b>Title</b> Impaired Driving Survey for Transport Canada / MADD Canada			5. <b>Publication Date</b> June 2007			
			6. <b>Type of Publication</b> Survey			
7. <b>Author(s)</b>			8. <b>Office of Primary Interest (OPI)</b> ASFCE			
9. <b>Performing Organization Name and Address</b> EKOS Research Associates Inc. Ottawa Office 99 Metcalfe Street, Suite 1100 Ottawa, Ontario			10. <b>Performing Organization File No.</b>			
			11. <b>PWGSC or Transport Canada Contract No.</b>			
12. <b>Sponsoring Agency Name and Address</b> Transport Canada Road Safety and Motor Vehicle Regulation Directorate Road Users Division			13. <b>URL Address</b> <a href="http://www.tc.gc.ca/roadsafety/tp/tp14760/menu.htm">www.tc.gc.ca/roadsafety/tp/tp14760/menu.htm</a>			
			14. <b>RDIMS No.</b>			
15. <b>Supplementary Notes</b>						
16. <b>Abstract</b>  The main objective of this research was to measure the concerns, knowledge, attitudes and behaviour of Canadians on impaired driving issues. The study collected relevant information to determine where awareness needs to be heightened and knowledge needs to be increased. The study also provided detailed information about public views on the key impaired driving issues.						
17. <b>Key Words</b> Drinking and driving; Alcohol; Attitudes			18. <b>Distribution Statement</b> No restriction.			
19. <b>Security Classification</b> (of this publication)	20. <b>Security Classification</b> (of this page)	21. <b>Declassification</b> (date)	22. <b>No. of Pages</b> 69 p.	23. <b>Price</b>		



Transports  
Canada

Transport  
Canada

## FORMULE DE DONNÉES POUR PUBLICATION

<b>1. N° de la publication de Transports Canada No. (TP)</b> TP 14760 F		<b>2. ISBN</b> 978-0-662-07762-6		<b>3. N° de catalogue</b> T46-46/2007F	
<b>4. Titre</b> Enquête sur la conduite avec facultés affaiblies menée pour Transports Canada/MADD Canada		<b>5. Date de la publication</b> juin 2007			
		<b>6. Genre de publication</b> Enquête			
<b>7. Auteur(s)</b>		<b>8. Bureau de première responsabilité (BPR)</b> ASFCE			
<b>9. Nom et adresse de l'organisme exécutant</b> Les Associés de Recherche EKOS Inc. Bureau d'Ottawa 99, rue Metcalfe, pièce 1100 Ottawa (Ontario)		<b>10. No du dossier de l'organisme</b>			
		<b>11. PWGSC or Transport Canada Contract No.</b>			
<b>12. Nom et adresse de l'organisme parrain</b> Transports Canada Sécurité routière et réglementation automobile Division de l'utilisateur routier		<b>13. Adresse URL</b> <a href="http://www.tc.gc.ca/securiteroutiere/tp/tp14760/menu.htm">www.tc.gc.ca/securiteroutiere/tp/tp14760/menu.htm</a>			
		<b>14. N° du SGDDI</b>			
<b>15. Remarques additionnelles</b>					
<b>16. Résumé</b> <p>Le but de cette recherche était de mesurer les préoccupations, les connaissances, les attitudes et les comportements des Canadiens à l'égard de la conduite avec facultés affaiblies. L'étude a permis de recueillir les données nécessaires pour déterminer à l'égard de quel aspect il faudrait augmenter la sensibilisation et accroître les connaissances. De plus, elle a fourni des renseignements détaillés sur les opinions du public à propos de questions liées à la conduite avec facultés affaiblies.</p>					
<b>17. Mots clés</b> Alcool et la conduite; Attitude			<b>18. Diffusion</b> Aucune restriction.		
<b>19. Classification de sécurité (de cette publication)</b>		<b>20. Classification de sécurité (de cette page)</b>	<b>21. Déclassification (date)</b>	<b>22. N° de pages</b> 69 p.	<b>23. Prix</b>

PWGSC Contract #T8056-090227/001/CY  
POR Registration #POR-374-06  
Contract Award Date: 2007-02-07



# Impaired Driving Survey for Transport Canada/MADD Canada

## FINAL REPORT

*Ce rapport est également disponible en français*

Submitted to:

Paul Boase  
Chief, Road Users  
Transport Canada  
Road Users  
Place de Ville, 330 Sparks Street  
Ottawa, Ontario  
K1A 0N5  
por-rop@tc.gc.ca

**EKOS RESEARCH ASSOCIATES INC.**

June 2007

## EKOS RESEARCH ASSOCIATES

Ottawa Office  
99 Metcalfe Street, Suite 1100  
Ottawa, Ontario  
K1P 6L7  
Tel: (613) 235 7215  
Fax: (613) 235 8498  
E-mail: [pobox@ekos.com](mailto:pobox@ekos.com)

Toronto Office  
480 University Avenue, Suite 1006  
Toronto, Ontario  
M5G 1V2  
Tel: (416) 598 8002  
Fax: (416) 598 2543  
E-mail: [toronto@ekos.com](mailto:toronto@ekos.com)

Edmonton Office  
9925 109th St. NW, Suite 606  
Edmonton, Alberta  
T5K 2J8  
Tel: (780) 408 5225  
Fax: (780) 408 5233  
E-mail: [edmonton@ekos.com](mailto:edmonton@ekos.com)

# TABLE OF CONTENTS

Executive Summary .....	iii
1. Background.....	1
2. Methodology.....	3
3. Issues of Concern for Canadians .....	6
3.1 Impaired driving tops list of road safety concerns... ..	8
4. Perceptions of Impaired Driving .....	10
4.1 Seven in ten know Canada’s BAC limit.....	10
4.2 Perceived number of drinks allowed... ..	12
4.3 Most perceive an increase in number of drivers impaired by illicit drugs... ..	15
4.4 Reasons for impaired driving vary in importance... ..	19
4.5 Most have not been checked for an impaired driver... ..	19
4.6 Perceived likelihood of impaired drivers being stopped by police... ..	21
5. Views on Countermeasures to Impaired Driving .....	23
5.1 Support for most countermeasures high... ..	23
5.2 Views on licence suspension vary... ..	27
5.3 Slight majority support alcohol-detecting devices... ..	31
5.4 Willingness to Pay Extra for System... ..	34
6. Personal Experience with Impaired Driving.....	36
6.1 Most have a friend who has driven while impaired.....	36
6.2 One in three have personal knowledge of impaired driving victims... ..	38
6.3 Most say they wear their seatbelt and drive at moderate speeds... ..	39
6.4 Formal driver education varies; most not involved in a recent collision.....	41
6.5 Behavioural indicators... ..	43

APPENDIX A: Background Document





# EXECUTIVE SUMMARY

Transport Canada/MADD Canada commissioned EKOS Research Associates to conduct a study of public attitudes toward impaired driving. The main objective of this research was to measure the concerns, knowledge, attitudes and behaviour of Canadians on impaired driving issues. The study collected relevant information to determine where awareness needs to be heightened and knowledge needs to be increased. The study also provided detailed information about public views on the key impaired driving issues of alcohol ignition interlock systems, driving while impaired by illicit drugs and prescription drugs, and the lowering of the legal blood alcohol concentration (BAC) level from 80mg% to 50mg%.

The methodology for this study involved an initial baseline telephone survey of 1,500 Canadian drivers, ten deliberative focus group sessions held in five cities across the country, and a pen and paper survey given to focus group participants post-discussion. Prior to the deliberative focus group sessions, participants were sent background material containing information on alcohol ignition interlock systems, use of illicit and prescription drugs and driving, and lowering the legal BAC from 80mg% to 50mg%.

The following are key highlights from the survey and focus group results (and research findings are discussed in more detail in the remainder of this report). Please note that not all issues covered in the survey were examined through the focus group sessions.

## *Issues of Concern for Canadian Drivers*

The survey first asked Canadian drivers how concerned they were about a number of broad societal issues (e.g., national security, global warming, the state of the economy) to get a sense of where road safety registers as a public concern. Results reveal that the safety of road travel is seen as a mid-level priority, with 54 per cent expressing concern about this issue.

Narrowing the focus, survey respondents were asked how concerned they were with a number of specific road safety issues (e.g., road rage, aggressive drivers, speeding). Results reveal that driving while impaired by alcohol (91 per cent) or by illicit drugs such as marijuana, cocaine or methamphetamine (85 per cent) top the list of road safety concerns.

The focus groups produced largely similar results. There was agreement among participants that the goal of reducing impaired driving, with an eye to completely eliminating it, should be a priority for governments. There was also a belief that impaired driving was a “completely preventable” problem. Thus, while participants expected governments to continue to grapple with “bigger” issues such as health care and global warming, they felt that impaired driving was a problem that could be solved in the relatively short term.

## *Perceptions of Impaired Driving*

Survey respondents were also asked a number of questions aimed at better understanding their perceptions of impaired driving (e.g., perceived reasons for driving while impaired, knowledge of blood alcohol limit, likelihood of being stopped by police).

Results suggest that Canadians' knowledge of the Criminal Code blood-alcohol concentration (BAC) limit is quite high: fully seven in ten (70 per cent) correctly identified the BAC limit as .08%. One in five think the BAC limit is either .02% (ten per cent) or .05% (eight per cent), and two per cent think it is .10%. The results of the focus groups are consistent with the survey findings. The majority of participants said that they knew of the .08% BAC limit prior to reading the briefing document.

Survey respondents were also asked how many standard drinks (i.e., a bottle of beer, a glass of wine or a shot of liquor) they thought a 180-pound man and a 130-pound woman could consume in a two-hour period before he or she would be over the legal limit of .08% (men and women were asked specifically about alcohol consumption for their own gender). Results suggest that both men and women tend to underestimate how many drinks they can consume in a two-hour period before they would be over the legal limit. On average, men think they can consume three drinks in two hours before going over the legal limit, while women feel the maximum is about two drinks (in reality, an average 180-pound man could drink about five drinks in a two hour period before reaching the legal limit, and an average 130-pound woman could consume about three drinks in two hours before going over the legal limit).

Once again, we find a great deal of consistency between the quantitative and qualitative results. Early in the discussions, participants were asked to identify the aspects of the briefing document that stood out and/or which surprised them. Chief among the document's eye-opening information was a table that presents the BAC levels produced by the consumption of an increasing number of standard drinks for men and women according to three different weights. All participants said that they had underestimated the number of drinks required to reach the Criminal Code limit of .08%.

Survey respondents were also asked if they thought the problem of people driving while impaired by illicit drugs, alcohol, and medicinal drugs had increased or decreased over the past five years. A majority of Canadians (58 per cent) feel that the number of people driving while impaired by illicit drugs has increased over the past five years, while only seven per cent think this problem has decreased (24 per cent feel there has been no change). Similarly, four in ten Canadian drivers (40 per cent) feel the problem of people driving while impaired by medicinal drugs has increased in the past five years, and only eight per cent feel the problem has decreased (38 per cent feel there has been no change). Canadians express more positive views in terms of people driving while impaired by alcohol: while the plurality (38 per cent) believe the problem has increased over the past five years, 26 per cent think this problem has decreased (and 32 per cent feel there has been no change.)

The prevalence of driving while impaired by illicit and/or prescription drugs was also discussed in the focus groups. Most participants felt that the problem of driving while impaired by illicit drugs had worsened over the past five to 10 years, a view that most felt was confirmed by the statistics they read in their briefing document. Some of the younger participants said that they had noticed that many of their friends and acquaintances drove “high”. Many also went on to observe that while drinking and driving was much frowned upon by people in their age group, driving while impaired by drugs was not.

Turning to the perceived likelihood of impaired drivers being stopped by police, survey respondents were asked how many impaired drivers over the criminal legal limit of .08 they thought would be stopped by police during a weekday and a weekend night. Results reveal that Canadians feel relatively few impaired drivers would be stopped, particularly on weekday nights. On average, Canadians feel that only 27 out of 100 impaired drivers would be stopped by police on a weekend night, and even fewer would be stopped on a weekday night (15 out of 100). The perception of focus group participants on this issue was that very few people who drink and drive get stopped by police. Throughout the discussions, participants would often express the view that much greater attention and resources needed to be devoted to enforcing impaired driving laws.

### *Views on Countermeasures to Impaired Driving*

Survey respondents were asked for their views on a number of countermeasures aimed at reducing the occurrence of impaired driving. Findings indicate that Canadians overwhelmingly support many new and existing interventions aimed at addressing the issue of impaired driving. Nearly nine in ten agree with confiscating the vehicles of convicted drivers who continue to drive while their license is suspended (89 per cent), requiring all drivers under the legal drinking age to have a zero blood alcohol limit (89 per cent), and requiring all drivers involved in a collision where there are fatalities or injuries to provide a breath sample to police (88 per cent). Strong majorities also agree with requiring all drivers suspected of being impaired by drugs to submit to behavioural tests administered by officers (84 per cent), handing out stiffer penalties to drivers convicted of impaired driving with children under the age of 16 in the vehicle (84 per cent), and requiring all convicted impaired drivers to have their vehicles fitted with a breath-testing device so that their vehicle will not start if they have been drinking (83 per cent).

The question of giving police and the Crown more tools for investigating and prosecuting drivers suspected of drug impairment was also discussed during the focus groups. Focus group participants were surprised (based on information they read in the briefing document) at what they considered to be the police’s limited ability to investigate and charge those suspected of driving while impaired by drugs, and the apparent difficulty involved in obtaining a conviction. There was also strong agreement with the key measure being proposed to address this problem, i.e., legislation giving police the power to compel a sample of bodily fluid from drivers whom they believe to be impaired by drugs.

Turning to views on license suspension, survey results reveal that the majority of Canadian drivers (55 per cent) disagree that drivers who consume enough alcohol to reach a blood-alcohol concentration of .05, but are still below the legal limit, should have their license suspended for a period of time (although a sizeable proportion of Canadians – 41 per cent – agree that these drivers should have their licence suspended).

The views expressed by the focus group participants on the issue of licence suspensions, or, more precisely, the question of lowering the current federal Criminal Code BAC limit of .08% to .05%, varied significantly from the survey results in that a strong majority of participants favoured lowering the BAC limit to .05%. The difference between the views of survey respondents and focus group participants is likely attributable to the information contained in the briefing document. Two key pieces of information appeared to be at play: 1) the apparent police practice of tending not to charge most drivers with BACs of less than .10%, and 2) the “surprisingly large” amount of alcohol that a person can consume before reaching a BAC of .08%. These results suggest that support for lowering the Criminal Code BAC would likely increase if Canadians had a better understanding of the number of drinks necessary to exceed the current limits.

Survey respondents were also asked to what extent they believe that all new vehicles should be equipped with a device that can detect alcohol in the driver and if he or she is over a preset limit, the vehicle will not start. Results reveal that a majority of Canadians (56 per cent) say they support this measure, however, a sizeable proportion (34 per cent) disagrees with this idea. The issue of ignition interlock programs was also examined during the focus groups. Participants were asked for their views on making alcohol monitoring devices standard equipment on all vehicles sold in Canada after a certain date (e.g., 2012). Support for making alcohol monitoring devices standard equipment was fairly strong and remained this way throughout the discussions.

## *Conclusions*

Results of the study reveal that Canadians see impaired driving as a serious societal issue, which, despite the efforts of governments and other groups, continues to be a serious problem with wide-ranging negative impacts. Unlike other public priorities facing governments, the research suggests that Canadians view the drastic reduction, if not complete elimination, of impaired driving as within the country's grasp. In short, they see the problem as being preventable and a matter of societal will.

Based solely on their personal knowledge, experience and values, Canadians strongly support many of the countermeasures aimed at lessening this problem. The qualitative research further suggests that exposing Canadians to facts and pro and con arguments leads to an overall increase in support for many of the measures aimed at reducing the number of impaired drivers on the road. Looking at the impact of the discussions on the three key impaired driving issues examined in the study (alcohol ignition interlock systems, driving while impaired by illicit drugs and prescription drugs, and the lowering of the legal BAC level from 80mg% to 50mg%) research findings suggest that after having an opportunity to discuss impaired driving issues, support increases for lowering the legal BAC level, and for giving police more power to compel a sample of bodily fluid from drivers they believe are impaired by drugs. However, support for

equipping all new vehicles with an alcohol detection device remains largely the same following the focus group sessions, suggesting that reservations people have about this system continue even after a thorough discussion of this idea.

Overall, it appears that a public education campaign aimed at informing Canadians about issues surrounding impaired driving would increase support for action in this area, particularly with respect to lowering the legal BAC limit.

# 1. Background

---

During the 1980s, public concern about impaired driving reached unprecedented levels. In response to this high level of public concern, many countermeasure strategies (e.g. education campaigns, tougher laws) were implemented. As a result, significant decreases were observed in the incidence of impaired driving on Canadian roads. During the 1990s, however, the dramatic decrease seen in the 1980s slowed down considerably; since 2000, progress has halted, and the percentage of fatally injured drinking drivers has reached a plateau.

Information on the public's attitudes toward impaired driving, and information about their impaired driving behaviour is valuable for guiding program development and policy decisions. Consequently, the main objective of this research was to measure the concerns, knowledge, attitudes and behaviour of Canadians on impaired driving issues. The study collected relevant information to determine where awareness needs to be heightened and knowledge needs to be increased. The study also provided detailed information about public views on the key impaired driving issues of alcohol ignition interlock systems, driving while impaired by illicit drugs and prescription drugs, and the lowering of the legal blood alcohol concentration (BAC) level from 80mg% to 50mg%.



## 2. Methodology

---

The methodology for this study involved an initial baseline telephone survey of 1,500 Canadian drivers, ten deliberative focus group sessions held in five cities across the country, and a pen and paper survey given to focus group participants post-discussion. The study was conducted in two phases.

### Phase 1 – Baseline Telephone Survey

This first phase of the study involved a nationally-representative telephone survey of Canadian drivers conducted from April 23 to May 4, 2007. The survey provided a measure of the Canadian public's "real world" perceptions of impaired driving issues, and served as a baseline for assessing the impact of the deliberative process (i.e., differences between the informed and uninformed views of Canadians).

The sample size for the survey was 1,514 respondents, stratified by region. The target audience for the survey was Canadians 18 years of age and older who have a valid driver's licence and have driven within the past 30 days. The response rate for the survey was 24 per cent. The questionnaire was pre-tested with four focus groups (two English and two French) prior to survey launch to ensure that the questions were clearly understood.

### Phase 2 – Deliberative Focus Groups

The second phase of the study involved conducting a series of 10 deliberative focus groups across Canada (two in each of Vancouver, Calgary, Toronto, Montreal, and Halifax) in June 2007. The groups took place in the evening and lasted two hours. A total of 12 potential participants were recruited per session to ensure the participation of eight people. During recruitment, participants were surveyed using a sub-set of questions from the baseline telephone survey.

The purpose of these focus group sessions was to enhance participant knowledge of impaired driving issues prior to measuring their views on the issues again. Three areas were addressed in the deliberative focus group sessions: (1) alcohol ignition interlock systems, (2) use of illicit drugs and prescription drugs and driving, and (3) lowering the legal BAC level from 80mg% to 50mg%. All participants were resurveyed (with a paper and pen survey) at the end of the discussion session using the same questions that were asked during recruitment. Participants' second set of answers (post deliberative democracy sessions) were compared to their first set of answers (pre deliberative democracy sessions) to determine if additional information influenced their attitudes.



Prior to the deliberative focus group sessions, participants were sent background material containing information on alcohol ignition interlock systems, use of illicit and prescription drugs and driving, and lowering the legal BAC from 80mg% to 50mg%.

Please note that not all issues covered in the survey were examined through the focus group sessions.



### 3. Issues of Concern for Canadians

---

Canadian drivers were first asked how concerned they were about a number of broad societal issues (e.g., national security, global warming, the state of the economy) to get a sense of where road safety registers as a public concern.

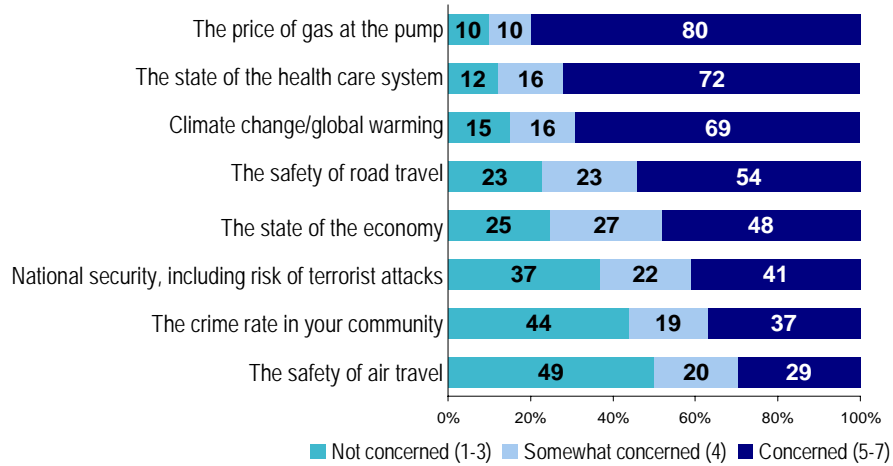
Results reveal that the price of gas at the pump tops the list of concerns, with 80 per cent indicating they are concerned about this issue. The state of the health care system and climate change/global warming are also seen as important issues for Canadians, with a respective 72 per cent and 69 per cent of respondents indicating they are concerned about these issues. The safety of road travel registers as a mid-level priority, with 54 per cent expressing concern about this issue.

Fewer than half express a high level of concern about the state of the economy (48 per cent), national security (41 per cent), or the crime rate in their community (37 per cent). Canadians are least concerned about the safety of air travel (among the issues tested) – only 29 per cent say they are worried about this issue.

- Generally speaking, women are more concerned than men about the issues tested.
- Regionally, residents of Quebec are less concerned than other Canadians about the issues tested.

## Issues of Concern for Canadians

"How concerned are you about each of the following issues?"



{Base: All Canadians}

## 3.1 IMPAIRED DRIVING TOPS LIST OF ROAD SAFETY CONCERNS...

Drivers were then asked how concerned they were with a number of issues related directly to road safety (e.g., road rage, aggressive drivers, speeding). Results reveal that driving while impaired by alcohol (91 per cent) or by illicit drugs such as marijuana, cocaine or methamphetamine (85 per cent) top the list of the road safety issues tested.

Drivers who run red lights (80 per cent), children who are not in a child safety seat while riding in a vehicle (78 per cent), drivers talking on a cell phone while driving (74 per cent) and aggressive drivers (74 per cent) are seen as important second-tier road safety concerns for Canadians. Road rage, fatigued drivers, driving while impaired by prescription drugs, and speeding were cited as a road safety concern by roughly two-thirds of respondents.

Canadians are least concerned about aging drivers and young drivers (among the issues tested), although a relatively large proportion (52 per cent and 44 per cent, respectively) express concern about these issues.

- ▶ Generally speaking, women and those 65 years of age and older are more concerned than their counterparts about the road safety issues tested.

The focus groups produced largely similar results. Generally speaking, participants identified impaired driving, driver distraction (e.g., cell phone, applying make-up, reading a map) and speeding as the main causes of serious collisions in Canada.

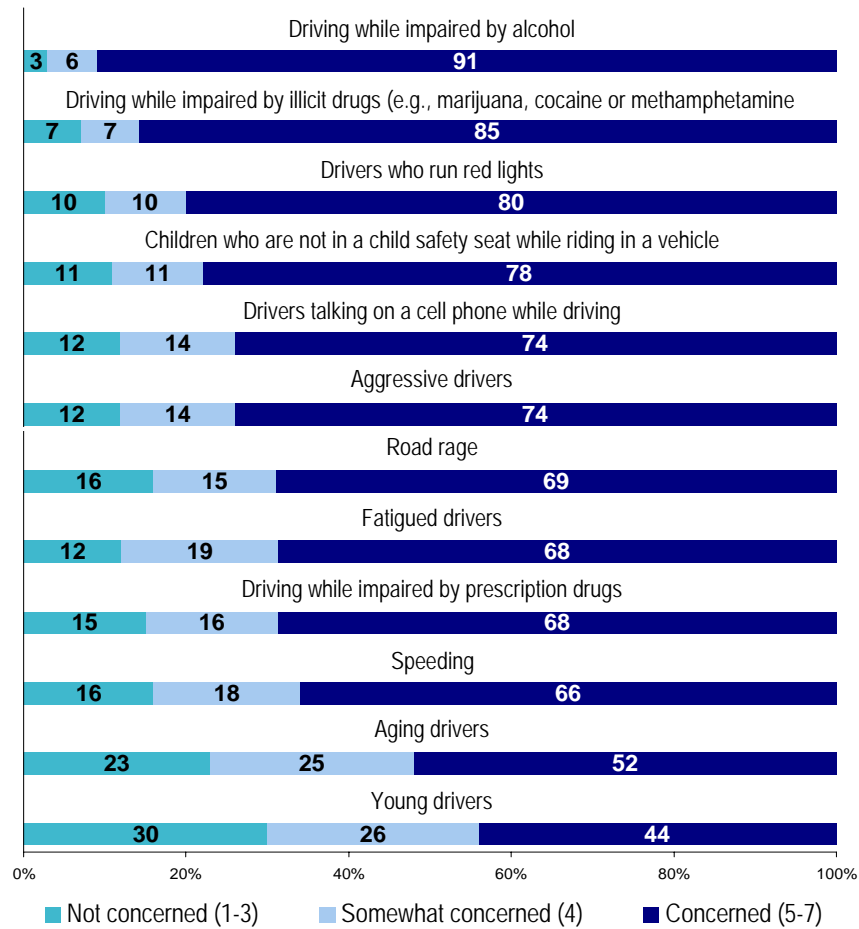
There was agreement among participants that the goal of reducing impaired driving, with an eye to completely eliminating it, should be a priority for governments. When asked to explain their reasoning in a context of competing public priorities, such as education, the environment and health care, many participants were quick to respond that impaired driving was a “completely preventable” problem. Thus, while they expected governments to continue to grapple with “bigger” issues such as health care and global warming, they felt that impaired driving was a problem that could be solved in the relatively short term. As one respondent said, “It’s just a question of will.” These participants further felt that this characteristic should make it relatively attractive to governments:

*“The government needs to have a mixed agenda. Of course you need to address the environment and all that, but you also need to show people that you can get things done.”*

*"These other issues are really complicated. This one really isn't. It's the sort of thing that as a society we could get off of our plate pretty fast if we put our minds to it."*

## Concern About Road Safety Issues

"How concerned are you with each of the following road safety issues?"



{Base: All Canadians}

## 4. Perceptions of Impaired Driving

---

Canadian drivers were also asked a number of questions aimed at better understanding their perceptions of impaired driving (e.g., perceived reasons for driving while impaired, knowledge of blood alcohol limit, likelihood of being stopped by police).

### 4.1 SEVEN IN TEN KNOW CANADA'S BAC LIMIT...

Results suggest that Canadians' knowledge of the Criminal Code blood-alcohol concentration (BAC) limit is quite high: fully seven in ten (70 per cent) correctly identified the BAC limit as .08%. One in five think the BAC limit is either .02% (10 per cent) or .05% (eight per cent), and two per cent think it is .10% (10 per cent were unable to provide a response to this question).

- Residents of Quebec (84 per cent), men (76 per cent), and those earning \$100,000 or more in annual household income (79 per cent) are particularly likely to identify the blood alcohol limit as .08%.
- In contrast, residents of Ontario (61 per cent), the Atlantic Provinces (62 per cent) and women (64 per cent) are less likely to correctly identify the BAC limit as .08%.

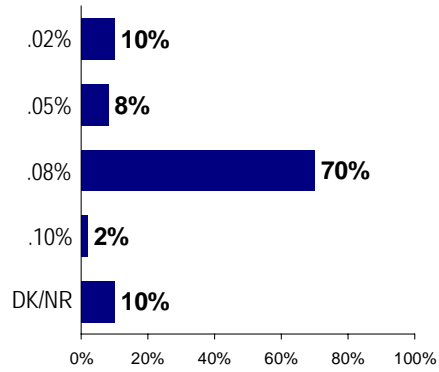
The results of the focus groups are consistent with the survey findings. The majority of participants said that they knew of the .08% BAC limit prior to reading the briefing document. Almost no one, however, realized (before reading the document) that the majority of provinces and territories give the police the power to impose administrative sanctions under the Highway Traffic Act on drivers with a BAC of approximately .05%:

*"I had no idea. I thought everything started at .08%."*

## Knowledge of Blood-Alcohol Concentration Limit

---

"The Criminal Code makes it illegal to drive with a blood-alcohol concentration (BAC) above a certain level. Is the Criminal Code BAC limit:"



{Base: All Canadians}



## 4.2 PERCEIVED NUMBER OF DRINKS ALLOWED...

Gender and weight play an important role in determining how much alcohol an individual can consume before their blood alcohol surpasses the legal limit of .08%. Respondents were asked how many standard drinks (i.e., a bottle of beer, a glass of wine or a shot of liquor) they thought a 180-pound man and a 130-pound woman would have to consume in a two-hour period before he or she would be over the criminal legal limit of .08% (men and women were asked specifically about alcohol consumption for their own gender). Results suggest that both men and women tend to underestimate how many drinks they can consume in a two-hour period before they would be over the legal limit. On average, men think they can consume three drinks in two hours before going over the legal limit, while women feel the maximum is two drinks (in reality, an average 180-pound man could drink about five drinks in a two hour period before reaching the legal limit, and an average 130-pound woman could consume about three drinks in two hours before going over the legal limit).

Looking at these results in more detail, one-third of men (31 per cent) think that a 180-pound man can consume two standard drinks in two hours without exceeding the .08% limit, and roughly the same proportion (32 per cent) think three drinks would be acceptable. One in five men (22 per cent) believe that four drinks or more can be consumed before the blood alcohol limit of a 180-pound man would be over the legal limit, and six per cent think that only one drink is acceptable.

- Those under the age of 25 are notably more likely than their counterparts to say that a 180-pound man can consume four drinks or more without exceeding the criminal legal limit of .08%.

Turning to results for women, the plurality (45 per cent) believe that a 130-pound woman can consume a total of two drinks before her blood alcohol content would exceed the legal limit of .08%. Notably fewer (19 per cent) think that three drinks is required to reach the BAC threshold, and only five per cent believe that a 130-pound woman can consume four or more standard drinks before going over the legal limit. Twenty-one per cent of women believe only one drink can be consumed before exceeding the legal limit.

- Residents of Quebec and the Atlantic Provinces are particularly likely to think that one drink is the maximum that a 130-pound woman can consume in order for her blood-alcohol to remain within the legal limit.



- **The prevalence of people who drive while impaired by illicit and/or prescription drugs:** Older participants were particularly surprised by this, with many explaining that they always thought of impaired driving solely as an alcohol-related issue. Younger participants on the other hand were not surprised about what they read concerning illicit drugs: "In my circle people don't drink and drive, but lots of people drive high." Participants in general noted the significance of driving while impaired by prescription medication, especially in light of the increasing use of pharmacological treatments: "That's true. You never think about that. But how many people over 60 don't have a prescription bottle that says 'may cause drowsiness.'"
- **The existence of interlocking devices:** Many participants simply had not heard of this technology and related programs: "That's what stood out for me. I had no idea that existed."

As is discussed later in this report, it was apparent that the participants' new knowledge with respect to police practices and the surprisingly large amount of alcohol that a person can consume before reaching a BAC of .08% had a significant impact on participants' majority support for lowering the BAC to .05% (suggesting that support for lowering the BAC limit would likely increase if Canadians had a better understanding of the number of drinks necessary to exceed the current limits).

### 4.3 MOST PERCEIVE AN INCREASE IN NUMBER OF DRIVERS IMPAIRED BY ILLICIT DRUGS...

Drivers were also asked if they thought the problem of people driving while impaired by illicit drugs, alcohol, and medicinal drugs has increased or decreased over the past five years. A majority of Canadians feel that the number of people driving while impaired by illicit drugs (such as marijuana, cocaine, and methamphetamine) has increased over the past five years (58 per cent), while only seven per cent think this problem has decreased (and 24 per cent feel there has been no change).

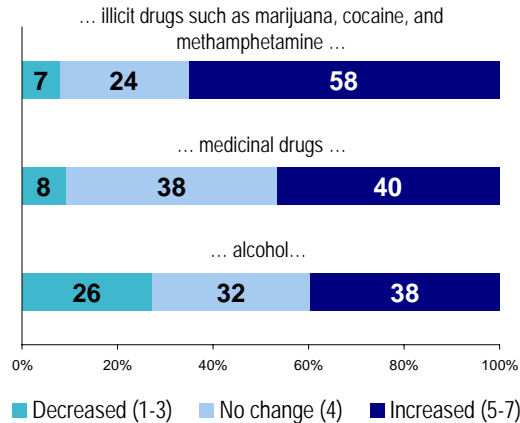
Similarly, four in ten Canadian drivers (40 per cent) feel the problem of people driving while impaired by medicinal drugs has increased in the past five years, and only eight per cent believe that drivers are now less likely to drive after using medicinal drugs than they were five years ago (38 per cent feel there has been no change).

Canadians express more positive views in terms of people driving while impaired by alcohol: a slight plurality (38 per cent) believe the problem has increased over the past five years, however, 26 per cent think the problem has decreased (32 per cent feel there has been no change).

- Residents of British Columbia (70 per cent) and Alberta (73 per cent) are notably more likely than others to say that more people are driving while impaired by illicit drugs today than they were five years ago.
- Residents of Alberta and those under the age of 25 are most likely to feel that driving while impaired by alcohol has increased over the past five years (48 per cent and 50 per cent, respectively).

## Perceived Occurrence of Impaired Driving

"In your opinion, has the problem of people driving while impaired by ... decreased or increased over the past five years?"



{Base: All Canadians}

The prevalence of driving while impaired by illicit and/or prescriptions was also discussed in the focus groups. Most participants felt that the problem of driving while impaired by illicit drugs had worsened over the past five to 10 years, a view that most felt was confirmed by the statistics they read in their briefing document:

*"I thought that it was probably going up, but the numbers in here suggest that it's probably worse than I thought, especially among young people."*

Some of the younger participants said that they had noticed that many of their friends and acquaintances drove "high". Many also went on to observe that while drinking and driving was much frowned upon by people in their age group, driving while impaired by drugs was not:

*"No one I know drinks and drives, but a lot of my friends drive high."*

*"Driving high is sort of accepted. Driving drunk isn't."*

*"I have to admit that while I'd never get into a car with someone who has been drinking, I have gotten rides from people who'd smoked pot."*

For their part, the older participants in the focus groups tended to say that they had never given much thought to issue of "drugged driving" until they read the briefing document:

*"With our generation it's booze. It always has been and always will be. But I guess drugs are a real problem for the younger generation."*

The issue of driving while impaired by prescription drugs was something that few participants, regardless of their age, had considered before. Based on their acknowledged ignorance of this problem, many participants felt that Canadians' awareness of the perils of driving while taking medication should be raised, particularly among older people. In support of this view, some noted that the use of prescription medication in Canada has risen rapidly over the years:

*"Drugs are used to treat a lot more stuff than before."*

*"Everyone now seems to be on something or another."*

Others pointed out that, unlike driving while impaired by alcohol, and, to a lesser extent, illicit drugs, driving while impaired by prescription medication was wrongly seen by many to be socially acceptable:

*"I just think that many people who know they shouldn't drive because the type of medication they are on affects their judgement and reflexes think it's okay. They see it as different than drinking and driving. They don't think what they are doing is socially irresponsible. My mother was like that."*

Looking at participants' views on this issue before and after the focus group discussions suggests that after having an opportunity to discuss issues related to impaired driving, participants became significantly more likely to feel that the problem of people driving while impaired increased across all three of the issues tested (i.e., illicit drugs, alcohol, and medicinal drugs).

## 4.4 REASONS FOR IMPAIRED DRIVING VARY IN IMPORTANCE...

Respondents were read a list of possible reasons why people might drive while impaired and asked how important each of these reasons are in people's decision to drive impaired. Results reveal that the most important perceived reasons for a person to drive while intoxicated (among the ideas tested) are that they think they can still drive safely to avoid a collision (57 per cent), they don't think they are impaired or over the legal limit (56 per cent), or they don't think they'll get caught by the police (56 per cent – possibly due to a perceived lack of enforcement in this area).

Fewer than half think that people drive while impaired because they feel they have no other way of getting home (46 per cent), they don't really care about other people's safety (46 per cent), or they didn't plan on drinking as much as they did (45 per cent). At the bottom of the list of tested ideas, only four in ten Canadians (41 per cent) believe that people drive while impaired because they think the penalties are not all that severe.

- Generally speaking, those 65 years of age and over are more likely than their younger counterparts to see the reasons tested as important in people's decision to drive while impaired.
- Regionally, Quebec residents are generally less likely to see the reasons tested as important to a person's decision to drive while intoxicated.

## 4.5 MOST HAVE NOT BEEN CHECKED FOR AN IMPAIRED DRIVER...

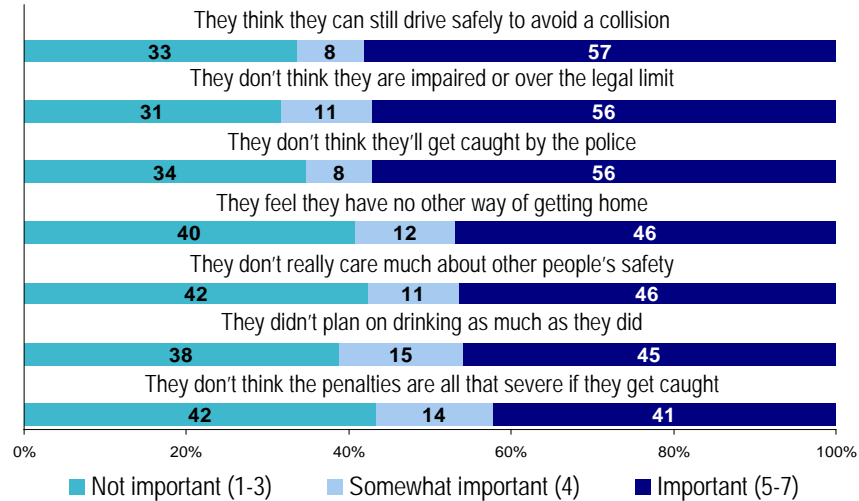
Respondents were next asked how many times in the past 12 months they had been in a vehicle as a driver or passenger that was stopped by police and checked for an impaired driver. The majority of Canadians (80 per cent) say they have not been stopped and checked for an impaired driver in the past year, while one in ten (11 per cent) say this happened to them once, and nine per cent say this has happened more than once.

- Regionally, residents of Quebec and the Atlantic provinces are most likely to say they have not been stopped by the police and checked for an impaired driver in the past 12 months (87 per cent and 92 per cent, respectively).
- Those 65 years of age and older are also more likely than their counterparts to say they have not been stopped (86 per cent).



## Perceived Reasons for Impaired Driving

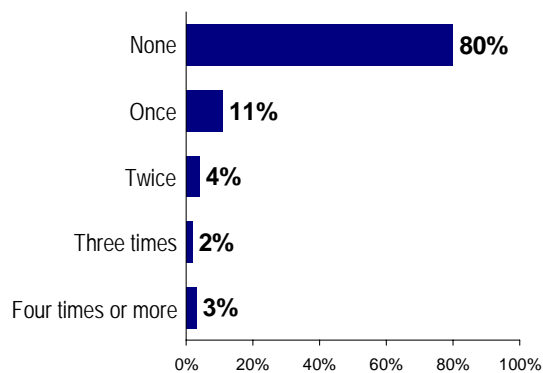
"I am going to read to you a list of possible reasons why people might drive while impaired. How important do you think each of these are in people's decision to drive while impaired?"



{Base: All Canadians}

## Frequency of Impaired Driver Checks

"In the past 12 months, how many times have you been in a vehicle as a driver or passenger that was stopped by the police and checked for an impaired driver?" [OPEN]



{Base: All Canadians}

## 4.6 PERCEIVED LIKELIHOOD OF IMPAIRED DRIVERS BEING STOPPED BY POLICE...

Respondents were also asked how many impaired drivers over the criminal legal limit of .08 they thought would be stopped by police during a weekday and a weekend night. Results reveal that Canadians feel relatively few impaired drivers would be stopped, particularly on weekday nights. On average, Canadians feel that only 27 out of 100 impaired drivers would be stopped by police on a weekend night, and even fewer would be stopped on a weekday night (15 out of 100).

Looking at these results in more detail, the plurality of Canadian drivers (35 per cent) believe that between one and five out of 100 impaired drivers would be stopped by police on a weekday night, and 18 per cent believe six in ten impaired drivers would be stopped. Only three in ten feel more than 10 out of 100 impaired drivers would be stopped by police on a weekday night, and six per cent think that police would stop none out of a 100 impaired drivers on a weekday night.

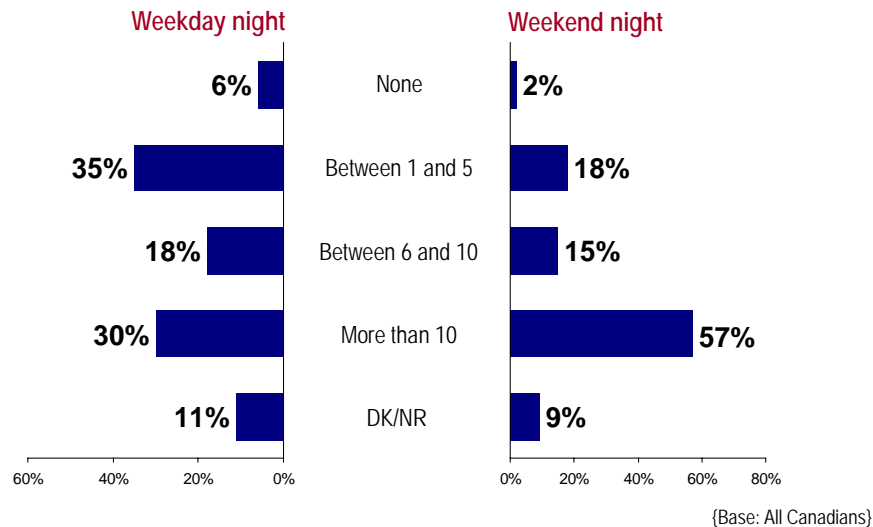
- As level of education rises, so too does the likelihood of saying between one and five impaired drivers would be stopped by police on a weekday night.
- Men are more likely than women to believe that between one and five drivers would be stopped on a weekday night, whereas women are more likely than men to say the number of impaired drivers stopped would be between six and ten.
- Those under 25 years of age are most likely to say that more than 10 impaired drivers would be stopped on a weekday night (37 per cent).

Turning to the likelihood of being stopped by police on a weekend night, results reveal that a slight majority of Canadians surveyed (57 per cent) believe that police would stop more than ten impaired drivers out of 100 on a weekend night. About one in five (18 per cent) think that between one and five impaired drivers would be stopped by police, and a similar proportion (15 per cent) say between six and ten would be pulled over on a weekend night. Two per cent of respondents believe that zero out of 100 impaired drivers would be stopped on a weekend night.

- Women are notably more likely than men to say that police would stop more than ten impaired drivers on a weekend night (62 per cent versus 51 per cent, respectively).
- The likelihood of saying that more than ten impaired drivers would be stopped decreases dramatically with age (72 per cent of those under the age of 25 versus 43 per cent of those 65 years and over).

## Perceived Likelihood of Being Stopped by Police

"In your opinion, out of 100 impaired drivers over the criminal legal limit of .08, how many of them do you think would be stopped by police during a weekday/weekend night?" [OPEN]



The perception of focus group participants on this issue was that very few people who drink and drive get stopped by police. Throughout the discussions, participants would often express the view that much greater attention and resources needed to be devoted to enforcing impaired driving laws:

*"Your chances of getting caught are very small I think. But this bothers me because I think it's a serious crime. Every night serious crimes are being committed by hundreds if not thousands of people without consequence."*

# 5. Views on Countermeasures to Impaired Driving

---

## 5.1 SUPPORT FOR MOST COUNTERMEASURES HIGH...

Canadians were also asked for their views on a number of countermeasures aimed at reducing the occurrence of impaired driving. Survey findings indicate that Canadians overwhelmingly support many new and existing interventions aimed at addressing the issue of impaired driving. Nearly nine in ten agree with confiscating the vehicles of convicted drivers who continue to drive while their license is suspended (89 per cent), requiring all drivers under the legal drinking age to have a zero blood alcohol limit (89 per cent), and requiring all drivers involved in a collision where there are fatalities or injuries to provide a breath sample to police (88 per cent).

More than eight in ten agree with requiring all drivers suspected of being impaired by drugs to submit to behavioural tests administered by officers (84 per cent), handing out stiffer penalties to drivers convicted of impaired driving with children under the age of 16 in the vehicle (84 per cent), and requiring all convicted impaired drivers to have their vehicles fitted with a breath-testing device so that their vehicle will not start if they have been drinking (83 per cent).

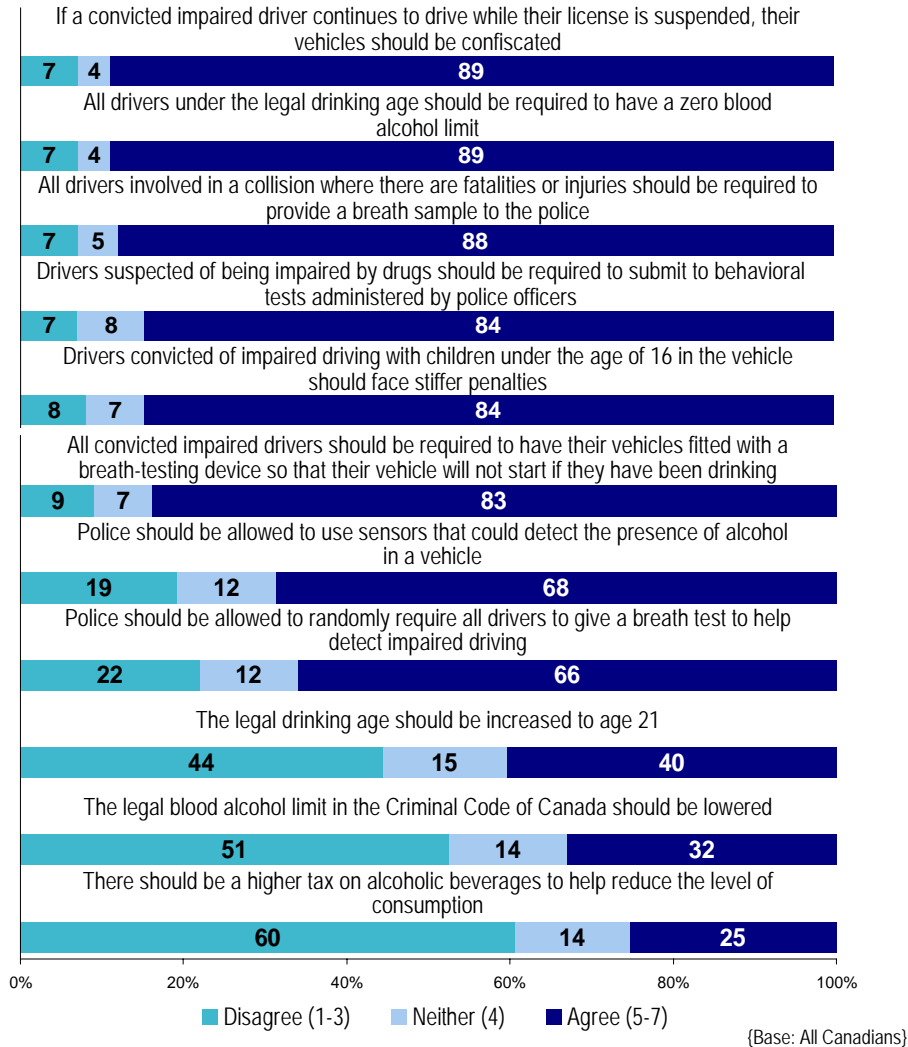
Two-thirds agree that police should be allowed to use sensors that could detect the presence of alcohol in a vehicle (68 per cent), and police should be allowed to randomly require all drivers to give a breath test to help detect impaired driving (66 per cent).

However, support is significantly lower for the other ideas tested. Fewer than half agree that the legal drinking age should be increased to age 21 (40 per cent), or that the legal blood alcohol limit in the Criminal Code should be lowered (32 per cent). Canadians are particularly unlikely to agree with the idea of placing a higher tax on alcoholic beverages to help reduce the level of consumption (only 25 per cent agree with this idea, and fully 60 per cent disagree).

- Generally speaking, women are more likely than men to agree with the countermeasures tested.

## Perceptions of Impaired Driving Solutions

"I am going to read you a list of existing or new interventions to address the issue of impaired driving. How much do you agree or disagree with each of the following statements?"



The question of giving police and the Crown more tools for investigating and prosecuting drivers suspected of drug impairment was discussed in detail during the focus groups. Participants were first asked to react generally to what they had read in the briefing document about current laws and procedures, as well as to the changes and additions that were being contemplated by the federal government in an attempt to deal more effectively with “drugged driving”.

Reaction was consistent across the focus groups. First, people were surprised at what they considered to be the police’s limited ability to investigate and charge those suspected of driving while impaired by drugs, and by the apparent difficulty involved in obtaining a conviction (i.e., “... research indicates that many of these cases are thrown out of court due to a lack of concrete, scientific evidence.”). Second, there was strong initial agreement with the key measure being proposed to address this problem, (i.e., legislation giving police the power to compel a sample of bodily fluid from drivers whom they believe to be impaired by drugs).

As the discussion evolved, a few participants expressed unease or outright opposition to allowing police to compel a blood sample from drivers who “fail” both the Standardized Field Sobriety Test, as well as the more involved and sophisticated evaluations conducted by the Drug Recognition Expert (DRE). A few, notably in the Montreal groups, were opposed to this on principle:

*“I feel like it’s going too far, like it’s an infringement of my rights.”*

*“It makes me uncomfortable. It reminds me of [Orwell’s] Big Brother. Where’s it going to lead to?”*

Most of those who were opposed worried less about civil liberties than they did about inconvenience and/or health concerns:

*“You have to go to the police station, do the evaluation, and then go to the hospital to get a blood sample taken? How long is that going to take?”*

*“Who is going to take the blood sample? Are they going to be trained? I’m not sure I like that.”*

It is important to note that most of those who expressed concerns about allowing police to compel a sample of bodily fluid, particularly a blood sample, indicated that their fears would be allayed by a less intrusive approach, specifically, something akin to a “breathalyzer machine”:

*“Why can’t they develop a test that you could administer on the side of the road, like a breathalyzer? I wouldn’t have any problems with that.”*

Participants were also informed by the moderator that the result of a drug test conducted on a sample of bodily fluid would have to match the documented suspicions of the DRE for it to be admissible in court – e.g., the DRE would state that they suspect a driver to be impaired by a Category 3 drug (out of seven potential categories of drugs), and the test of bodily fluid would also have to show the presence of a Category 3 drug in the driver’s system. Participants were surprised at this and many were incredulous; they felt that it constituted an unreasonable legal burden on the police:

*“What do you mean? Are you serious?”*

*“How many types of drugs are there out there? And we’re talking illegal and prescription. How are the police supposed to guess at that?”*

Indeed, many were concerned that the DRE’s would, more often than not, have to “guess” at a driver’s cause of drug impairment. It is also important to note that very few participants, including those who were worried about the law’s impact on civil rights, were able to hypothesize as to why such a legal standard was contained in the proposed legislation:

*“I have no idea why they would do that. It doesn’t make sense.”*

As a result, the vast majority of participants felt that the legislation should be amended to allow any test that showed the presence of drugs in the system to be admissible as evidence:

*“None of this picking the right category. If the police suspect that someone has drugs in their system and the test shows that they do, that should be good enough.”*

In the end, the majority of participants said that they supported the proposed legislation, with the strong caveat that a simple positive drug test should be considered admissible as evidence:

*“I’m for it, but it’s like we said. No category matching, just pass-fail. Are there drugs in the driver’s system that could cause impairment or not?”*

Looking at participants’ views on this issue before and after the focus group discussions reveals that support for many of the countermeasures tested increased post discussion.

## 5.2 VIEWS ON LICENCE SUSPENSION VARY...

Turning to views on license suspension, survey results reveal that the majority of Canadian drivers (55 per cent) disagree that drivers who consume enough alcohol to reach a blood-alcohol concentration of .05, but are still below the legal limit, should have their license suspended for a period of time (although a sizeable proportion of Canadians – 41 per cent – agree that these drivers should have their licence suspended).

- Regionally, support for licence suspension is highest in Manitoba and Saskatchewan (52 per cent), the Atlantic Provinces (51 per cent), and Alberta (50 per cent).
- Conversely, residents of Quebec are most opposed to this idea: only 26 per cent think drivers who consume enough alcohol to reach a BAC of .05 should have their license suspended for a period of time, and 64 per cent are opposed to the idea.
- Support for suspending the license of drivers whose blood-alcohol concentration is above .05 (but still below the legal limit) decreases as education and income levels rise.

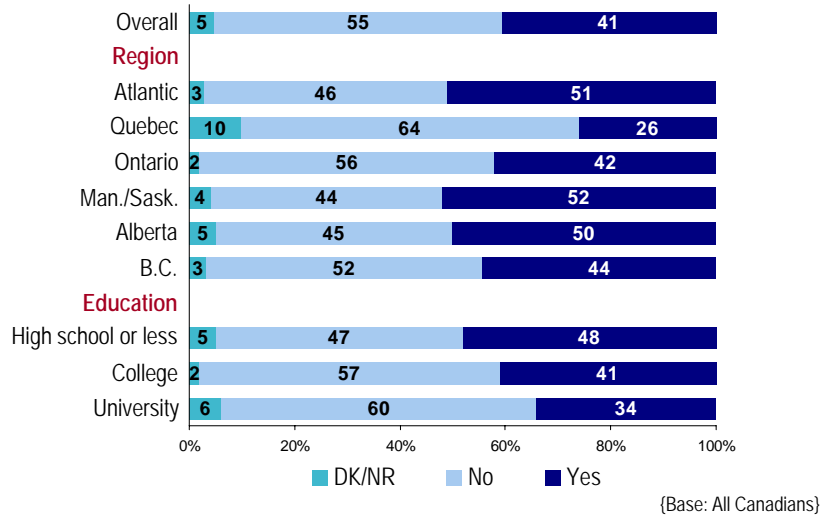
Those who expressed support for licence suspension were asked how long they thought these drivers should have their licence suspended. Results suggest there is little consensus about the length of the suspension. One in four (25 per cent) think less than a week is a sufficient length of time, while one in three (32 per cent) believe the suspension should be between one and three months, and 29 per cent feel the suspension should be four months or more.

- Regionally, British Columbia residents are more likely than others to favour relatively short suspensions of less than a week (39 per cent). Quebeckers are most likely to prefer suspension of one to three months (49 per cent).
- Support for license suspensions of four months or more decreases as education and income levels rise.

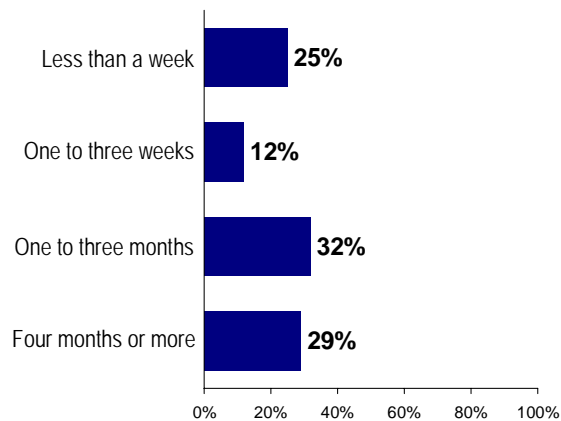


## Views on License Suspension

“Do you believe that drivers who consume enough alcohol to reach a blood-alcohol concentration of .05, but are still below the legal limit, should have their license suspended for a period of time?”



[IF YES] “For how long should they have their license suspended?”



{Base: Believe drivers with a BAC of .05 should have their license suspended}

The views expressed by the focus group participants on the issue of licence suspensions, or, more precisely, the question of lowering the current federal Criminal Code BAC limit of .08% to .05%, varied significantly from the survey results. Specifically, we found the following:

- No one supported the status quo;
- Few participants supported dealing with the issue of drunk driving solely by significantly strengthening the Highway Traffic Act suspensions for BACs over .05%;
- A strong majority of participants favoured lowering the BAC limit to .05%; and
- Many participants suggested lowering the BAC limit to .05% *and* significantly strengthening the Highway Traffic Act suspensions for BACs over .05%.

The difference between the views of survey respondents and focus group participants is likely attributable to the information contained in the briefing document. Two key pieces of information appeared to be at play: 1) the apparent police practice of tending not to charge most drivers with BACs of less than .10%, and 2) the “surprisingly large” amount of alcohol that a person can consume before reaching a BAC of .08%.

As noted previously, participants were surprised and disappointed about the police’s current enforcement practices of the .08% BAC limit. In this vein, some participants explained that their support for lowering the BAC to .05% was based on the assumption suggested in the briefing document that the police would tend to start laying charges at a BAC of approximately .08%:

*“I like the .08% but I think they should enforce it at that. If we have to lower it so that they will, then fine.”*

Many of the others who supported lowering the BAC to .05%, conversely, underlined their desire to see police (and the courts) strictly enforce it at this level, regardless of the impact on human and financial resources:

*“I just don’t get this whole thing. I mean the law should be the law. People are impaired at .05% and they shouldn’t be driving. If they get caught, they should be charged.”*

Collectively, participants who opted for lowering the BAC and significantly strengthening the Highway Traffic Act suspensions for BACs over .05% put forward the following reasons for their choice:

- Police enforcement practices will leave a gap between .05% and .07%, one that will presumably be filled by the sanctions under the Highway Traffic Act. The latter, therefore, should be strengthened, because they are lenient and ineffective.
- Police should have the discretion to use either the Criminal Code or the Highway Traffic Act to deal with drivers with a BAC of under .08%, but current administrative sanctions lack strength.

Participants did not feel that lowering the BAC to .05% and/or strengthening the Highway Traffic Act placed unreasonable limits on Canadians' freedom to socialize (i.e., drink). Often reiterating the briefing paper's assertion that impairment begins with the first drink, many participants felt that it was irresponsible for people to drive after having consumed any amount of liquor:

*"I think it should be zero tolerance, just like when kids get their licence now."*

Others pointed out that a BAC of .05, even if it were strictly enforced, still allowed people to drink socially and drive:

*"You can still have two or three drinks in a couple of hours and drive. That's reasonable."*

The argument that lowering the BAC to .05% would exacerbate the paper and time burden already placed on police and the courts by the current .08% limit garnered little sympathy from participants. They reasoned that laws in general should be strictly enforced, and particularly with respect to drunk driving, which they considered a serious criminal offence:

*"A person gets stopped and blows .08%. They let him off with a warning or a 24-hour suspension, but how many times has that person driven drunk in the past year or two without getting stopped, maybe none, but probably a few or a lot. Each time that person did that he committed a crime."*

Similar to other results, support for licence suspension for those with a BAC of .05 increased following the focus group discussions.

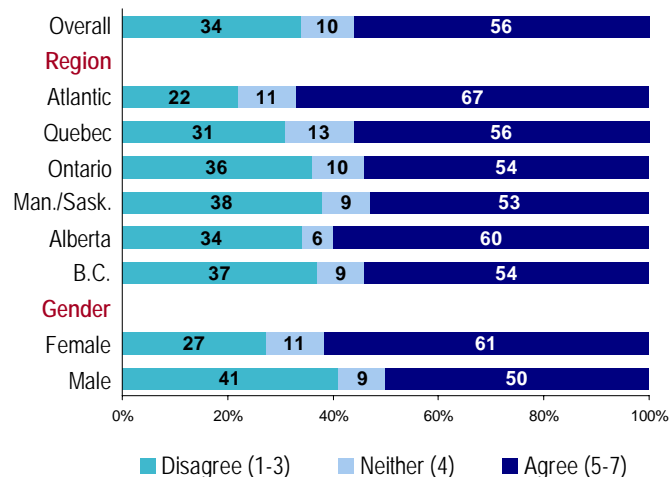
## 5.3 SLIGHT MAJORITY SUPPORT ALCOHOL-DETECTING DEVICES...

Canadian drivers were also asked to what extent they believe that all new vehicles should be equipped with a device that can detect alcohol in the driver and if he or she is over a preset limit, the vehicle will not start. Results reveal that a slight majority of Canadians (56 per cent) say they support this measure, however, a sizeable proportion (34 per cent) disagrees with this idea.

- Regionally, support for equipping all new vehicles with an alcohol-detecting device is highest in the Atlantic Provinces (67 per cent). Conversely, residents of Manitoba/Saskatchewan (53 per cent), Ontario (54 per cent) and British Columbia (54 per cent) are least likely to agree with this idea (although it should be noted that majorities in all regions support the installation of alcohol-detecting devices in all new vehicles).
- Women are more likely than men to support this idea (61 per cent versus 50 per cent, respectively).
- As age increases, so too does the level of support for installing alcohol detecting devices in all new vehicles (49 per cent of those under the age of 25 are in favour, compared to 64 per cent of those 65 years of age and older).

### Views on Alcohol-Detecting Devices

“To what extent do you agree that all new vehicles should be equipped with a device that can detect alcohol in the driver and if he or she is over a preset limit, the vehicle will not start?”



{Base: All Canadians}

The issue of ignition interlock programs was examined in two parts during the focus groups. First, participants were asked to consider whether jurisdictions across Canada should make the participation in ignition interlock programs mandatory. Second, they were asked for their views on making alcohol monitoring devices standard equipment on all vehicles sold in Canada after a certain date (e.g., 2012).

Many participants' initial reaction to current voluntary and mandatory ignition interlock programs was that they constituted a boon to convicted drivers:

*"I guess it allows people to drive to work. It doesn't disrupt their lives as much."*

Similarly, few participants were initially able to discern any road safety benefits from the programs. This led many to feel that the programs were therefore "too lenient":

*"Instead of having his licence suspended for a whole year, it's suspended for only three months and then the guy get to drive with that gizmo for the other nine months? How is that punishment? How is that a deterrent?"*

As the discussion evolved, some participants began to see the potential for positive road safety impacts from the programs:

*"I guess it's good for preventing people that would drink and drive anyway without a licence."*

But this argument was often countered with the suggestion that such a driver "could always borrow someone else's car". Further discussion, however, led most people to generally accept that ignition interlock programs could reduce the overall incidence of drunk driving:

*"Sure the guy could borrow a car, but who is going to lend him one. The point is, he can't drive his car if he's been drinking and that's good for the other drivers out there."*

From that point, the majority of participants said that they were in favour of making ignition interlock programs mandatory across Canada. It is important to note, however, that quite a few participants felt that these programs should compel convicted drunk drivers to use an ignition interlock system for a minimum of nine months **after** having their licence suspended:

*"I like the idea of making it mandatory, but they should have their licence suspended for the entire year, **then** get the technology installed."*

Participants were then asked to consider the pros and cons of making a form of ignition interlock standard equipment in all vehicles sold in Canada after a certain date. Participants were asked to imagine a passive system. For example, one that would continuously read a driver's BAC through sensors imbedded in the steering wheel. Many participants were initially surprised that something as wide in scope and revolutionary was being contemplated, despite having read about the possibility in their briefing document:

*"They would never do that. I just can't picture it."*

A quick show of hands, however, indicated many supported the move:

*"I'm all for it. If they have the technology they should do it."*

The minority who was opposed most often objected to paying for a system they saw as irrelevant because they personally did not drink and drive:

*"Why should I pay for that? I don't even drink."*

A few others objected on what they often termed "privacy grounds":

*"It just makes me uncomfortable. I feel like it invades my privacy."*

Those in favour of the measure quickly countered these arguments; pointing out that the point of the ignition interlock system was designed to protect people from *other* drivers:

*"Everyone has to have one for it to work. You're paying so that others have it so they won't drink and drive and hit you."*

Similarly with the invasion of privacy objection:

*"If every new vehicle has it, how is that an invasion of privacy? You aren't being singled out."*

A second show of hands revealed an increase in support for making ignition interlock systems standard equipment on cars: some of those who had initially objected because they did "not want to pay" for something they would "not use" accounted for the change.

Interestingly, despite an increase in support through a "show of hands" in the groups, the pre and post questionnaire results indicate that support for equipping all new vehicles with an alcohol detecting device remained largely the same following the focus group sessions, suggesting that reservations people have about this system continue even after a thorough discussion of this idea.

## 5.4 WILLINGNESS TO PAY EXTRA FOR SYSTEM...

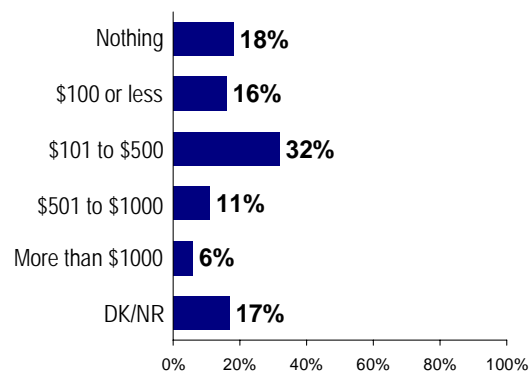
The survey further probed the willingness of Canadians to pay extra to equip all new vehicles with an alcohol detecting device. Those who agreed that all new vehicles should be equipped with an alcohol-testing device were asked how much extra they would be willing to pay for this system in a new car. The plurality (32 per cent) say they would be willing to pay between \$101 and \$500 for this system. Roughly one in ten feel this system is worth between \$501 and \$1000 (11 per cent), and six per cent feel the system is worth more than \$1000. Sixteen per cent say they would only be willing to pay \$100 or less, while 18 per cent say they would not be willing to pay anything for this device. Those who agree that all new vehicles should be equipped with an alcohol detecting device say they would be willing to pay, on average, \$352 for this system.

- Residents of British Columbia and those under 25 years of age (11 per cent) are more likely than their counterparts to say they would be willing to pay more than \$1000 for an alcohol-testing system (11 per cent each).
- Interestingly, although those earning \$100,000 or more a year in household income are somewhat more likely than others to say they would pay between \$501 and \$1000 for this system in a new vehicle, they are no more likely than others to express a willingness to pay over \$1000 for it.

### Willingness to Pay Extra for the System

---

[IF AGREE] "How much extra would you be willing to pay for this system in a new car?"



{Base: Believe all new vehicles should be equipped with an alcohol-detecting device}

The issue of paying for an alcohol-testing device was also discussed in the focus groups. The majority of participants said that they would be willing to pay for a system, as long as it was mandatory for all new vehicles and embedded in the overall price of the vehicle: "I don't think people would mind paying if they rolled it into the price of the car, sort of like airbags." With respect to amount, collectively, participants said that they would be willing to pay between \$300 and \$1,000 with \$500 being the most frequently mentioned amount.



## 6. Personal Experience with Impaired Driving

---

Survey respondents were also asked a series of questions aimed at better understanding their personal experience with impaired driving (e.g., number of friends who have driven while impaired, whether they have known a victim of impaired driving), as well as their personal driving behaviour (in general and as it relates to driving while impaired by drugs or alcohol). These findings are discussed below.

### 6.1 MOST HAVE A FRIEND WHO HAS DRIVEN WHILE IMPAIRED...

Survey results suggest that a slight majority of respondents (52 per cent) say they have at least one friend who has driven after having too much to drink in the last year: one-third say (33 per cent) say that “few” of their friends have driven after having too much to drink in the last year, 15 per cent say “some” of their friends have done this, and four per cent say “most” of their friends have done this in the past year. Forty-six per cent of Canadian drivers say that “none” of their friends have driven while impaired by alcohol over the past year.

- Those under the age of 25 are decidedly more likely than their older counterparts to say that “some” (26 per cent) or “most” (12 per cent) of their friends have driven after having had too much to drink in the past year.
- Regionally, residents of Manitoba/Saskatchewan (26 per cent) and Quebec (22 per cent) are most likely to say that “some” of their friends have driven while intoxicated.
- Conversely, Ontario residents (55 per cent), women (50 per cent) and those 65 years of age and older (64 per cent) are most likely to say that, in the past year, “none” of their friends have driven after having too much to drink.

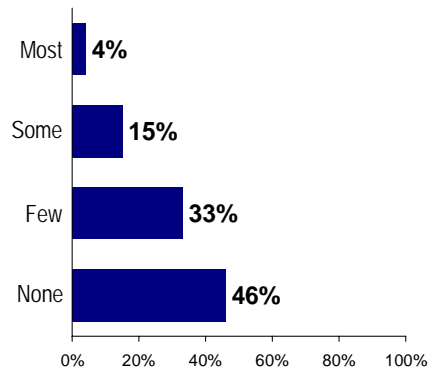
Canadians were also asked if any of their friends had driven within two hours after using illicit drugs such as marijuana, cocaine, and methamphetamine. Results suggest that this type of behaviour is considerably less common than driving after having too much to drink. Fully 75 per cent say “none” of their friends have driven within two hours after using illicit drugs. About one in seven (13 per cent) say “few” of their friends have done this in the past year, and fewer than one in ten say “some” (six per cent) or “most” (three per cent) of their friends have driven within two hours of using illicit drugs.

- Men, residents of Manitoba/Saskatchewan, and those under the age of 25 are all more likely than their counterparts to say some or most of their friends have driven within two hours of using an illicit drug.

## Frequency of Impaired Driving

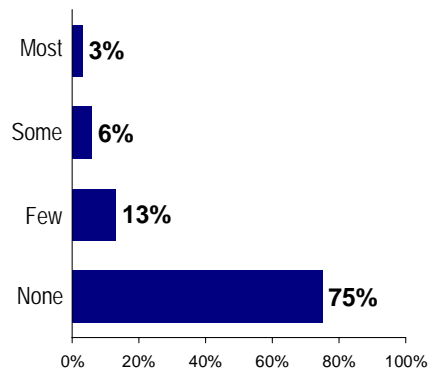
---

“How many of your friends would you say have driven after having had too much to drink in the last year?”



{Base: All Canadians}

“And how many of your friends do you think have driven within 2 hours after using illicit drugs such as marijuana, cocaine, and methamphetamine in the last year?”



{Base: All Canadians}

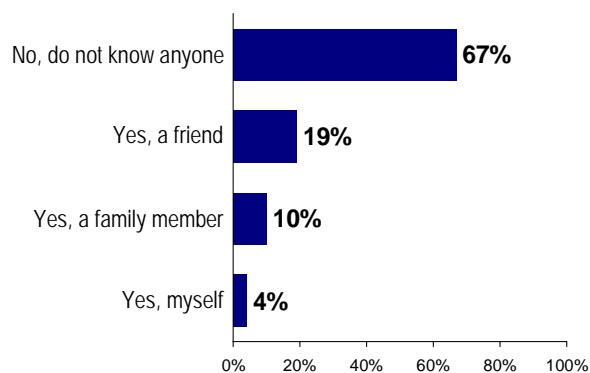
## 6.2 ONE IN THREE HAVE PERSONAL KNOWLEDGE OF IMPAIRED DRIVING VICTIMS...

Survey findings also suggest that most Canadians (67 per cent) do not personally know anyone, either in their family or amongst their friends or acquaintances, who has been a victim of an impaired driver. Among those who have personal experience with a victim of an impaired driver, one in five (19 per cent) say the victim was a friend, one in ten (10 per cent) say the victim was a family member, and four per cent say they themselves were the victim of an impaired driver.

- Regionally, residents of Quebec (74 per cent) are most likely to say they do not know anyone who has been the victim of an impaired driver.
- British Columbia residents are more likely than others to say they have personally been the victim of an impaired driver (seven per cent).
- Those 65 years of age and older are more likely than their younger counterparts to say they do not know anyone who has been the victim of an impaired driver (76 per cent).
- Those under the age of 25 are more likely to say they have personally been involved in a collision involving an impaired driver (nine per cent).

### Knowledge of Victims of Impaired Driving

“Do you personally know someone, either in your family or amongst your friends or acquaintances, who has been a victim of an impaired driver?”



{Base: All Canadians}

## 6.3 MOST SAY THEY WEAR THEIR SEATBELT AND DRIVE AT MODERATE SPEEDS...

Canadian drivers were also asked a series of questions aimed at better understanding their behaviour as it relates to driving in general. When asked on what percentage of trips they wear their seatbelt when driving, fully eight in ten Canadians (84 per cent) say they "always" do this, while one in ten (11 per cent) say they wear their seatbelt from 75 per cent to 99 per cent of the time. Few Canadians (five per cent) say they wear their seatbelt less than 75 per cent of the time. On average, Canadian drivers say they wear their seatbelt 96 per cent of the time.

- Regionally, Ontarians are most likely to say they always wear the seatbelt (87 per cent).
- Women are more likely than men to say they always wear their seatbelt when driving (90 per cent versus 77 per cent, respectively).
- The likelihood of always wearing one's seatbelt increases dramatically as age and education levels rise.

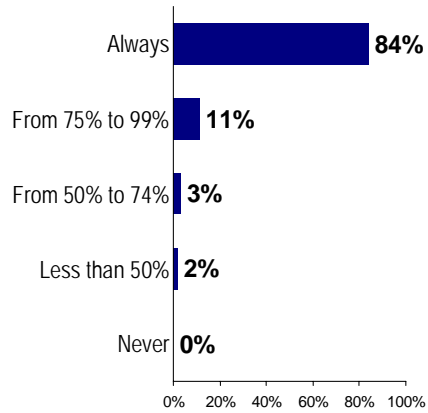
Turning to typical highway driving speeds, results reveal that Canadians say they drive an average of 108 kilometres per hour on a four-lane divided highway with a speed limit of 100 kilometres per hour.

Looking at these results in more detail, eight per cent say they typically drive less than 100 kilometres per hour on a four lane divided highway, one in three (33 per cent) say they usually drive between 100 and 105 kilometres per hour, and 38 per cent say they normally drive at speeds between 106 and 115 kilometres per hour. Only one in five say they typically drive at speeds of more than 115 kilometres per year: 16 per cent say they drive between 116 and 125 kilometres, and two per cent say they drive more than 125 kilometres per hour.

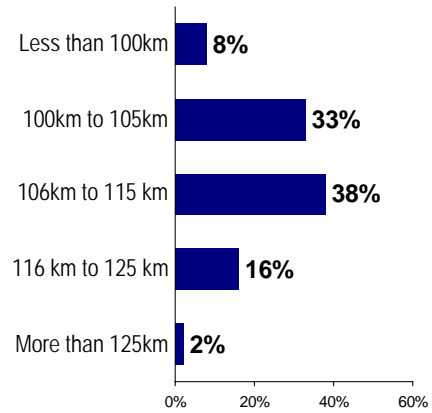
- Women, seniors and those with high school education or less are more likely than their counterparts to say they drive less than 100 kilometres an hour or up to 105 kilometres per hour on a four-lane divided highway.
- Conversely, men and those earning at least \$100,000 a year in household income are more likely than others to say they drive at speeds over 115 kilometres per hour.

## Driving Behaviour (a)

"On what percentage of your trips do you wear your seatbelt when driving?"



"How fast would you typically drive on a four-lane divided highway with a speed limit of 100 kilometres per hour?"



{Base: All Canadians}

## 6.4 FORMAL DRIVER EDUCATION VARIES; MOST NOT INVOLVED IN A RECENT COLLISION...

Respondents were asked if they have ever taken or are currently taking a driver education course that involved both in-class and on-road experience. Results reveal that a slight majority of Canadian drivers (53 per cent) say they are taking or have taken a driver education course with in-class and on-road experience, while 47 per cent have not.

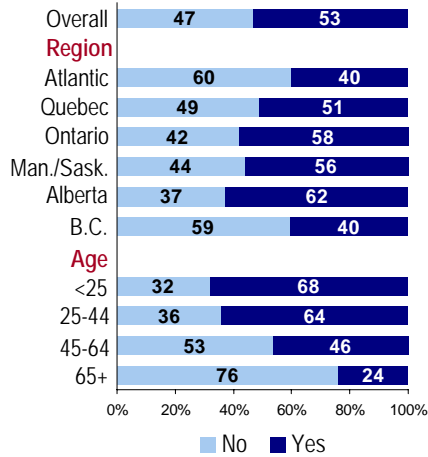
- Alberta residents are most likely to say they have taken or are currently taking a driver education course (62 per cent). In contrast, residents of the Atlantic Provinces (60 per cent) and British Columbia (59 per cent) are most likely to say they have never had any formal driver training.
- The likelihood of having taken a driver education course decreases dramatically with age (68 per cent of those under the age of 25, versus 24 per cent of those 65 years of age and older).
- The university-educated are more likely to say they have had some formal driver training (60 per cent, versus 42 per cent of those with high school education or less).

Respondents were also asked if they had been involved in a collision in the past 12 months which involved damage or injury to themselves or another person or the vehicle, while they were driving. Results reveal that few Canadian drivers say they have been in such a collision in the past year: only six per cent say they were involved in this type of collision, while fully nine in ten (93 per cent) say they were not.

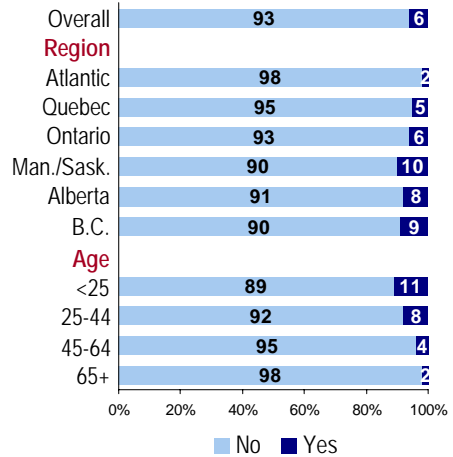
- The likelihood of having been involved in a collision resulting in damage or injury during the past 12 months decreases with age (11 per cent of those under the age of 25 have been involved in a collision while driving, versus two per cent of those 65 years of age and older).
- Regionally, those from Western Canada (British Columbia, Alberta, Saskatchewan and Manitoba) are more likely than their Eastern counterparts to say they have been involved in a collision resulting in damage or injury.

## Driving Behaviour (b)

“Did you ever take or are you currently taking a driver education course that involved both in-class and on-road experience?”



“During the past 12 months, were you involved in a collision involving any kind of damage or injury to you or another person or vehicle while you were driving?”



{Base: All Canadians}

## 6.5 BEHAVIOURAL INDICATORS...

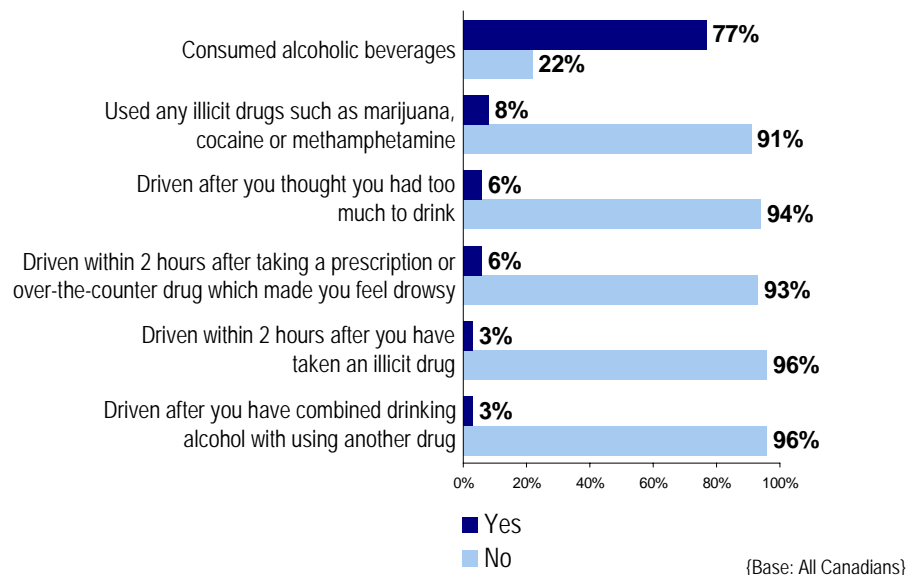
Finally, respondents were asked if they had engaged in driving-related activities in the past 12 months that might pose a threat to the safety of other drivers (e.g., driving after they thought they had too much to drink, driving within two hours after taking a prescription or over-the-counter drug, etc). Results reveal that fewer than one in ten say they have driven after having had too much to drink (six per cent) or within two hours of taking a prescription or over-the-counter drug that made them feel drowsy (six per cent). Even fewer say they have driven within two hours after taking an illicit drug or after combining alcohol with another drug (three per cent each).

Results also reveal that 77 per cent of Canadians surveyed say they have consumed alcoholic beverages in the past 12 months, however, fewer than one in ten (eight per cent) say they have used any illicit drugs such as marijuana, cocaine or methamphetamine in the past year.

- Generally speaking, men and those under the age of 25 are more likely than others to answer “yes” to each of the indicators tested.

### Behavioural Indicators

“In the past 12 months, have you ever done any of the following?”







APPENDIX A  
BACKGROUND DOCUMENT

# GROUP DISCUSSION BACKGROUND DOCUMENT

## INTRODUCTION

A series of group discussions are being held to understand Canadians' views on the following issues related to impaired driving: (1) introducing a new Criminal Code impaired driving offence for driving with a Blood Alcohol Content (BAC) between .05% and .08%; (2) the problem of driving while impaired by prescription drugs and illicit drugs (including cocaine, methamphetamine and marijuana); and (3) the implementation and operation of technologies such as the alcohol ignition interlock system designed to reduce impaired driving. You are asked to read this background document to familiarize yourself with the issues before attending the focus group.

During the 1980s, public concern about impaired driving reached unprecedented levels. In response to this high level of public concern, many countermeasure strategies (e.g., education campaigns, tougher laws) were implemented. As a result, significant decreases were observed in the incidence of impaired driving on Canadian roads. During the 1990s, however, the dramatic decrease seen in the 1980s slowed down considerably.

Since 2000, progress has halted and the percentage of fatally injured drinking drivers has reached a plateau. New countermeasure strategies (e.g., administrative license suspension, alcohol interlock ignition systems, assessment and rehabilitation programs) were developed and implemented by many jurisdictions to address impaired offenders. Thus, the main objective of these discussions is to measure the concerns, knowledge, attitudes and behaviour of Canadians with respect to impaired driving.

This document discusses implementing ways of dealing with drivers with a BAC of .05% Criminal Code offence, the use of illicit drugs and prescription drugs and driving, and alcohol ignition interlock systems. Please read this document carefully so that you can express your opinion during the group discussions. This document will also be reviewed and discussed during the group discussion. Your input is important because it will help policy makers learn what Canadians think about each of these issues.

## BACKGROUND

In Canada, drunk driving remains a leading cause of preventable deaths, injuries and disabilities. Currently, the federal Criminal Code is applied at BACs of .08% and over. In addition, twelve of Canada's 13 provincial and territorial jurisdictions impose administrative licence suspensions on drivers whose BAC is viewed as posing an unacceptable risk (typically .05%). Those drivers immediately lose their licence for four to 24 hours. However, the scientific evidence suggests that current roadside suspension sanctions currently applied by the provinces at BACs less than .08% are ineffective; that is, they have no effect on the drinking

driving fatality rate. On the other hand, the criminal sanctions applied by the federal government have been shown to reduce the drunk driving death rate. The crux of the issue is how drivers with a BAC of .05% or higher should be addressed.

- One option is to create a new Criminal Code of Canada offence for BACs over .05% up to the current level supporting a criminal charge. This new offence could include streamlined procedures, reduced penalties and provisions for automatically removing the conviction after two years if there are no new offences.
- An second option would be to significantly strengthen the highway traffic act suspensions for BACs over .05% in each jurisdiction by increasing the suspension period and escalating sanctions for repeat offences.
- A third option would be to enact both of the preceding measures.

### WHEN WAS THE .08% LIMIT ESTABLISHED?

- In 1969, an amendment to the *Criminal Code* made it a criminal offence to drive with a blood-alcohol concentration (BAC) over .08%. This amendment also authorized police to demand breath samples from suspected impaired drivers and made it an offence for suspects to refuse. The BAC offence soon became the primary tool for prosecuting alcohol-impaired drivers.

### IS DRINKING AND DRIVING STILL A SERIOUS ISSUE IN CANADA?

- Yes. Despite the establishment of a BAC limit of .08% and the progress made in the 1980s to combat drinking and driving, millions of Canadians continue to drink and drive.
  - ◇ It is estimated that 1,257 Canadians were killed in alcohol and/or drug-related crashes in 2003. In contrast, there were 582 homicides in Canada that same year.
  - ◇ In 2003, alcohol-related traffic crashes were also conservatively estimated to have resulted in 67,423 injuries and 146,684 property-damage-only crashes (involving 222,960 damaged vehicles). The total financial and social costs of these losses were estimated to be as high as \$9.6 billion.

HOW MANY DRINKS DOES IT TAKE TO REACH A BAC OF .05%?

**BACs in Relation to Time, Weight, Gender and Standard Canadian Drinks\***

**Males**

Standard Drinks	2 hours			3 hours			4 hours		
	170 lbs	185 lbs	200 lbs	170 lbs	185 lbs	200 lbs	170 lbs	185 lbs	200 lbs
2	.0185%	.0146%	.0112%	.0035%	.000%	.000%	.000%	.000%	.000%
3	.0428%	.0369%	.0319%	.0278%	.0219%	.0169%	.0128%	.0069%	.0019%
4	.0671%	.0592%	.0525%	.0521%	.0442%	.0375%	.0371%	.0292%	.0225%
5	<b>.0913%</b>	<b>.0815%</b>	<b>.0731%</b>	<b>.0763%</b>	.0665%	.0581%	.0613%	.0515%	.0431%
6	<b>.1156%</b>	<b>.1038%</b>	<b>.0937%</b>	<b>.1006%</b>	<b>.0888%</b>	<b>.0787%</b>	<b>.0856%</b>	<b>.0738%</b>	<b>.0637%</b>
7	<b>.1398%</b>	<b>.1261%</b>	<b>.1144%</b>	<b>.1248%</b>	<b>.1111%</b>	<b>.0994%</b>	<b>.1098%</b>	<b>.0961%</b>	<b>.0844%</b>
8	<b>.1641%</b>	<b>.1484%</b>	<b>.1350%</b>	<b>.1491%</b>	<b>.1334%</b>	<b>.1200%</b>	<b>.1341%</b>	<b>.1184%</b>	<b>.1050%</b>

**Females**

Standard Drinks	2 hours			3 hours			4 hours		
	120 lbs	130 lbs	140 lbs	120 lbs	130 lbs	140 lbs	120 lbs	130 lbs	140 lbs
2	.0514%	.0451%	.0398%	.0364%	.0301%	.0248%	.0214%	.0151%	.0098%
3	<b>.0921%</b>	<b>.0827%</b>	<b>.0746%</b>	<b>.0771%</b>	.0677%	.0596%	.0621%	.0527%	.0446%
4	<b>.1328%</b>	<b>.1202%</b>	<b>.1095%</b>	<b>.1178%</b>	<b>.1052%</b>	<b>.0945%</b>	<b>.1028%</b>	<b>.0902%</b>	<b>.0795%</b>
5	<b>.1734%</b>	<b>.1578%</b>	<b>.1444%</b>	<b>.1584%</b>	<b>.1428%</b>	<b>.1294%</b>	<b>.1434%</b>	<b>.1278%</b>	<b>.1144%</b>
6	<b>.2141%</b>	<b>.1953%</b>	<b>.1793%</b>	<b>.1991%</b>	<b>.1803%</b>	<b>.1643%</b>	<b>.1841%</b>	<b>.1653%</b>	<b>.1493%</b>
7	<b>.2548%</b>	<b>.2329%</b>	<b>.2141%</b>	<b>.2398%</b>	<b>.2179%</b>	<b>.1991%</b>	<b>.2248%</b>	<b>.2029%</b>	<b>.1841%</b>

	Likely criminal threshold under the proposed .05% law.
	Likely criminal threshold under the current .08% law.

\*Based on a standard drink containing 13.46 grams of alcohol, and a metabolism rate for an average moderate drinker of a .015% decrease in BAC per hour.

## IF DRINKING AND DRIVING IS ILLEGAL, WHY AREN'T MORE PEOPLE BEING PUNISHED?

- Despite the move to criminalize impaired driving, research indicates that many drivers who are caught operating a motor vehicle with a BAC of .08% or greater are not charged with a criminal offence.
- According to a survey of police officers by Transport Canada and the Canadian Association of Chiefs of Police, three-quarters of police said they only lay criminal charges when a driver's BAC is over .10%. Moreover, many officers report not laying criminal charges because the process is too time consuming, complex and not rewarding.
- Instead, impaired drivers are often dealt with at the provincial and territorial level by means of a number of alternative measures called administrative sanctions, which significantly reduce the penalty to the impaired driver.
- These administrative sanctions differ greatly from one province/territory to another.

## WHAT ARE SOME ARGUMENTS THAT HAVE BEEN PRESENTED AGAINST A CRIMINAL CODE .05% OFFENCE?

- It has been argued that lowering the BAC limit will not be particularly effective if the police are not prepared to enforce it.
- It has been suggested that we should work to increase the level of enforcement of the .08% limit first.
- Some police seem to believe that the current criminal system for dealing with impaired drivers is too cumbersome, time-consuming and unreliable. They are concerned that introducing a Criminal Code .05% offence will not address these issues.
- The Canadian Council of Motor Transport Administrators has developed a model to deal with impaired driving between .05% and .08% administratively (i.e., fines, licences suspensions) and provinces and territories are starting to adopt this model within their highway traffic acts.

## WHY INTRODUCE A CRIMINAL CODE .05% OFFENCE?

- Research demonstrates that driving related-skills are significantly impaired at BAC levels well below .08%.
- Although the criminal legal limit is .08%, suspects are rarely charged unless their BAC is at least .10%. If the limit were .05%, there would be a greater likelihood that drivers over .08% would be charged.

- Drivers with a BAC above .05% are far more likely to be involved in a fatal crash than was believed when Parliamentarians established the BAC limit of .08%.
- Most countries in the developed world now have BAC limits of .05%. In some of these, violations of these limits are handled administratively rather than through the criminal courts.
- In jurisdictions which have lowered the BAC limits to .05% or lower, research indicates a decrease in the number of fatal crashes without a significant impact on police or court resources.
- A recent study conducted at the University of Toronto and the Centre for Addiction and Mental Health estimated, based on Australian and European experience, that lowering the legal limit in Canada could reduce the numbers of deaths on Canadian highways by between 6 and 18%. In 1996, this could have prevented between 185 and 555 deaths.
- Lower BAC limits may positively change public attitudes about drinking and driving, and make drivers more conscious of their drinking and the need to plan alternative transportation.
- The current federal and provincial BAC limits convey the incorrect message that it is safe to drink and drive unless your BAC exceeds .08% when, in fact, impairment begins with one's first drink and key driving-related skills are significantly impaired at BAC levels below .05%. Thus, a federal .05% offence would reinforce the message that drinking and driving is a very serious matter that warrants criminal sanction.
- Under the current system, the provinces/territories each have their own means of dealing with impaired drivers. BAC limits, sanctions, recording provisions, licensing consequences and remedial measures all vary from one province/territory to another. It has been argued that a *Criminal Code* .05% BAC offence would create a single standard across the country rather than the current patchwork approach to dealing with lower BAC's. Such a process would be faster to implement, as it only requires one legislative change rather than 13.

## DRIVING UNDER THE INFLUENCE OF ILLICIT AND PRESCRIPTION DRUGS

### WHAT IS “DRUGGED DRIVING”?

- Typically, the terms “drugged driving” and “drug-impaired driving” refer to driving a motor vehicle while impaired by any type of drug or medication or combination of drugs, medication and alcohol. These include illicit substances, mind-altering prescription medications, and over-the-counter remedies and medications that affect an individual's ability to drive safely.

## HOW SERIOUS IS THIS ISSUE?

- Research indicates that the problem of drugged driving in Canada is on the rise.
- Several studies done to date have been consistent in finding that cannabis, benzodiazepines and stimulants such as cocaine are the most commonly detected drugs in trauma victims or in blood samples sent for forensic testing.
- Rates of driving while using cannabis have been found to be highest among younger people (those under 25 years of age) since those between 15 and 24 years of age report much higher rates of current cannabis use than older age groups.
- In contrast, older adults may be at risk of driving while impaired by drugs such as benzodiazepines because they are more likely than other age groups to be using one or more central nervous system depressant medications.
- According to the Ontario Student Drug Use Survey (2003), almost 20% of high school drivers acknowledged driving within one hour of using cannabis products at least once in the preceding year.
- According to a study by the Canadian Centre on Substance Abuse, the number of people getting behind the wheel after smoking pot has more than doubled in the past 15 years, probably because most people believe that being caught for drugged driving is far less likely than being caught driving drunk.
- The survey also says that young males are driving under the influence of cannabis as often as, or more often, than they drive under the influence of alcohol.
- The Road Safety Monitor 2002 study published by the Traffic Injury Research Foundation of Canada (TIRF) indicated that 18% of drivers reported taking illegal drugs, certain prescription drugs, or over-the-counter medicines within two hours of driving during the previous 12 months.
- The same study revealed that almost four million Canadians admitted to driving after taking a drug that could impair their ability to drive safely.
- A Quebec roadside study using urine samples from drivers who agreed to participate in the study found that about 12% tested positive for drugs.
- Overall concern about this issue is also quite high: According to the Impaired Driving study conducted by EKOS Research Associates, 85% of Canadians are concerned with the issue of driving while impaired by illicit drugs, and 58% believe this problem has increased over the past five years.



## IS DRIVING UNDER THE INFLUENCE OF DRUGS A CRIME?

- Yes. In Canada it is an offence to operate a motor vehicle while impaired by alcohol or other drugs. The *Criminal Code of Canada* states that a driver can be charged, prosecuted and convicted for operating a vehicle while impaired by the effects of drugs.
- However, although there is a legal limit for the amount of alcohol in a driver's blood (.08%), there are no comparable limits for any drug.
- While the well-known breath test that measures alcohol levels is considered to be an effective means of dealing with drunk drivers, there is no comparable chemical roadside screening test for drug impairment.
- Although police can lay charges based on behavioural indicators such as erratic driving, slurred speech or lack of coordination without evidence from blood or urine testing, research indicates that many of these cases are thrown out of court due to lack of concrete, scientific evidence.
- Moreover, existing federal legislation only permits officers to issue a warrant to obtain a blood sample in drivers suspected of being drugged if these drivers have been involved in a collision involving death or injury. In all other circumstances, drivers can refuse to submit to a blood sample.

## WHAT ARE GOVERNMENTS DOING TO ADDRESS THE PROBLEM OF DRUGGED DRIVING?

- Governments at the federal, provincial and municipal levels all agree that drugged driving is a very serious issue that needs to be dealt with harshly.
- However, existing legislation makes it difficult to catch and prosecute drivers who get behind the wheel after taking drugs.
- In November 2006, the federal government unveiled new legislation that will target drivers who get behind the wheel after taking drugs.
- Specifically, this new legislation will, among other things:
  - ◆ Provide police with more tools to detect drug-impaired driving
  - ◆ Create a new offence for possessing drugs while driving
  - ◆ Promote awareness about drug-impaired driving
- The proposed reforms would improve investigations of *Criminal Code* drug-impaired driving offences by authorizing police to demand:
  - ◆ Standardized Field Sobriety Tests (SFST), administered at the roadside, when there is a reasonable suspicion that a driver has a drug in the body.

- ◇ Drug Recognition Expert (DRE) evaluations, when a police officer has reasonable and probable grounds to believe a drug-impaired driving offence was committed. This includes a situation where the driver fails the SFST. The DRE evaluations are administered at the police station.
- ◇ A sample of bodily fluid, if the DRE officer concludes that the impairment was caused by a specific class of drugs.
- Refusal to comply with these demands would be a criminal offence, punishable by the same *Criminal Code* penalties for refusing a demand for an alcohol breath test.

## IGNITION INTERLOCK PROGRAMS

### WHAT IS AN IGNITION INTERLOCK DEVICE?

- Currently, a breath alcohol ignition interlock device (BIID or IID) is a mechanism similar to a [breathalyzer](#), which is installed in a vehicle's dashboard. Before the vehicle can be started, the driver must breathe into the device. If the analyzed result is over a programmed [blood alcohol concentration](#), commonly .02% or .04%, the vehicle will not start.

### HOW DOES THE DEVICE WORK?

- At random times after the [engine](#) has been started, the IID will require another breath sample. The purpose of this is to prevent a friend from breathing into the device, enabling the intoxicated person to get behind the wheel and drive away.
- In the event the breath test reveals a BAC in excess of the threshold value, the vehicle will not operate and the driver must wait a period of time before trying again.
- If the driver's BAC is less than or equal to the pre-set threshold value (in this case .02%), the vehicle is operational. (Some systems provide a warning if the driver's BAC is positive but below the threshold value.)
- Once the vehicle has been started, the interlock system requires periodic running retests to ensure the driver's BAC does not rise above the threshold value. A data recorder captures the results of all breath tests for later review.
- If the breath sample isn't provided, or the sample exceeds the ignition interlock's preset blood alcohol level, the device will log the event, warn the driver and then start up an alarm (e.g., lights flashing, horn honking, etc.) until the [ignition](#) is turned off.

## WHAT IS THE HISTORY OF INTERLOCK IGNITION DEVICES IN CANADA?

- The first alcohol ignition interlock program in Canada was introduced in Alberta in 1990.
- The program was primarily voluntary and involved relatively small numbers of drivers who had been convicted of an impaired driving offence. Offenders were offered a reduction in the length of their license suspension if they participated in the interlock program.
- An evaluation of the program showed a substantial reduction in the number of impaired driving offences during the period of program participation.
- Thus, in July 1999, the Criminal Code of Canada was amended to allow the court to reduce the mandatory period of driving prohibition for a first-time impaired driving offence from one year to three months provided the offender participated in an alcohol interlock program for the remainder of the original period of prohibition.
- Subsequent amendments allowed second offenders a reduction in the length of the driving prohibition if they participated in an interlock program. Today, most province and territories have either implemented an ignition interlock program or have announced the intention to do so in the ear future.

## DOES EVERY PROVINCE OPERATE AN INTERLOCK PROGRAM?

- No. At present, New Brunswick, Nova Scotia and Prince Edward Island do not have Interlock programs available to drivers who are convicted of driving under the influence of alcohol.

## WHO ADMINISTERS THESE INTERLOCK PROGRAMS?

- In Canada, interlock programs are administered by the agency responsible for issuing driver's licenses (usually the Ministry of Transportation).
- The courts play a relatively minor role in these programs. They must provide authorization for the offender to drive an interlock-equipped vehicle during the period of prohibition, but play no role in the operation or administration of the program.

## IS PARTICIPATION IN THE PROGRAM MANDATORY?

- In some jurisdictions participation is mandatory. Typically, the province makes participation in the interlock program a condition of licence reinstatement. In other jurisdictions the offender is not required to participate prior to licence reinstatement.
- Overall, it is estimated that less than 15% of all convicted impaired drivers in Canada participate in an interlock program. Quebec has one of the larger programs and enrolls over 20% of all convicted impaired driving offenders.

## ARE DRIVERS REQUIRED TO COMPLETE A PERIOD WHEN THEIR LICENCE IS SUSPENDED BEFORE USING AN INTERLOCK?

- The current legislation requires that a specific suspension period be served prior to being qualified to use an ignition interlock system. For example, for a first offence, the mandatory suspension is 3 months with the rest of the 1 year suspension with an interlock if the driver chooses to enter the program, or a further 9 month suspension if they don't.

## WHAT ARE SOME POSSIBLE SCENARIOS (AND CORRESPONDING RATIONALE) REGARDING THE FUTURE IMPLEMENTATION OF INTERLOCK PROGRAMS IN CANADA?

- Status quo: As indicated, in some jurisdictions participation in the interlock program would be mandatory, whereas in other jurisdictions it would not be. Those who choose to participate in the program will continue to adhere to existing program durations established by their province of residence.
  - ◇ The status quo recognizes that current countermeasures are sufficient and that it is important not to infringe upon an individual's right to operate a motor vehicle at the risk of being convicted of drunk driving.
- All individuals convicted of drunk driving must participate in an Interlock ignition program for a minimum of nine months or to the end of the usual period of license suspension, whichever is longer.
  - ◇ This would decrease the likelihood of convicted drivers getting into a car and driving while under the influence of alcohol for drivers that comply.
  - ◇ This may increase the number of drivers who choose to drive without a licence.
- As newer technology becomes available, it will be possible to passively monitor the alcohol in a driver without the driver having to blow into a device or take some other such action. These devices, if alcohol is detected, could force the driver to take further action, or could immobilize the vehicle until a driver without a preset level of alcohol were detected.
- These devices could be used for drivers who have had an alcohol charge, short-term, administrative or criminal. In such a case, the driver may be able to significantly shorten their suspension if they agree to only drive a vehicle installed with device. It is likely that such a system would require significantly more strict programs for dealing with drivers who are required to use a device and don't. This might include vehicle forfeiture, jail sentences and/or large monetary fines.

- Alternatively, these devices could be installed as original equipment in new cars built after a certain date. This would likely result in a cost to the vehicle purchaser to pay for and maintain the system. There would be significant fines for attempts to defeat the system.