



12 DRIVER DISTRACTIONS OF
CHRISTMAS

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Background to Campaign

On December 8th 2016, Licence Bureau started '12 Driver Distractions of Christmas' social media campaign, in partnership with Brake, the road safety charity, running for 12 working days to December 23rd. The traditional 12 days of Christmas would usually start on the 25th December for the following 12 days however the impact on business would have been negligible.

Every day an image dedicated to a different distraction behind the wheel was shared through our social media channels.

Each image covered a different theme, with Licence Bureau highlighting what is causing each distraction behind the wheel, and which one of Brake's six pledges should be applied.

The campaign was the result of Licence Bureau, the licence checking and compliance company, pairing up with construction specialists, Skanska, in November 2016 to deliver their annual road safety workshops as part of Brake's Road Safety Week.

Running in tandem with Brake's annual road safety theme, which in 2016 focused on 'Making the Pledge' to be Slow, Sober, Secure, Silent, Sharp and Sustainable, road safety professionals from Licence Bureau and Skanska reiterated the importance of remaining focused behind the wheel, using real-life examples to demonstrate the potential consequences of driving while distracted.

Malcolm Maycock, Managing Director of Licence Bureau, said: "As an extension of Brake's tremendous work to highlight the importance of road safety throughout the year, it's been extremely eye-opening to interact with another group of sixth form students in the local area. We hope our additional campaign over Christmas, which is always an impressionable time of year, provided an instant visual impact of what not to do when behind the wheel."

The campaign was extremely well received across all social media platforms proving that the theme resonated with both end users and Road Safety Professionals.

This document is the final piece of the jigsaw and provides both ideas and solutions to share with drivers to make our roads a safer place for all.

The Brake Pledges



SLOW: Speed contributes to more than a quarter (26%) of fatal crashes in the UK.

SOBER: One in seven road deaths involves a driver over the drink-drive limit.

SECURE: Three-point seat belts mean you're 50% less likely to die in a crash. More than one in five people (22%) who die each year are not wearing one.

SILENT: Drivers talking on phones are four times more likely to crash, whether on a hands-free or hand-held phone. It's the distraction of the call that is the problem. There is also a rise in use of infotainment systems and screens: as well as the major distraction of looking at a screen rather than the road, it also takes 27 seconds to regain full concentration after using a system/screen that uses voice command.

SHARP: It is estimated 2,900 casualties are caused by poor driver vision. It is possible to lose up to 40% of your vision before noticing it. Fatigue and illness are also causes of impairment.

SUSTAINABLE: About 40,000 deaths are caused annually by exposure to NOx and particulates, and about a quarter of the UK's CO2 emissions are from transport, with road traffic a major contributor.

For the purposes of this document we have not focused on speeding and sustainability, however companies should have policies in place.

Incidents



Costs

- The cost of road incidents every year is difficult to pinpoint, however, its estimated total annual cost is £15.1bn. If unreported crashes are included, estimates state this will be in excess of £34bn.
- A fatal incident is now estimated to cost in excess of £1.9m.
- Average cost of a non-injury crash £2,048.
- Average cost of a slight injury crash £23,336.
- Average cost of an injury crash £72,000.
- Average cost of a serious injury crash £219,043.

NB: Information source (including costs) from: Resource Stats 19, Road Accident Data Collection System provided by Department for Transport.

Unseen costs

- Social suffering is difficult to put a figure on. However, statistics provided by the Government previously suggested that on average 1 in 5 people have been affected by a fatal crash to some degree.

NB not substantiated by data source.

Sober

Sober – All drugs



#BrakePledge #Sober

Drugs and alcohol have been proven to affect co-ordination, reaction time, judging distance, short term memory and decision making ability. This puts you and others at risk. All of the above abilities are important when working in a hazardous environment, including driving.

- Prescription (medicinal) drugs can impair as well as illegal drugs – now all are subject to testing and arrest.
- Class A or B drugs that are illegal to possess can be discovered by testing as well as prescription drugs, which if above certain levels can lead to charges.
- If a driver is considered to be driving while unfit through the influence of any drugs, that can lead to arrest and charge, even if below the prescribed levels.

Prescription drugs covered by the new law:

- i. Amphetamines (e.g. dexamphetamine or selegiline) are used for conditions including attention-deficit disorders
 - ii. Clonazepam is prescribed to treat seizures or panic disorders
 - iii. Diazepam is used for anxiety disorders, alcohol withdrawal symptoms or muscle spasms
 - iv. Flunitrazepam (also known as Rohypnol) is a sedative originally used in hospitals for deep sedation in the 1970s
 - v. Lorazepam is used to treat convulsions or seizures caused by epilepsy
 - vi. Oxazepam is used to relieve anxiety, including anxiety caused by alcohol withdrawal
 - vii. Temazepam affects chemicals in the brain that may become unbalanced and cause insomnia problems
 - viii. Methadone is used in the treatment of heroin addiction and for pain relief
 - ix. Morphine or opiates treat moderate to severe pain
- Estimated increase in those arrested for drug driving in 2016 suggests as much as 800% increase in arrests since introduction of new legislation.

- Penalties: 1 year disqualification (longer if second offence); Fines from £1,000 - £5,000; Penalty points from 3 to 11 depending on the offence convicted. 10 points for above prescribed limit.
- Higher insurance costs – depend on insurance companies and if it is your second offence it is likely to be much higher.
- Potential death by dangerous if the crash is fatal (up to 14 years imprisonment, but may soon be life).
- **Statistics show that in 18% of fatal road crashes the driver had illegal drugs in their bloodstream.**

Sober – Alcohol



#BrakePledge #Sober

There are many drink driving offences and particular attention is required for the 'morning after' policies and advice, ensuring that drivers are able to drive and are no longer impaired.

Various offences include:

- Driving while unfit
- Driving over the prescribed limit
- Failing to provide a specimen of breath for analysis
- Penalties include: disqualification of 12 months in most offences; fines up to £5,000 depending on offence; imprisonment for some of 3 – 6 months is possible in court; and points allocated as below.

Drink or drugs penalty codes:

Penalty Code	Offence	Points
DR10	Driving or attempting to drive with alcohol level above limit	3-11
DR20	Driving or attempting to drive whilst unfit through alcohol	3-11
DR30	Driving or attempting to drive then failing to provide a specimen for analysis	3-11
DR40	In charge of a vehicle while alcohol is above limit	10
DR50	In charge of a vehicle while unfit through alcohol	10
DR60	Failure to provide a specimen for analysis in circumstances other than driving or attempting to drive	10
DR70	Failure to provide specimen for breath test	4
DR80	Driving or attempting to drive when unfit through drugs	3-11
DR90	In charge of a vehicle when unfit through drugs	10

Secure

Secure – Parcels



#BrakePledge #Secure

- 'Dangerous condition/load' – level 4 fine (up to £2,500) and 3 points. Can lead to disqualification in court.
- The offence of causing, or likely to cause danger by reason of load or passengers, is legislated for by the 1991 Act and carries the endorsement code CU50.
- The maximum penalty for this offence, if committed by a goods vehicle, is a £5,000 fine, 3 driving licence penalty points, which stay on a licence for 4 years, and disqualification.

Secure – Selfie



#BrakePledge #Secure

- Likely offence is driving without due care and attention (WDC).
- If you take a selfie while driving you may be prosecuted for not being in full control of the vehicle, careless or reckless driving. Offences as above.
- Offences of failing to maintain proper control as above.
- Potentially not being in proper control of a vehicle holds a level 4 fine (£2,500) and 3 points on your licence, which stay on your record for 4 years.
- **As above, if allegation of careless driving and a death is caused then the additional charge of death by careless driving, with 5 years, or death by dangerous driving of 14 years will apply. If legislation changes next year, it is possible the prosecution will be life imprisonment.**

Silent

Silent – Music



#BrakePledge #Silent

- The passenger is a distraction issue (potentially) as similar to turning on loud music in a car (whether passenger or driver turns it on).
- In the UK, statistics show over 400 deaths are associated with all types of distracted driving. 61 deaths are caused by a distraction in the vehicle and over 2,900 injury crashes by distraction in the vehicle.
- Driver offences could include driving without due care as well as failing to maintain proper control (as above).
- Penalty points 4-9 and the offence can lead to disqualification.
- £2,500 fine
- Potential 5 years for death by careless driving; 14 years for death by dangerous driving.

Silent – Phoning



#BrakePledge #Silent

- Fixed Penalty Notice (FPN) of £100, plus 3 points on licence. If taken to court it can rise to £1,000 fine (cars) and disqualification or £2,500 for PSV or HGV court appearances.
- Expected that the penalty will increase to FPN level of £200 and 6 points in 2017. Possible increase in court penalties but not yet disclosed.
- A growing statistic where distraction by using a mobile phone is contributing to a greater number of crashes each year has gone up from 22 fatal incidents out of 422 crashes attributed to using a mobile phone in 2013, to 22 fatal incidents but out of 440 crashes where the use of the mobile phone was a contributory factor in 2015.
- Again, if allegation of careless driving and a death caused by driving then the additional charge of death by careless driving with 5 years, or death by dangerous of 14 years.
- The law includes an offence of "causing or permitting" a driver to use a hand-held phone while driving. This can apply to employers who will be guilty of an offence if they require or permit their staff who drive for work, to use a hand-held mobile phone while driving.
- Specific offence of using a mobile phone is The Road Vehicles (Construction and Use) (Amendment) (No. 4) Regulations 2003.
- If using a mobile phone a driver is four times more likely to crash, injuring or killing themselves and other people.
- Using a hands free phone has been found to distract a driver to the same degree as a hand held phone.
- *If you're the driver, you can only use your phone in a vehicle if you:*
 - *Need to call 999 or 112 in an emergency and it's unsafe or impractical to stop; or*
 - *You are safely parked with the engine off.*

Silent – Texting



#BrakePledge #Silent

All of the elements of phoning apply to texting which is the same offence “using a mobile phone” in the vehicle.

Case Study

At St Albans Crown Court, driver John Michell, 26, was **jailed for 21 months**

- John Michell was distracted as he drove home along dark unlit road
- He struck Mark Greenwood, 57, who was wearing a high visibility jacket
- The keen cyclist was thrown from his bike and died of multiple injuries
- Court heard Michell had been exchanging a series of 'trivial' messages

Silent – Sat Nav



#BrakePledge #Silent

- If Police think the driver is distracted by a Sat Nav they can stop the vehicle and prosecute as above
- Offences of 'failing to maintain proper control' may apply
- If the driver is not in proper control of a vehicle, they may receive a level 4 fine (£2,500) and 3 points, which stay on your record for 4 years.

Compliance Bureau advice: A Sat Nav should only be used if it is possible to set it so that it gives verbal commands, minimising the need to view a screen map, and drivers do not have any function to perform with it while driving.

Sharp

Sharp – Eating & applying make-up



#BrakePledge #Sharp



#BrakePledge #Sharp

Eating and drinking can be a danger and will distract the driver – both hands are not free to drive the vehicle. Drivers should not eat or drink when driving. Drivers should plan driving breaks so that they do not need to eat or drink while driving in the vehicle.

- Rule 148 of the Highway Code advises drivers not to eat or drink while driving (as one of the many distractions).
- If police think the driver is distracted they can stop the vehicle and prosecute as above.
- Offences of 'failing to maintain proper control' as above for eating.
- Driving not in proper control can hold a level 4 fine (£2,500) and 3 points on your licence, which will stay on your record for 4 years.
- Offence of WDC (without due care and attention) if any evidence of lack of control as well.
- If allegation of careless driving and a death caused then the additional charge of death by careless driving with 5 years, or death caused by dangerous driving with will be given. If the legislation is changed next year, drivers convicted of causing death by dangerous driving (currently 14 years) might face life imprisonment.
- 'Driver not being in position to have proper control' – CU80
- Breach of requirements as to control of the vehicle, mobile telephones etc.
- Police have prosecuted for applying make-up.
- Over 43% of women admit to applying make-up in the car while driving.
- Police have prosecuted for eating a Mars bar according to press reports.
- Over 33% admit to being distracted due to eating in a car.
- Any indication that the driver is affected by the action taken is potentially not in proper control or could be without due care.
- Insurers claim that as many as 450,000 crashes occur while women apply make-up each year.

Sharp – Fatigue



#BrakePledge #Sharp

- 58 fatal incidents are a result of crashes with a causation factor of fatigue but some estimates are that fatigue is a causation factor in as much as 20% of fatal crashes. (Stats 19)
- Crashes where fatigue is a factor are often worsened by the lack of speed reduction due to the driver not attempting to stop. Such a crash is 50% more likely to end in death or serious injury.
- Your journey planning should take account of rest periods every 2 hours (Highway Code Regulation 91).
- If you are tired you should stop driving as soon as safely possible and take at least a 15-minute rest period. It is advisable not to eat a large meal prior to driving and to stay hydrated with plenty of water.
- You should consider the length of your day including driving when on long journeys - plan overnight stops before you set off.
- Fatigue can be evident after working long hours but also following a period of illness, when stressed from other pressures at home or with family, after an intercontinental flight and many other circumstances. Do not compromise your or others' safety.
- There is evidence that fatigue affects people in different ways. There is advice available on the effects of caffeine intake to reduce fatigue. However, caffeine does not kick in for about 30 minutes for many people and it has significantly different effects on younger or older drivers. If combined with a nap it is important the order in which these are taken, the caffeine is taken first in the form of a coffee or energy drink and then a sleep for up to 30 minutes. Some advice states that caffeine only provides 15 minutes respite while others offer up to 2 hours. Due to this uncertainty it cannot be relied upon. The only safe option is to plan journeys so that fatigue is not a factor.
- Crashes caused by tired drivers are most likely to happen:
 - On long journeys, and monotonous roads, such as motorways
 - Between 2am and 6am and between 2pm and 4pm
 - After having less sleep than normal
 - Even after drinking just one alcoholic drink or more
 - Taking medicines that cause drowsiness

- After long working hours or on journeys home after long shifts, especially night shifts
- 85% of drivers involved causing sleep-related crashes are men and 33% are under 30.

Compliance Bureau advice: Driving when you are tired greatly increases your accident risk. To minimise this risk:

- Make sure you are fit to drive. Do not begin a journey if you are tired. Get a good night's sleep before embarking on a long journey.
- Avoid undertaking long journeys between midnight and 6am, when natural alertness is at a minimum.
- Plan your journey to take sufficient breaks.
- If you feel sleepy, stop in a safe place. Do not stop on the hard shoulder of a motorway.

Sharp – Snow & Ice



#BrakePledge #Sharp

- All drivers must carry out daily vehicle checks on the vehicle you are going to drive to ensure it is safe to drive. That includes clearing the windscreens of any ice.
- Always check that the windscreen wipers are in good condition and clean.
- In winter, also clean snow from the roof of the vehicle and bonnet to prevent it falling on to the windscreen when travelling (can cause momentary loss of vision).
- Offence likely to be prosecuted is WDC (driving without due care) if windscreen is iced over.
- Could be held to be not in proper control if visibility obscured; a level 4 fine (£2,500) and 3 points on your licence that will stay on your record for 4 years.

What does Compliance look like?

Compliance is a journey like any other and one that you need to stay in control of.

The HSE clearly states organisations, when dealing with health and safety matters, should 'PLAN, DO, CHECK and ACT'. To this end they have produced a very easy to use Driving at Work document INDG 382 (04/14) - <http://www.hse.gov.uk/pubns/indg382.pdf>

At Licence Bureau we have translated that into our Compliance Journey.



A great starting place is an audit. The audit is for all employees as, if you do not know who drives in your company, you are not going to become compliant. If you are certain of that fact and you also have regular questionnaires which include such questions as policy, health and alike the audit is not required and you can move to the next phase.

The basics are the continual knowledge of who drives:

- What do they drive?
- Can they drive those vehicles?
- What are their risks?
- Are they understanding your requirements? e.g. Handbook and Policy
- Are the vehicles fit for purpose?

In respect of the law:

- Can you prove you have planned?
- Can you show you have then acted to find out what, how and when?
- Can you prove that you have reviewed?
- Can you show how you acted and was it proportionate to the risk?

These decisions are yours alone, as every company is different. However to achieve these goals is far easier than most believe and the cost benefit far outweighs the uncertainty of doing nothing.

Don't take our word: Extract from FORS Members Conference on 9th November 2016

Julie Madoui, Head of Fleet and Transport at SKANSKA

*"In 2014/15 there were 35 fatalities in the UK construction sector. That's 35 too many, but in the same period, there were 1,775 recorded deaths on the roads. In any other industry, this would be regarded as wholly unacceptable." Efforts at Skanska over recent years, including better route planning, advice and training for cyclists, improved vehicle systems, compliance auditing, getting common standards accepted by clients, and the establishment of a fleet risk steering group, have all helped to progressively drive down incidents. Madoui was equally forthright about the advantages to the bottom line. "The hard work brings more good news than just the reduction in accident and injury. We've saved over £400,000 a year from a cut in our insurance premiums, and another £50,000 per annum on a reduction in penalty charges. Add to that a cut in fuel consumption of 16% from the driver training programmes, **and it's a no-brainer.**" She concluded by pointing out that they had a string of awards to show for it, and clients wanting to do business with them because of the strong role safety plays in their supply chain. She reflected a widely understood trend for all professionally-run construction sites in the Capital to demand FORS registration as a pre-condition to contract. That sentiment is spreading country-wide.*

For the full report:

<https://www.fors-online.org.uk/cms/wp-content/uploads/2016/09/Members-Conference-report-low-resx2.pdf>

Conclusion:

Driving is seen as the third most dangerous occupation in the UK after coalmining and deep sea diving.

Our job is to make sure our drivers and therefore the general public are safe, and we can do this by making sure everyone is aware of those dangers and ensuring we act on risks presented. Information is key and continual, training can be in many forms whether photographic, such as '12 Driver Distractions of Christmas', posters, campaigns, audits, tool box tips, workshops or in car training, all messages and communications will make a difference. Our goal is to make our environment a safer place for all – let's make sure we send out that message and it is heard.

Thank you for taking the time to read this brochure and if you require assistance or advice, our team at Licence Bureau or our specialist Compliance Bureau team – which is made up of ex-Police Officers that have investigated or assisted in the prosecution of a fatal incident – are on-hand to help.

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