

Evaluation of the Alberta Administrative Licence Suspension Program

EXECUTIVE SUMMARY REPORT

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ALBERTA IS
GETTING TOUGH
ON
DRUNK DRIVERS



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Executive Summary

Alberta Administrative Licence Suspension Program (AALS)

Background

The Alberta Administrative Licence Suspension (AALS) program came into effect on December 1, 1999. This program is the first piece of legislation to be passed as part of the Traffic Safety Act (Bill 24) which became law on May 20, 2003. The AALS is part of the Alberta Traffic Safety Initiative and part of the Alberta Infrastructure and Transportation Business Plan. The aim of the AALS program is to improve traffic safety in Alberta by providing law enforcement with a new tool to remove impaired drivers from Alberta's roadways¹.

Each year in Alberta over 100 lives are lost and over 2000 people are injured in alcohol-related collisions. In 1999, prior to the introduction of the AALS legislation, 22.8% of drivers who were involved in fatal collisions had consumed alcohol prior to the collision. As the severity of the collision increased, the involvement of alcohol also dramatically increased².

The AALS introduces

1. Immediate 24-hour Licence suspension;
2. Automatic three-month Licence suspension or disqualification for providing a breath or blood sample greater than .08 or refusing to provide a breath or blood sample;
3. Automatic six month Licence suspension or disqualification if the offense results in bodily harm or death; and
4. A 21-day temporary permit to allow the driver to set his or her affairs in order.

The AALS program is strongly supported by stakeholders who include Alberta Alcohol and Drug Abuse Commission, Mothers Against Drunk Driving (MADD), Alberta Motor Association, Alberta Health and Wellness, Alberta Justice and Attorney General, Alberta Solicitor General, Alberta Appellate Council, Alberta Aboriginal Affairs and Northern Development, other government ministries, Alberta Centre for Injury Control and Research, and provincial police services. These groups, along with representatives from other agencies, serve as the program's steering committee.

Alberta consulted with Manitoba's Licence suspension program, and additionally with Nova Scotia, B.C. and Ontario. Legal advice and guidance were provided by experts from Alberta Justice and Attorney General. Reviews were also conducted on challenges that had occurred across Canada. Logistical issues were addressed with assistance from Edmonton Police Service and the RCMP. Municipal and rural police services also contributed to the development of the AALS by providing input and feedback on processes and products of the program. Representatives of Alberta Justice and the Attorney General who are responsible for supporting impaired driving legislation (Public Security, Court Services, and Criminal Law) also provided input into the program. Throughout program development, both project progress and

¹ Other legislative changes have occurred at the same time as the AALS. For example, current impaired driving laws for first, second, and third drunk driving convictions result in one, three, or five-year suspension of driver privileges. On December 1, 2004, a driver will be considered a repeat offender if he or she has had a drunk driving conviction within the last 10 years.

² In Canada, 36% of all drivers fatally injured in traffic collisions have consumed alcohol (Traffic Injury Research Foundation, 2002).



management processes were assessed. Action plans by sub-committees were reviewed. The form used by police was extensively field-tested.

Evaluation of the AALS

An evaluation of the AALS program was conducted by Howard Research & Management Consulting Inc. to assess the effectiveness of the program in reducing the incidence of impaired driving behaviour and alcohol-related collisions in Alberta. The evaluation included a brief literature review and synthesis, document review, examination of existing data sources³, interviews with key stakeholders, and a media scan. Data were analyzed using thematic analyses, basic descriptives, pre-post analyses (binomial probabilities, chi-square, t-tests, logistical regression) Autoregressive Integrated Moving Average Models, and regressions. The evaluation was conducted in 2003.

Key Findings

Findings are presented according to process outcomes, specific deterrence outcomes, general deterrence outcomes and the effect on the court system. Results should be considered in terms of short, intermediate, and long-term time frames. Strongest effects of the legislation would be expected to occur at the process level (appeal process and court system) since the program is in the early stages of implementation. More moderate effects would be expected in terms of specific deterrence (recidivism) and more modest effects in terms of general deterrence (effect on the general population).

Specific Deterrence

- 24% reduction in two year conviction recidivism rate
- 19% reduction in recidivism rate for alcohol involved drivers in casualty collisions (three years before/after AALS)

General Deterrence

Comparing three years before/after AALS

- 6% reduction in the number of the casualty collisions involving alcohol
- 12% reduction in the number of fatal collisions involving alcohol
- 7% reduction in the number of nighttime casualty collisions involving alcohol
- 6.5% decrease in the number of alcohol-involved drivers involved in casualty collisions

³ Existing data included Alberta traffic collision data (1992-2002 from Alberta Infrastructure and Transportation, Saskatchewan traffic collision data (1992-2002) from Saskatchewan Government Insurance, raw data from population surveys (December 1999, September 2000, November 2001 from Criterion Research), Fatally-injured BAC data file from Traffic Injury Research Foundation, Intoxilyzer data from Calgary Police Service, Edmonton Police Services and Camrose Police Services, Alcohol-related offence conviction data from Alberta Government Services-Registries, MOVES database, AALS appeal hearing data from Alberta Infrastructure and Transportation, Alberta Adult Criminal Court survey data for alcohol-related trials from Alberta Justice, Summary data on total number of AALS suspended individuals from Alberta Infrastructure and Transportation, and Summary Data for alcohol-related charges from Alberta Solicitor General.



- Decrease in the number of alcohol-involved drivers in casualty collisions in all demographic groups except age 45-55
- Decrease in the number of alcohol-involved drivers in casualty collisions largest for males and for those in the 18-24 age range
- No change in BAC (Blood Alcohol Concentration) positive or BAC over .08 rates among fatally injured drivers
- No change in average BAC for drivers apprehended by police for impaired driving
- No change in the total number of alcohol-involved charges laid

Process Outcomes / Effect on the Court System

An average of 7,656 AALS suspensions have been issued per year. Approximately 118 AALS suspensions are appealed to the Transportation Safety Board each year. Comparing the three years preceding AALS legislation to the three years following, the number of cases that went to trial decreased by 26%. Given the trend toward reduced numbers of trials predating AALS implementation, this reduction is not likely attributable to the legislation. However, the following findings may be attributed to the influence of the AALS:

- Reduction in time median time between receipt of application and court hearing date from 10 to 8 days from 2000 to subsequent years
- Increase from 30% to 52% in rate at which appeals to an AALS suspension resulted in the suspension being revoked by the Transportation Safety Board (first full year of implementation of AALS to subsequent years). One factor that may influence this high percentage is that with the maturing of the AALS program, only those cases with the strongest merit are being brought forward to the Board for appeal. (In 2000, 111 of 374 were revoked. In 2001, 103 of 196 were revoked. In 2002, 139 of 259 were revoked.)

Comparing three years before AALS to three years after AALS:

- 3.3% increase in the number of non-guilty pleas on first appearance before the courts
- 48% increase in the number of guilty pleas on first appearance before the courts
- 52% reduction in the median time between first and last court appearances

Public Awareness

- There are indications that many of the general deterrence effects of the AALS program were limited to the first year of program introduction when the information and awareness was more prominent across the province.
- Public awareness of the AALS legislation has diminished over time. Though public awareness strategies have continued to be implemented, they have not been implemented at the same intensity as at the start of the program.
- Those with higher rates of impaired driving had more knowledge of AALS. This suggests that media campaigns were successful at targeting this high risk group.



Program Assumptions

- It was confirmed that those demographic groups that perceive higher risk of consequences had lower rates of impaired driving behaviour.
- There was evidence to support that knowledge of AALS consequences may reduce impaired drinking.

Conclusions and Recommendations

The AALS program appears to have been very effective in terms of primary deterrence, that is, in reducing recidivism of alcohol related offences, but somewhat less effective in terms of general deterrence (i.e., reducing rates of impaired driving in the general public). Much of the effect on the general public was limited to the first year after AALS implementation. The media scan and declining public awareness over time as reported in the public opinion survey, both support this conclusion. This suggests that the AALS program, while effective, can be more effective through enhanced and sustained public awareness efforts.

Howard Research recommends:

1. AALS legislation appears to have been an effective tool in reducing the prevalence of impaired driving on Alberta roads. This program should be continued.
2. Compelling evidence suggests that the full potential of the program has not yet been realized. We recommend that in order to realize this potential, a substantial and sustained public awareness and promotion campaign should be implemented. This campaign should highlight consequences of impaired driving in regards to the AALS legislation as well as the consequences of being convicted of impaired driving related offenses. The effectiveness of these campaigns will likely be enhanced by also highlighting the probability of apprehension. These campaigns should target those demographic groups that demonstrate a high incidence rate of impaired driving behavior (i.e., young males) as well as those in the 45-55 age demographic.
3. Though the rate at which AALS suspensions are appealed is currently very low (less than 2% or approximately 118 per year). The rate at which Transportation Safety Board appeals are being allowed (i.e., suspension revoked) is over 50%. One factor that may influence this high percentage is that with the maturing of the AALS program, only those cases with the strongest merit are being brought forward to the Board for appeal. It is recommended that Alberta Infrastructure and Transportation review the appeal decision process to determine if any changes are required.
4. Once the full potential of the current legislation is realized, the following suggestions from key stakeholders should be considered with respect to strengthening the program:
 - a) Increasing penalties for individuals who continue to drive after they have lost their Licence,
 - b) Reducing officer discretion with respect to the option of issuing a 24-hour Licence suspension,
 - c) Seizing vehicles of those given a Licence suspension, and
 - d) Reducing the length of the suspension grace period.

Specific details of the evaluation process can be obtained from the detailed evaluation report.



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