



Alcohol Interlocks for Motor Vehicles

NEK/NK-BTTF

M E M O

- To:** Casto Lopez Benitez, Director General for Mobility and Transport,
European Commission
Wim Spit, project leader, Ecorus
- From:** Bjarne Eikefjord, head of Norwegian National Committee,
NEK/NK Alcohol Interlocks for Motor Vehicles
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- Issue:** Remarks and comments, referring to Stakeholders Workshop on
Alcohol Interlocks, July 1st in Brussels.



1. Background:

With reference to the discussion of the workshop, as well as the invitation made by Wim Spit to contribute extra information, I have written down some remarks I would like to share with all of you. First some general remarks on public and political support, change of rhetoric, establishing of an European Alcohol Interlock Forum, and the need for standardized and common legislation within the EU/EEC for the use of alcohol interlocks in commercial- and public service vehicles.

As this was the first time I was attending a workshop within EU, I would just reveal a short biography: Since 2001, I have been leader of the High North (Think-Thank) group, and serving as a Board Member of the International Forum, headed by Marit Nybakk, MP, Vice President of the Norwegian Parliament, Stortinget and President of the Nordic Council. The Board (STYRET) of the International Forum:

<http://www.internasjonaltforum.no/dok/sdok1.asp>

2006 I was appointed Norwegian Representative of the CENELEC Alcohol Interlock Committee by Norwegian Electrotechnical Committee (NEK), and was 2011 appointed head of the Norwegian National Committee, "NEK/NK Alcohol Interlocks for Motor Vehicles". Among other members of the committee are: Norwegian Transport Workers Federation, Commercial Traffic Workers Federation, Norwegian Truck-owners Federation, Norwegian Taxi Federation, Organizations for Traffic Schools, Providers of Alcohol Interlocks in Norway.

October 25th 2012 the Committee orchestrated the first International Alcohol Interlock Seminar in Norway: <http://rusfritrafikk.no/international-alcohol-interlock-seminar-in-oslo-the-future-is-drug-free-traffic/>

The seminar raised the question of alcohol interlocks in commercial vehicles on the top political agenda in Norway.

2. Mandates and requests.

The future of alcohol interlocks in offender programs and for preventive use in commercial vehicles, will largely depend of the support and resolves of politicians to use the tools and instruments available to halt DUI. As was the case with the implementation of seat-belts in all cars more than 40 years ago, the political processes would have to be nourished by new technologies, by scientific reports, and by public opinion pressure, beginning with vehicles of vital importance to safety as for example school busses and trucks. This work would have to be lifted to an international perspective, and would prosper best by decisions in international forums where national authorities and governments thereafter would comply. So far this strategy has worked well:

The European Parliament issued a resolution of 27 September 2011 on European road safety 2011-2020 (2010/2235(INI) where the EU-parliament in Article 73:

Recommends that fitting of alcohol interlocks – with a small, scientifically-based range of tolerance for measurement – to all new types of commercial passenger and goods transport vehicles be made compulsory; calls on the Commission to prepare by 2013 a

proposal for a Directive for the fitting of alcohol interlocks, including the relevant specifications for its technical implementation.

A mere week after the International Alcohol Interlock Seminar in Oslo, The Nordic Council 64th session, Helsinki, November 1st 2012, made a similar resolution:

Recommends the Member Countries to make alcohol interlocks compulsory for commercial and professional drivers in the Nordic Countries, Faeroe Island, Greenland and Aaland.

Surprisingly the vote was unanimous, and shows that politicians are willing to make proper decisions, given the factual basis. Next step would be to cascade the lower-national resolve downwards into the respective countries political decision forums. Which the Norwegian parliament, Stortinget, did in June 2013, in the remarks to the Norwegian National Transport Plan (NTP):

“Calls on the Government to prepare legislation making alcohol interlocks compulsory in Norwegian School Busses”

Norway here follows the recommendations from the Nordic Council and the EU-Parliament, following the example set by Finland, France and partly Sweden. The process illustrates that compulsory use of alcohol interlocks will have to be decided upon in international political forums, and thereafter be followed up by national decision makers and authorities.

An EU-directive for alcohol interlocks in commercial vehicles will introduce compulsory general preventive use of alcohol interlocks for a large number of vehicles in all EU and EEA-countries in Europe. Related to equality in competition for transport companies, most of them operating in a cross-border market, there would also have to be introduced standardized laws, regulations, standards, guidelines and definitions in all EU and EEA-countries.

For example common BAC-levels, and caretaking of the legal interest of the professional drivers to protect them from random action, if blocked by alcohol interlocks. Which again demands the highest quality of the alcohol interlocks, as the work, the income and the whole life situation of the professional driver actually would be at stake if an alcohol interlock goes into blocking position on his duty. Challenges that would have to be overcome in time before the EU-directive will be empowered.

3. European Forum for Alcohol Interlocks.

Stakeholders meetings, like the one we had now in Brussels, could be the “European Alcohol Interlock Forum” including all stakeholders, including authorities, politicians, organizations, providers, individuals and others, for example meeting two times a year. This could also include a web-site where informations are shared and news brought to knowledge for all simultaneously.

The CENELEC Committee has so far been a meeting-place in Europe for authorities, producers, users, ideal organizations and other stakeholders working for the issue. The results from that common effort have been far reaching. If one now starts dispersing the

work into a kind of “secret authorities forum” which excludes all other organizations, (like ETSC, TIRF, CENELEC and Alcolock Symposium) and another forum for all, a disintegration of efforts may be created in a way that could jeopardize the focused work so far being done.

The general introduction of alcohol interlocks in commercial vehicles will make it necessary to create credibility for the program by all involved, i.e. the drivers and their unions, transport companies and associates, public authorities and road administration authorities. The main actors involved in the use of alcohol interlocks in commercial vehicles would be:

- Transport customers
- Transport companies
- Transport workers
- International Transport Workers Federations
- Public and political authorities.
- Traffic safety organizations
- Providers of alcohol interlocks

It is of vital importance to include all who works for the implementation of alcohol interlocks in the common European Forum for Alcohol Interlocks. And invite the politicians for involvement and responsibility. As well as the unions of the professional drivers, and the federations of the transport companies, as their support and acceptance will be vital issues to the general implementation of alcohol interlocks in commercial vehicles.

4. Public opinion and political support.

From being an instrument to control drunk drivers in offender programs (USA, Canada, France, Netherlands and Sweden) the alcohol interlock is now being considered to be an instrument with capability of significantly reducing road fatalities caused by drunk driving. This is a highly sensible political issue, which politicians tends to hesitate entering. The use of alcohol interlocks in offender programs is regarded as a punitive repercussion towards the offender. General preventive use of alcohol interlocks may therefore be regarded to be stigmatizing the users. In order to gain public opinion and political support, a change of rhethoric may therefore be necessary.

We may say that the politicians are responsible for the life and welfare of the citizens, as it is stated in the Universal Declaration of Human Rights Article 3:

“ Everyone has the right to life, liberty and security of person..”

From this we have derivated a «Human Rights Declaration of Road Safety»:

“Everyone has the right to travel with no threat to their lives, liberties and security of person from anyone under the influence of Alcohol, Narcotics and Drugs.”

The politicians are also worried by the high toll, and the heavy burden the enormous costs of alcohol related road fatalities draw on the national economies. The alcohol interlock may be

the tool to safeguard freedom from fear of being molested by drunk drivers on the roads. Starting with school busses for children, which hardly any politician may dare to oppose, and with the continuity to other person transport vehicles, and trucks transporting dangerous goods.

A change from a punitive repercussion instrument to an instrument safeguarding everyone's life and health in traffic, may by large remove whatever stigmatizing the use of alcohol interlocks may have represented for commercial drivers. The organizations for the Norwegian Driving Schools, (ATL) represented in the National Committee, would consider implementing alcohol interlocks in all driving education vehicles as a contribution to safety thinking and familiarizing for all to the use of alcohol interlocks. The driving students would become familiar with the use of alcohol interlocks just as natural as the use of safety belts. Which rapidly could wind down possible skepticism against using alcohol interlocks as a natural preparation for driving a vehicle, and thereby reduce the fear of stigmatization.

An alcohol interlock could be considered as an intrusion in the personal environment. For professional drivers, the obligation to inform and negotiate with the unions and other organizations when installing an alcohol interlock, could vary from country to country depending on national laws and the contract between the employer and the employee.

One should be aware of that even in the phase of “voluntarily installation of alcohol interlocks in commercial vehicles” by transport companies, the use of the alcohol interlocks thereafter are mandatory for their professional drivers. Which in the next turn will release need for common, supernational agreements shared by all EU/EEC countries of how to practice the use of alcohol interlocks in commercial vehicles, as the modern transport branch is international of nature. The fear of transport workers federations is that a kind of “Wild West” may appear before an EU-Directive gives clear cut regulations, compulsory for all parts involved.

To enhance the implementation of alcohol interlocks in commercial vehicles, the EU-Commission could play an important role in contributing to comprehensive communication and understanding between management, unions, users and authorities, and to prepare for international agreements to take care of the users civil and law-binding rights in order to avoid circumstantialities.

5. Reports and documentation

The last report (July 25th, 2013) from Norwegian People Health Institute (FHI) states that alcohol is the most common drug for drunk drivers. Depending on the way of reading figures, there is scientific significance to say that 8 out of 10 DUI may be halted by today technology of alcohol interlocks. There may also be significant “dark figures” not revealed by ordinary research, as indicated by the experiences from Stockholm. From beginning of 2012, alcohol interlocks were installed in all busses in Stockholm Local Traffic. Within 10 months, 24 bus drivers had been halted by the interlocks. Which was far beyond what was expected when the interlocks first were installed.

Over some time, an alcohol misuser may find ways to disguise the use of alcohol both to his colleges and to his employer, but the alcohol interlock reveals the facts. Which is, that behind the official figures, another reality may be hidden. A transport company for persons are dependent of confidence and credibility. Most bus companies and many of the truck companies have therefore developed internal drug policy to assure the customers of their will and resolve to defy drugs. For a transport company an alcohol and drug policy has three important purposes.

It should:

- Contribute to quality assurance to customers and commissioners.
- Contribute to increased traffic safety
- Show concern about the companies employees.

Usually an alcohol abuse is covered a long time by the employee. When the problem reveals it is often hard and expensive to deal with. And there is a big risk of accidents due to the alcohol problems of the employee. Alcohol interlocks installed in all of the companies vehicles could detect alcohol problems at an early phase to be confronted and solved, and thus enhance the alcohol and drug policy of the company. As well as the welfare of the potential DUI- candidate.

Every report made, every test result shows that the enhanced use of alcohol interlocks will reduce DUI. The tools are available, the remaining job is to start using them.

6. Offender programs versus preventive use of alcohol interlocks.

The Norwegian National Committee, NEK/NK Alcohol Interlocks for Motor Vehicles, has so far mostly focused on alcohol interlocks in commercial vehicles, which we regards as where the main use of alcohol interlocks in the foreseeable future will take place. At the end of 2012 the estimated was for ca. 3.000 alcohol interlocks in Norwegian vehicles, mostly service- and transport vehicles. From July 1st, 2013, the County of Ostfold, through contracts, has made alcohol interlocks compulsory in school busses. Other counties are following the example. Several municipalities, among them Oslo, has implemented alcohol interlocks in certain service vehicles. More are about to follow. Towards end of 2013, the number of alcohol interlocks may pass 5000. And the figures may increase even more, as counties and municipalities now are planning to follow the request from Stortinget to make alcohol interlocks compulsory for school busses.

The initiative for a Norwegian Offender program was made by the Government Minister of Transport and Communication in mid-2007, following an alcohol interlock seminar I orchestrated together with a MP in the parliament, Stortinget, April 24th. The work-group delivered a report for hearing 2010. Early 2011 it was announced by the Government Minister that an offender program would be set up within a "few months". A project leader was appointed. A new steering-group was established, with authorities from Department of Health, Department of Transport and Communications, Department of Justice and the Norwegian Road Administration, and the Norwegian Police etc.

However, within close to two years, the new group reworked the project document significantly. A new hearing had to be held with deadline May 2013. The outlines of the offender program proposal, as it stands in the hearing documents, indicate that the scope of users will be reduced to between 200 and 400 – at most, pr. year. The program will be combined with an already existing program for rehabilitation of drunk drivers in Department of Justice, and only be offered to recidivist drivers with a high BAC. Not a single alcohol interlock is yet implemented in Norway through an offender program. While the implementation of alcohol interlocks in commercial vehicles are rapidly expanding.

The Parliamentary request for alcohol interlocks in school busses will most likely be followed up by the Government, the Counties and Municipalities, when new contracts for school bussing are negotiated. The Norwegian National Committee, with its members from the Transport Workers Federations, Norwegian Taxi Federation, and Norwegian Truck-owners Federation as well as the organizations for driving education schools in Norway, have laid down a considerably work in developing general guidelines and demands for alcohol interlocks in commercial vehicles, with special focus on the aspect of creating consensus for the use of alcohol interlocks on a broader perspective.

As we regards the more enhanced use of alcohol interlocks in commercial vehicles as much an international as a pure national issue, the documents prepared has been made available to the CENELEC Committee, as an optional development of the EN-50436-3 guidelines standard from 2008. The main document will also be presented at the ICADTS-conference in Brisbane in August. And we also hope that the work done may be of value for the EU-Commission further development work with preparing documentations for the further road towards a more significant use of alcohol interlocks within the EU/EEC.

Both the main document, as well as the abstract for the ICADTS-conference, are enclosed with this memo.

7. Conclusions.

From being a punitive instrument for DUI, the alcohol interlock has moved into an area of general prevention use in commercial vehicles to enhance safety of deliverance of goods and wares. The alcohol interlock also is about to become an instrument of assurance of quality transport of persons in busses and taxis. The alcohol interlock may also enter into the field of public health precautions, as it may be utilized to reduce the burden of alcohol problems within transport companies, commercial drivers, and all other who will use a motor vehicle as part of their jobs. Expanded use of alcohol interlocks may benefit the employers, the employees and also the societies, as it may reduce the fear of being encountered by drunk drivers.

The main challenge of the EU-Commission is now to find the road towards decisions making alcohol interlocks compulsory in commercial vehicles. Here listed just a few areas where international cooperation and supernational decisions would be of vital importance.

Harmonizing BAC and international legislation and practice.

- **Adjust the laws in EU/EEC for the use of alcohol interlocks**
- **Utilizing alcohol interlocks for enhanced health safety and prevention of alcohol problems**
- **Comprehensive communication and understanding between management, unions, users and**

authorities

Transport unions/federations demands:

- EU/EEC uniform legislation and agreements for employers, employees and authorities
- Common set of rules and agreements for how to deal with professional drivers failing tests.
- Transport companies to develop a clear and well communicated drug-handling policy
- Agreements to take care of the users civil and lawbinding rights – avoid circumstantialities.
- Reliable and easyhandling technologi – professional drivers work, income and life situation at stake

Technical Demands:

- Alcohol Interlocks must comply with CENELEC standards
- Well developed and provided service network on international basis
- Strong protection of Sensitive Information in Registry – only authorized person may have access.

The extended use of alcohol interlocks may fulfill the Act of Human Rights in Traffic by offering Freedom From Traffic-drugs.

The total society costs for for one dead or severe injured person in traffic, represents the installation costs of 800 alcohol interlocks.

The alcohol interlocks provides a new quality standard for this part of communication, as well as enhancing the safety for professional drivers in their work.

There will be gradually increasing opinion and political support for implementing alcohol interlocks in school busses, person transport vehicles, and heavy trucks.

Because the consequences of DUI in this type of vehicles are most severe.

Options discussed at the Brussel workshop July 1st

Policy option 0: Status quo

This policy option would mean that the Commission continues to handle the technical aspects of alcohol locks and retrofitting in vehicles via the present channels. There would be a continuously important role for CENELEC, as well as the Motor Vehicle Working Group of DG ENTERPRISE. No additional actions to be taken by DG MOVE.

Answer: As most use of alcohol interlocks specially in commercial vehicles will depend of international standardization of legislation, technical demands and cross-border cooperation, the Option 0 would not fulfill the demands of the users.

Policy option 1: Exchange of information, best practices

In this policy option the role of the EU would be slightly larger, in that it would stimulate the exchange of information on alcohol interlocks, offender programmes and preventive programmes. This could take various forms like organisation of regular

meetings, exchange of best practices, etc. The individual Member States would have the opportunity to learn from each other and apply these lessons in their own situation.

Answer: An European Forum for Alcohol Interlocks, including all stakeholders, would be of vital importance for the enhanced use of alcohol interlocks in Europe.

Policy option 2: Addressing the common technical and operational barriers

In this policy option the EU would take an active attitude in solving common technical and operational barriers to effective and widespread implementation of alcohol interlock programmes. This could for instance involve taking action for ensuring that retrofitting will continue to be possible, harmonisation of driving licence codes, etc.

Answer: Another vital issue for the EU to follow up in the future use of alcohol interlocks, both for offender programs as well as for commercial vehicles.

Policy option 3: Adopting legislation regarding high BAC offenders

Another scenario could be that the EU takes legislative actions on groups of drivers. As high BAC offenders play presently the largest role in alcohol related injuries and fatalities, the first step could be to adopt common legislation on high BAC offenders, e.g. those offenders that surpass the highest legal BAC limit used in the EU. This could mean that the use of alcohol interlock devices becomes a mandatory sanction for all high BAC offenders (e.g. above 1.2 g/l).

Answer: In order to reduce the punitive element of alcohol interlocks, and turn the attention towards other, less stigmatizing rhetorics, offender programs should be open to all offenders, and compulsory use for safeguarding traffic for all.

Policy option 4: Adopting legislation regarding preventive use

Present developments in some Member States show that the public support for use of alcohol interlocks is highest if required for some types of vehicles: school busses, public transport, dangerous goods trucks, all trucks. In this policy option the installation in such vehicles, which may have largest damage in case of accidents, would become legally required.

Answer: The strategy of implementing alcohol interlocks in some types of vehicles, school busses, public transport, dangerous goods trucks and all trucks, has so far been a success related to the outspread public and political support it has attracted. An EU-directive for compulsory use of alcohol interlocks in these types of vehicles may be the best approach further on.

Policy option 5: Alcohol interlocks in all vehicles

This most far reaching policy option would involve the mandatory installation of alcohol interlock devices in all (new) motor vehicles on the European roads.

Answer: The today technology makes this option both practically and politically impossible to pursue before non-intrusive and non-invasive technologies, also detecting other drugs than alcohol, would be available.

Closing Remarks.

The EU Commission has now the key to a better future of road safety and enhanced freedom from drunk drivers on European roads. The bold move would be a combination of option 1, 2 and 4, starting a work towards an EU-directive making alcohol interlocks compulsory for school-busses, person transport vehicles, and other heavy vehicles for transport of goods.

Not because it would be easy, but because it would be right.

There will be opponents, sceptics and antagonists. They could all be met by introducing a:

New Paradigm in road safety policy:

“Some look at the things as they are today and ask: WHY

We look at the future of drug-free traffic and ask: WHY NOT ?”

WHY NOT use alcohol interlocks to stop more humans being deprived of their freedom of enjoying their life, their work, their families and their future ?