

EXECUTIVE SUMMARY

Despite the progress that was made between 1980 and the mid-90s, traffic crashes remain the largest cause of death among young Canadians. In 2004, traffic crashes killed over 780 young people* and likely injured another 60,000. Young people have the highest rates of traffic death and injury both per capita and per kilometre driven, and are dramatically overrepresented in all categories of crash deaths. Even conservatively estimated, over 45% of these deaths are alcohol related. Although more research is required, it is clear that additional young people are killed in drug-related crashes. The purpose of this study is to provide a broad survey of legislative measures that the provincial and territorial governments can implement to better protect young Canadians.

In this report, we have taken a broader perspective than some earlier studies. First, we have examined the problem in terms of not only beginning drivers (16-19 year olds), but also young adult drivers (20-24 year olds). Second, we have defined the youth crash problem as encompassing pedestrians, cyclists, and operators of snowmobiles and ATVs, as well as drivers and passengers. Third, while the majority of the report deals with alcohol-related crashes, we have also addressed the apparently increasing rates of drug-impaired driving. Fourth, in addition to recommendations relating directly to driving, we have proposed measures to reduce the hazardous patterns of alcohol and drug consumption that generate impairment-related crash deaths among youth.

* The studies to which we refer to in this report did not use the same age groupings for young people. While many sources divided the youth population into 16-19 and 20-24 year olds, others used a 15-19 and 20-24 year old grouping. Finally, some of the data was reported in terms of 16-19 and 20-25 year olds. In the report itself, we use the precise age grouping of the specific source. However, for ease of reference, we have not generally made such fine distinctions in the executive summary.

The report is divided into five sections. The first provides the detailed statistical background upon which the remainder of the report is based. Among other things, information has been provided on the number of young drivers, patterns of alcohol and drug use among youth, characteristics of youth crashes, statistics on total youth crashes, and statistics on alcohol and/or drug-related youth crashes.

Young people have the highest reported rates of weekly and monthly heavy drinking, binge drinking (5 or more standard drinks on a single occasion), and drug use. They also have high rates of driving after drinking and drug use, and being a passenger of a driver who has been drinking or taking drugs. Young people exhibit driving characteristics that greatly increase their crash risks. Beginning drivers are immature, and lack both driving experience and the skills necessary to avoid potentially hazardous situations. Furthermore, 16-24 year old drivers, particularly males, tend to be risk takers, in that they have relatively high rates of speeding and aggressive driving, and lower rates of seatbelt use. Young people's patterns of alcohol and drug consumption, coupled with their driving behaviours, explain why they have the highest rates of impairment-related crash deaths as drivers, passengers, pedestrians, bicyclists, and snowmobile and ATV operators.

The second section examines regulatory measures dealing with the marketing and sale of alcohol within the province. Research has established that levels of hazardous consumption are related to elevated rates of alcohol-related harms, including traffic crashes. Moreover, the early onset of drinking among youth is associated with increased alcohol-related problems and injuries later in life. Thus, the more that teenagers can be discouraged from engaging in hazardous drinking, the more likely it is that they will

develop responsible drinking habits in early adulthood. Regulatory measures are relatively inexpensive to introduce and enforce, typically do not raise legal challenges, and may significantly reduce underage and hazardous drinking, and the related traffic problems with which they are associated.

MADD Canada advocates that the provinces use their broad regulatory control over alcohol to reduce underage and binge drinking among youth. In the absence of fundamental changes in these consumption patterns, young people will continue to dominate the statistics on alcohol-related crash deaths. Among other measures, MADD Canada recommends that the provinces consider: raising the drinking age to 19; indexing alcohol prices to inflation; establishing/maintaining government monopolies over off-premise alcohol sales and delivery services; increasing public awareness of alcohol-related liability; and enforcing the existing federal and provincial advertising legislation. Of particular concern is the need to dramatically increase the enforcement of the current liquor licence legislation, especially in bars, taverns, and other venues that cater to youth.

The third section of the study examines driver licensing. We outline the case for a minimum driving age of 16, a comprehensive graduated licensing program (GLP) and a zero blood-alcohol concentration (BAC) restriction on all drivers until they reach the age of 21. Research has consistently shown that GLPs are associated with significant reductions in youth crashes. By allowing new drivers to gain on-the-road experience in low-risk circumstances, GLPs protect new drivers from the otherwise extremely high rates of crash during their first years of driving. MADD Canada advocates the implementation of a three-stage GLP: an initial 12-month period in which beginning drivers are supervised by an accompanying licensed adult, and are subject to road,

passenger and nighttime driving restrictions; an intermediate 12-month stage in which new drivers are only required to be supervised in higher-risk circumstances; and a 24-month probationary period in which drivers are be subject to closer scrutiny by licensing authorities. All drivers and supervisors in the GLP should be required to maintain a zero BAC.

MADD Canada also recommends that, similar to the situation in the United States, all Canadian drivers under the age of 21 be subject to a zero BAC limit. This provision should apply even if the driver had successfully completed the GLP. Young drivers are already disadvantaged due to their inexperience, and they should not have their judgment further impaired by alcohol. This recommendation addresses the high rates of alcohol-related fatalities among 18-20 year old drivers and the fact that, under the current law, they are first permitted to drive unsupervised at about the same time as they reach the legal drinking age.

The fourth section examines the police enforcement powers that are required to implement effective youth impaired driving policies. If the province has not already done so, it should give the police express statutory authority to stop vehicles at random and demand documentation from both young drivers and any supervising driver. Moreover, the police need to be given express statutory authority to demand breath samples to ensure that drivers and supervisors in the GLP and all drivers under 21 are complying with the proposed zero BAC limits. We also recommend implementing targeted RIDE or spot-check programs for areas that routinely generate large numbers of young impaired drivers and pedestrians.

Measures are also needed to address the fact that young people have the highest reported rates of driving under the influence of cannabis and other illicit drugs. We recommend that the police be given express statutory authority to demand physical coordination testing of any driver they reasonably suspect has drugs in his or her body. These and similar powers are essential if the police are to enforce the existing federal criminal prohibition on driving while one's ability to do so is impaired by drugs.

The fifth section of the study identifies priorities for immediate action. In framing our recommendations, we have been cognizant of the likely level of public and political support for various measures, as this is often a critical factor in determining if proposed reforms will be enacted. Thus, the recommendations draw heavily on current best practices in Canada and other similar democracies. Finally, we have taken into account the requirements of the *Canadian Charter of Rights and Freedoms*. Since any law that is found to be in violation of the *Charter* will be struck down, our recommendations have been drafted to accord with *Charter* values.

We have attempted to address both the hazardous patterns of alcohol consumption among Canadian youth and the traffic deaths and injuries that invariably result. Based on the statistical analysis and reviews of the research literature, MADD Canada has identified the following five priorities for provincial legislative action:

- implementation of a comprehensive graduated licensing program (GLP) comprising three licensing stages;
- enactment of a zero BAC restriction for all drivers under the age of 21;

- enactment of express statutory authority permitting police to stop vehicles, inspect documentation and demand breath samples from all drivers (and any supervisors) to ensure compliance with the GLP and the zero BAC restriction;
- introduction of targeted sobriety checkpoints in areas where youth drinking, and alcohol/drug-impaired driving is common; and
- more rigorous enforcement of the existing liquor licence prohibitions against serving alcohol to minors or intoxicated individuals, particularly in licensed establishments catering to youth.