



LAND TRANSPORT AMENDMENT BILL 2013

SUBMISSION TO THE TRANSPORT AND INDUSTRIAL RELATIONS SELECT COMMITTEE

14 FEBRUARY 2014

1. BACKGROUND

Thank you for the opportunity to make a submission.

TRAFINZ (The New Zealand Traffic Institute Inc) represents a wide grouping of NZ local authorities, covering the majority of the New Zealand population. Its membership includes regional councils, the major metropolitan cities and smaller provincial authorities as well as private sector and non-local government members.

TRAFINZ's Executive is comprised of elected councillors and officers, drawn from a cross section of the membership, together with senior personnel representing its key government partners and supported by a number of senior technical staff from transport consultancies that volunteer their services pro bono.

The Institute's primary focus is on sustainable transportation planning, traffic management and road safety. It provides specialist advice to member authorities on traffic and safety issues by drawing from the depth of expertise available through its members. It also acts as a conduit for local authorities to respond to the NZ Government on new transport policies and legislation.

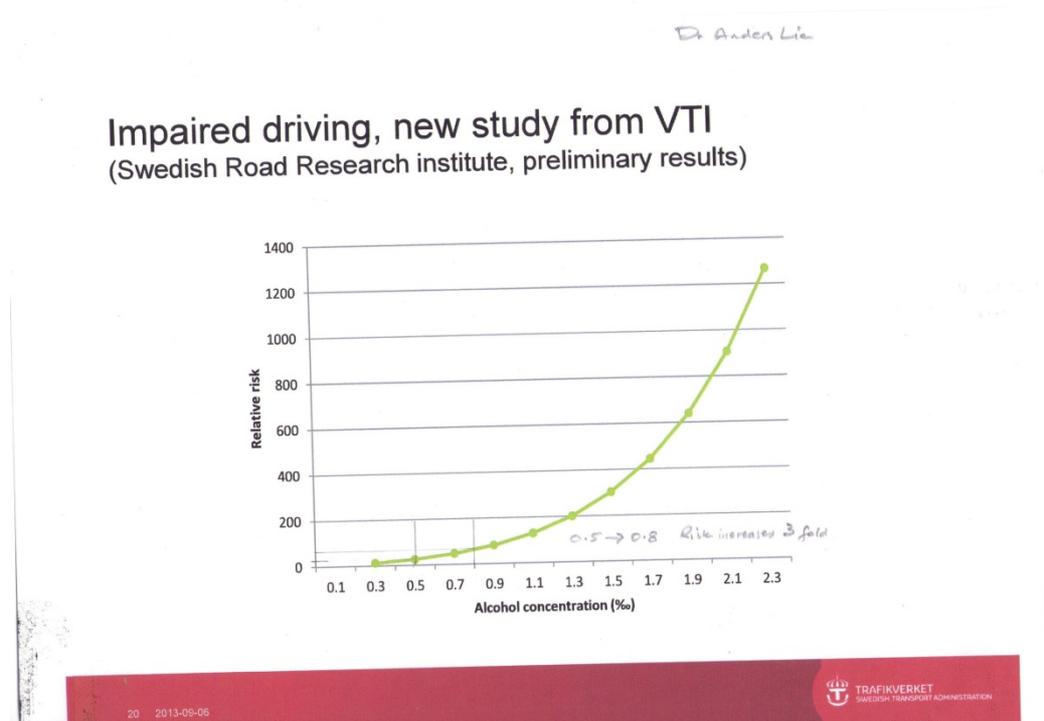
2. SUBMISSION

TRAFINZ strongly support the Bill.

Alcohol impaired driving is a significant road safety problem on New Zealand roads and there are significant research results from overseas showing significantly reduced levels of relative risk from lower levels of blood alcohol. At the Institute's annual conference in September 2013 one of our eminent overseas presenters Dr Ander Lie showed some of the latest results from the Swedish Road Research Institute. A copy of his powerpoint slide is below. This shows the risk levels for drivers compared to that for those with a zero level of blood alcohol. While the very high relative risk levels for extremely intoxicated persons is a feature of the diagram it is notable that increases in alcohol concentration at the lower end increase relative risk significantly. The diagram shows that reducing the level from 0.8 0/00 to 0.5 0/00 as proposed in the Bill reduces the relative risk from 65 times to 23 times, a reduction in relative risk of nearly one third.

We would also bring to your attention the steepening of the relative risk curve beyond the 0.8 Alcohol Concentration level. In our view this supports the differing penalty provisions in the Bill with civil infringements being applied below 0.8 and higher levels being a criminal offense where the relative risk from the offence is significantly greater.

TRAFINZ also supports the proposal to make similar changes to the Evidential Breath limits and to strengthen the procedures around administration of these tests. It is our understanding that the evidential breath test is a robust means of determining alcohol impairment and we support its extended use.



3. SAFE SYSTEM APPROACH

TRAFINZ is an active supporter of the Government's Safer Journeys strategy and the Safe System approach. It notes that the provisions in the Bill support this approach and are one of the actions in the Safer Journeys Action Plan 2013-2015. Changes to blood alcohol limits as proposed in the Bill need to be supported by other initiatives so that the greatest possible reductions in fatal and serious injury crashes are achieved into the future. Some of these will require further legislative change once supporting research is available. Many are community based initiatives and these should be driven by local territorial Councils, with strong support from central government agencies and ministries coordinated by the National Road Safety Committee. Local Government NZ is an Associate Member of that Committee and in conjunction with TRAFINZ can provide a clear community voice as initiatives are developed and their success evaluated.

The following list of initiatives, if announced at the same time as the changes in the Bill are debated, would, in TRAFINZ's view, help to gain the necessary public support for the changes to BOC and demonstrate the Safe System approach. The first two are currently part of the Safer Journeys Action Plan (with a more general scope) while the others would be new initiatives.

1. **Review the BAC limits for motorcyclists. TRAFINZ supports a BAC 0.02(or 0) limit for motorcycle riders.**

Research based on existing crash data in NZ and internationally shows driving a motorcycle with alcohol impairment over 20 mg per 100 ML of blood is approximately 50 times the risk of a car driver and at 50mg per 100 ML of blood the risk is 180 times that of a car driver.¹ Motorcyclists are a vulnerable group who are overrepresented in crash statistics. TRAFINZ believes this would be an important safe system initiative.

¹ A Preliminary estimation of Motorcyclist Fatal Injury Risk by BAC Level Relative to Car/Van Drivers Mike Keall Wellington School of Medicine and Health Sciences, Otago University
Belinda Clark and Missy Rudin-Brown Monash University Accident Research Centre

The influence of alcohol, age and number of passengers on the night-time risk of driver fatal injury in New Zealand Michael D. Keall*, William J. Frith, Tui L. Patterson

A case-control study of the effect of alcohol on the risk of driver fatal injury in New Zealand Keall M.D., Frith W.J., Patterson T.L. Land Transport Safety Authority of New Zealand

SWOV Fact sheet Driving under the influence of alcohol

2. **Introduce alcohol interlocks** into publicly funded passenger transport vehicles as a demonstration project and also actively promote their use in sectors of the private heavy vehicle fleet where the consequences of crashes are high, such as vehicles carrying dangerous loads. Interlocks check that drivers are below a set level of alcohol per litre of breath before the vehicle will start. Currently they can be required to be used by drivers convicted of a BAC offence, following a Court decision.
3. **Introduce a community based funded programme for the “drive home” after social events that include alcohol.**
This will require a new source of funding (“alcohol funding”) and TRAFINZ suggests that hypothecated blood alcohol fines revenue be made available to local government for this purpose and that the programme be initially developed as a demonstration project in rural areas.
4. **Encourage companies to adopt a safe driving policy and develop ways of dealing with drink driving under a Safe System transportation approach.**
Where a company vehicle is used by an employee who is fined for a blood alcohol infringement or offense then TRAFINZ suggests that the company be required to pay the same infringement fee or fine and also be required to demonstrate that it has a documented safe driving policy such as that being promoted by ACC or better. The company should also be placed on the Department of Labour register for H&S monitoring on a three monthly basis paid for by the company to enable the company to obtain and develop appropriate tools for their drivers to not present a risk to themselves or NZ communities and to align with Safer Journeys.
5. **Increase the effectiveness of enforcement on the roads by streamlining the BAC process, updating technology as well as minimising administration and court time, so that the Police have more time to do productive enforcement of BAC on the roads.**
TRAFINZ submits that the excellent work and strong collaboration with local government by NZ Police during high profile holiday weekends shows that road users will respond to more intensive enforcement and that the ‘red tape’ and antiquated systems currently required to be in use are restricting Police BAC productivity. TRAFINZ submits Police are the ‘front line’ on BAC and to enable Police to work with Local Government in the provision of Safe System, effective implementation of BAC processes must be outcome focused. Hence all systems in the BAC enforcement process must be streamlined and updated to apply improved tested technology for delivery of BAC enforcement and to achieve Safe System outcomes aligned with Safer Journeys.
6. **Introduce Local Government into the review and monitoring process.**
While local government is represented on the National Road Safety Committee as an Associate Member TRAFINZ notes that the proposed monitoring and review process for the BAC changes does not include direct Local Government representation. This is despite Local Government being much closer to

communities (who will be most affected by any BAC change) and being responsible for approximately 90% of the roading network. TRAFINZ strongly recommends that transportation input from LGNZ or TRAFINZ be included to provide transparency and local community input.

7. Introduce regular reporting of outcomes.

TRAFINZ submits that government and its agencies be required to report to the community on a regular basis on BAC outcomes and that this process be funded, as well as its delivery back to communities through local government

4. CONCLUSION

Good progress has been made with reducing the numbers of serious and fatal road crashes on NZ roads but levels are still well above those achieved in some other overseas countries. There are real social and economic benefits still to be secured from further reductions and the provisions in the Bill once enacted will assist in this. However, further significant reductions in crashes could be achieved if the lower BAC levels proposed are supported by a number of other initiatives as outlined in our submission.

TRAFINZ appreciates the opportunity to make this submission and is able to provide further clarification if required.

We would like the opportunity to be heard in support of our submission.

For more information please contact:

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