

On behalf of the Police service of Northern Ireland, thank you for the opportunity to respond to the measures outlined in the Road Traffic (Amendment) Bill. As requested I have listed our comments against each of the specific clauses for ease of reference.

Clauses 1& 2 - no comment necessary.

Clause 3 - PSNI support the proposed reduction in Blood Alcohol levels in pursuance of the road safety agenda and in line with the NI Road Safety Strategy. Analysis of the projected additional numbers of drivers likely to be caught under the reduced levels does not give us undue cause for concern. In addition, the effect of random breath testing coupled with a significant media strategy will act as a significant deterrent.

Clauses 4 & 5 - PSNI are strongly in support of this measure, if for no other reason than the strong public message it portrays. The current law provides adequate grounds for police to stop anyone under the influence of alcohol, however it is not easily explained in layman's terms, so the unequivocal simple message of this provision is welcomed. In addition, the experience of AGS in Ireland has shown the effect of the authorised check-points off-set the potential increase in drivers failing breath tests by sending out a strong message in advance of the introduction of the lowered BAC.

Clause 6 - Again PSNI strongly support this measure. It allows police in possession of an Evidential Breath Test (EBT) device at the roadside to require a driver to provide a specimen without having to first perform a screening test. PSNI already have the power to conduct roadside EBTs, it has been the absence of a suitable device that has prevented us from doing so. Positive benefits include reduction in time spent in Custody Suites with arrested drivers. Instead we can deal with a compliant driver entirely at the roadside, thereby increasing our visible presence and acting as a significant deterrent to other drivers.

Clauses 7-11 - PSNI accept that a reduced BAC needs to attract a lesser punishment than the current 1 year minimum period of disqualification. The mechanism by which DOE seek to introduce the lesser punishment appears unwieldy and does cause us some concern in respect of the processes that will need to be implemented to deal with the non-compliant driver. Furthermore the potential for loophole lawyers to seek process errors to acquit their clients is a real risk. The costs to develop software to administer this system are not factored in, nor is there a blueprint in existence elsewhere in the UK. It would be the police preference to introduce a shorter term of disqualification, though we accept this would probably not facilitate the wider use of drink drive offender education as proposed within these measures.

Clause 12 - the adoption of the proposed disqualification periods to apply relative to the alcohol level detected, is welcomed and appears to let the punishment fit the crime.

Clause 13 - Appears appropriate, no further comment required.

Clause 14 - Police welcome the change of emphasis to refer **all** offenders for attendance at the CDDO, unless the court deems it inappropriate. This should expose more offenders to education and the associated benefits in respect of improved recidivism rates. It will also address the lower referral levels from some courts thereby creating a more equitable system.

Clause 15 - No comment necessary.

Clauses 16 & 17 - A reduction in the age at which a young person may learn to drive can be viewed as "balancing the scales" given the introduction of a minimum learning period which is probably not welcomed by most young provisional licence holders. Collision statistics do not reveal any pattern of learner driver collisions that would give rise to any undue concern that such a reduction in the minimum learning age would cause an increased risk to road safety standards. The introduction of a minimum learning period will better equip learner drivers with the requisite motor and hazard perception skills required post test to be a safer driver.

Clauses 18 & 19 - The maintenance of a log book, whilst primarily an issue for the DVA, would seem to be a sensible suggestion, which if properly used will evidence the experience of the applicant. The penalty associated with forgery of the log book would appear to be sufficiently punitive to discourage such behaviour. It will be dependant however on the ability of the department to detect the forgery or fraud, just how effective it will be.

Clause 20 - The police are supportive in principle of the passenger restrictions and we recognise that most drivers are law-abiding, however this clause does give us concern about the practical implications of enforcing this restriction, namely:

- will all 14-20 year olds have photographic ID to prove identity?
- how can we ensure that a passenger who's asked to produce ID is the same person who appears at a police station?
- how to ascertain step-relationships when surnames are different?
- it will be vital to educate parents /guardians to self-enforce this provision.

However we are pleased to see a proposal to abolish the restricted speed provision whilst retaining a distinguishing mark to alert other roadusers and enforcement agencies that a new driver is behind the wheel. Extension of the probationary period to 2 years mirrors the application of the New Drivers Order and should aid understanding.

Clause 21 - PSNI has been offering the option of an education course as an alternative to a fixed penalty for some time, consequently this clause further extends this principle and we are fully supportive.

Clause 22 - From a road safety perspective we are entirely supportive of any move that increases the number of otherwise un-protected roadusers, to wear helmets. We accept this may cause some concern amongst certain groups of trike or quad bike users, but on balance we feel the community is better protected with this legislation in place.

I trust these comments are helpful.

*Rosie*

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