

# Mandatory Alcohol Screening



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# MAS in Canada

## Section 320.27(1)

- ❑ If a police officer has reasonable suspicion that a driver has been drinking can require the person provide a sample of breath to determine alcohol content

## Section 320.27(2)

- ❑ Police officer who has legally stopped a vehicle and has an ASD in their possession, can require a driver provide a sample of breath for analysis of alcohol content

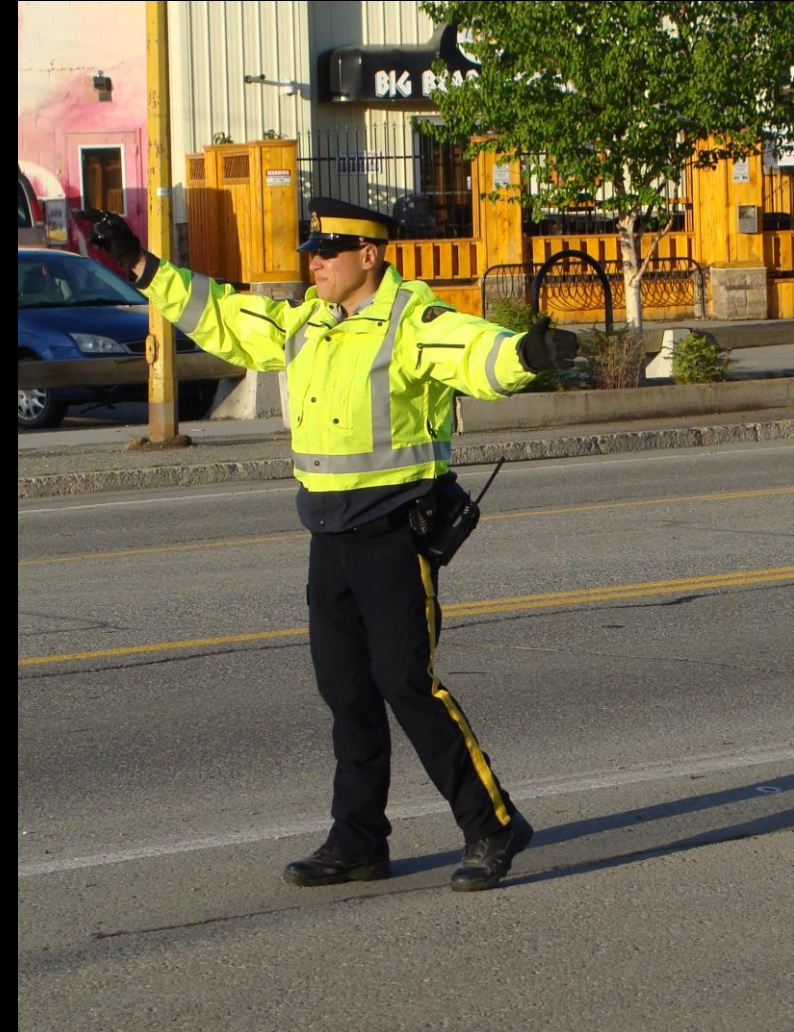
# Why MAS?

- ❑ Despite significant progress over past 4 decades, alcohol remains a contributing factor in a substantial portion of fatal and serious injury crashes
- ❑ In 2018, there were 70,400 impaired driving incidents reported by police
- ❑ Estimated 6-11 million trips involving a drinking driver every year in Canada
- ❑ **We can, and must, do better**

# Role of the Police

1. To identify drinking drivers who pose a risk to themselves and other road users and remove them from the road. (*Specific Deterrence*)

2. To serve as a deterrent to other drivers who might consider driving after drinking by increasing the perceived and actual probability of being caught (*General Deterrence*)



# ALCOHOL DETECTION



- ❑ More difficult than you realize
  - ❑ Physical symptoms
    - Dose dependent
    - Tolerance
  - ❑ Smell
    - Ethyl alcohol little odour
    - Odour due to congeners and flavourings
    - Dose dependent
    - High sensitivity/ low specificity

# Alcohol Detection

## Three Studies

1. Widmark (1932)  
Physicians – failed to detect alcohol in 37% of arrested drivers with BAC 80-100 mg/dL
2. Moskowitz (1999)  
Police officers – missed 12-51% of individuals with BACs over 80 mg/dL
3. Wells et al., (1997)  
Police checkpoint – missed 62% of driver with BAC over 80 mg/dL

# A New Approach: Enhance General Deterrence

- ❑ General deterrence is to criminal behaviour as prevention is to public health
- ❑ More checkpoints
- ❑ Better detection



# MANDATORY ALCOHOL SCREENING

- Purpose is to increase the perceived and actual probability that drinking drivers will be stopped, detected, and ultimately sanctioned
- MAS is used in numerous countries around the world e.g., Australia, New Zealand, EU, UK, Ireland, Scandinavia



## DOES MAS WORK?

- ❑ MAS is used in numerous countries around the world e.g., Australia, New Zealand, EU, UK, Ireland, Scandinavia
- ❑ Evidence from Australia reveals reductions in serious and fatal crashes from 19% - 48%

# MAS IN CANADA

	Non Impaired	Impaired	Percent Impaired
Pre: 2016-2018 (Mean)	750	171	18.6%
Post: 2019	704	104	12.9%
Percent Change Pre-Post	-6.1%	-39.3%	

**Average Number of Alcohol Impaired and Non-impaired Fatally Injured Drivers in the Three Years Prior to MAS and Comparable Numbers in First Year After MAS**

# MAS IN CANADA

Period	Number of Operations	Mean Number Vehicles Checked	ASD per Vehicles Checked	Enforcement Actions per Vehicles Checked	Enforcement Actions per Operation	Suspended Arrests per Vehicles Checked
Pre-MAS	157	299	11.6%	3.27%	9.78	0.26%
Post-MAS	40	300	99.2%	4.41%	13.25	0.29%

Checkstop Operation Statistics Before and After the Introduction of MAS (Edmonton 2014 – 2019)

# CONCERNS ABOUT MAS



- ❑ Fundamental paradigm shift that requires considerable scrutiny?

OR

- ❑ Shift from reliance on sensory/observational approach to alcohol detection to a technological approach using equipment that police already have and know how to use?

- ❑ Does it infringe on our constitutional right to be secure against unreasonable search and seizure?

OR

- ❑ Does it help ensure our expectation to be safe from the risk posed by impaired drivers on our roads?

# Questions?

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