

## **THE HIGH COST OF DRUNKEN DRIVING IN SOUTH AFRICA**

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### **INTRODUCTION**

It is well-known that South Africa has one of the highest vehicle accident rates per capita in the world with fatalities from such accidents close to 15 000 deaths per annum.

Factors contributing to this unacceptable situation include poor infrastructure, lack of maintenance, an increase in the number of drivers on the roads, unroadworthiness of vehicles, a lack of effective enforcement of traffic legislation by responsible agencies and the high number of unlicensed drivers. The problem is further exacerbated by the level of alcohol consumption, and South African is rated as one of the highest per capita consumers of alcohol in the world. There is little social stigma attached to driving under the influence, and this culture has translated almost into a national past-time with people operating motor vehicles on public roads whilst not fit to do so. Nevertheless, while South Africa has perfectly adequate legislation in place to minimize road accidents, the implementation of such legislation leaves much to be desired.

Whilst factors such as lack of manpower, corruption, low morale and lack of skills contribute to the failure to enforce adherence to legislation, there also seems to be an inordinate focus on speed monitoring as this is easier to establish and has greater revenue generation potential and less attention is given to the disobeying of other laws relating to safe overtaking, traffic lights and regulatory signs etc. The potential then exists for drunken driving to also not be accorded its deserved importance.

The result of the general disregard for laws and regulations applicable to road safety is that over 40 people die every day because of road accidents and many more are seriously injured and some maimed for life. If these statistics are compared to the average of 43 murders committed in South

Africa every day, the seriousness of the situation is clear. Recent statistics released by Arrive Alive indicated that more than 50% of people killed in road accidents had a blood/alcohol concentration exceeding the legal limit of 0.05 grams per 100ml.

The World Health Organization produced a report as far back as 2010 which reflects the annual number of road fatalities per capita per year per country. According to the report, South Africa ranks as one of the worst at 31.9 fatalities per 100 000 citizens. Australia came in at 5.2 per 100 000, Italy at 7.2 per 100 000, Russia at 18.2 and the USA at 10.4. The only country in Africa with a higher rate than South Africa was Nigeria at 33.7 per 100 000.

So, it is apparent that all of the commendable legislation currently in place is, in isolation, insufficient to reduce the number of accidents and the prevention of road fatalities. It appears, therefore, that these laws are not enforced with sufficient vigour.

The fact of these disturbing statistics is that our GDP is negatively impacted by approximately R160 billion per year or about 5% of GDP, as calculated by the AA some time ago for the period 2010/11. The Transport Minister, Ben Martins, even mentioned the economic cost at R306 billion per year or 10% of GDP compared to an average of 2% in other developing countries. With South Africa's high unemployment rate and poverty figures, as well as a serious need to maintain and upgrade infrastructure, our economy cannot afford such a significantly negative impact.

Add to the equation the high number of accidents involving drunk drivers and it is clear that the financial implications are severe not only for insurance companies but also for healthcare, the Road Accident Fund and the economy as a whole.

Unfortunately, insurance companies are already facing significant challenges due to market competition, an increase in the number of accidents, as well as the high cost of repairs and natural disasters, where they endure a great percentage of these costs. Although the law relating to drunk driving is explicit, the extent of the commitment to address this serious, prevalent issue, with dire financial implications for Short Term Insurance companies, and our country as a whole, is cause for serious concern. The high, and increasing, cost of motor insurance is impacted by the inability of the authorities to properly police and enforce the current traffic laws.

A major blow to efforts to curb this unacceptable situation was the suspension of the Dredger Breathalyzer Machine, by a Cape Town High Court, because of a legal technicality. The test results for

alcohol levels from these machines was instantaneous, compared to up to two years to obtain the result of a blood/alcohol test.

An investigation by a reporter from IOL (Independent Online) in 2013, to establish the conviction rate for offenders relating to drunk driving offences, as well as the number of licenses suspended due to such convictions, highlighted another serious flaw in the fight against these offences. International experience has shown that it is the probability of detection more than the consequences of conviction that serves as the major deterrent to criminal behavior and this is especially so in relation to drunken driving. It is only when drivers fear a certainty of detection coupled with effective enforcement of punitive measures that the incidence of this social evil is likely to decline. This is critical to the changing of behavioral patterns.

Every year before the Easter or December holidays we are inundated the same old campaigns by the authorities, supported by public figures, professing “Zero Tolerance”, “Speed Kills”, “Blitz on Traffic Offenders” and “Drunk Drivers Beware”. Yet, the carnage on our roads continues unabated, and the lives of thousands of citizens are dramatically affected by the blatant disregard of traffic laws.

**CONCLUSION** Without a change in the approach to traffic law enforcement with an emphasis on detection followed by a high probability of meaningful consequence, this serious problem will not be resolved. Consequently road users could expect the current road accident and fatality statistics – which are already dismal – to further escalate, which will come with the associated consequences.

Immediate and drastic intervention is crucial in finding effective solutions.

Structured law enforcement is an absolute necessity, although it will only be effective when performed in conjunction with a paradigm shift in behavior and attitude of our road users. Such a behavioral shift will only be achieved by proactive policing and law enforcement. Driving under the influence of alcohol or drugs is a crime and should result in severe consequences for offenders, who should not only face the full might of the law, but should also experience direct economic consequences to their actions such as the confiscation of vehicles, the removal of licenses etc. A practical measure which could be introduced could be the making of ownership of a vehicle more difficult and linked to a valid unendorsed driver’s licence. The cost, both direct and indirect, of driving under the influence must become so significant that drivers will simply not be prepared to run the risk of detection.

