



Alcohol and its consequences

Road
safety



“ I was aware that I had drunk more two glasses of alcohol, and therefore too much, but over the course of the evening, I completely lost control. ”

A driver stopped by the police following a celebration: Blood alcohol level of 2.52‰ and the consequences thereof.



Alcohol consumption and driving do not go well together, as we have known for a long time. And yet, even today, drunk-driving is the cause of too many accidents on our roads.

There is a well-known saying: "**Drink or drive, you need to choose**". Help reduce the number of deaths and injuries by applying this principle to the letter. By doing so, you protect yourself, your passengers and other road users.

Those who drive under the influence of alcohol must be aware of the possible consequences. The risk of accidents, and therefore of being injured or even killed, is greatly increased. In addition, the legal and financial implications, not to mention the social consequences, are often dramatic.

The time when drunk-driving was considered a minor offence is well and truly over. This is a punishable act for which no allowances will be made.

This brochure covers the following points:

- Physiological effects of alcohol
- Authorised alcohol levels
- Penalties
- Licence checks & suspensions
- Practical advice

Physiological effects of alcohol

Alcohol consumption reduces driving ability. Even an alcohol level of less than 0.25 mg/l (breath alcohol), equivalent to 0.5‰ (blood alcohol), has an impact on driving.

The following are some of the effects that alcohol can have on the body*:

> From 0.2 to 0.5‰

Attention, visual and auditory acuity decrease. Reaction time increases, as does the tendency to take risks.

> From 0.5 to 1‰

Balance is disturbed, reaction time increases significantly, night vision and concentration decrease. Inhibitions disappear and the tendency to overestimate one's own abilities increases.

> From 1 to 2‰

Slurring of speech, confusion, orientation difficulties, tunnel vision. The eyes take more time to adapt to light and dark.

> Over 2‰

Memory lapses, altered consciousness, loss of motor coordination. Risk of acute alcohol poisoning accompanied by paralysis and respiratory arrest.

* Source : Addiction Suisse

Under the influence of alcohol, the probability of causing an accident increases, because we are no longer capable of evaluating either danger, or our own ability. Drunk people often feel that they can still drive without any issues.

“... I felt fully able to drive, but then I went off the road on a curve.”

Alcohol increases the effects of fatigue (risk of falling asleep at the wheel), drugs, such as cannabis, as well as many medications (especially psychotropic drugs, sleeping pills, sedatives and powerful analgesics, so always read the packing instructions carefully). These interactions are unpredictable and can be extremely dangerous.

“... I never thought I'd be in a condition like this after drinking two pints of beer and having a few puffs of a joint.”

Alcohol is absorbed very slowly: blood alcohol levels decrease by just 0.1 to 0.2‰ every hour (0.15‰ on average). For example, a level of 1.8‰ when one goes to bed at 1 am will still be around 0.9‰ at 7 am the following morning. And we often don't even realize!

There is no miracle cure to help one sober up more quickly, be it coffee nor nicotine or any other medication. Don't ever minimise the problems caused by residual alcohol!

“... apparently, I was quite drunk when I went to bed and the next morning I just got up and went to work.”



What are the legal alcohol limits?

In Switzerland, the maximum permitted alcohol level while driving is 0.5‰ (blood alcohol), equivalent to 0.25 mg/l (breath alcohol).

Since October 1st 2016, breath checks using breathalysers – new breath measuring devices – have had probative value, which means they have the same legal value as a blood test.

Breathalysers are larger (the size of a briefcase) than the alcohol screening tests previously used by the police. But both now display the result in mg/l alcohol in exhaled air, and no longer in ‰.

The equivalence between the measurement of blood alcohol and the measurement of breath alcohol has been determined as follows:

Blood alcohol	→	Breath alcohol
0,5‰	→	0,25 mg/l
0,8‰	→	0,4 mg/l
0,1‰	→	0,05 mg/l

- › For users, it is only the unit of measurement that changes if they have to “blow up the balloon”.
- › The “**0.5**” and the “**0.8**” ‰ do not disappear, since the results of blood tests continue to be expressed in ‰. The two values (mg/l and ‰) therefore coexist, depending on the checking method used (breath or blood).
- › This amendment has not changed anything with regard to the amount of alcohol allowed or the penalties.



Who is affected by the legal limit?

The limit applies to various motorised road users (car drivers, trucks, motorcycles, scooters, mopeds, fast and slow electric bicycles, etc).

A person who drives a non-motorised vehicle such as a bicycle while under the influence of alcohol may also be fined.

Roller skates, skateboards, scooters and tricycles are subject to the same rules as pedestrians: they cannot be prosecuted for driving under the influence. On the other hand, should they cause an accident, their civil liability, like that of pedestrians, may be incurred and have financial consequences.

Since January 1st 2014, new drivers (probationary licence holders) have been subject to a total ban on driving under the influence of alcohol, i.e. an alcohol level around 0‰, which translates to a legal limit of 0.1‰ (0.05 mg/l).

The following groups are also subject to this ban:

- Learner drivers
- People accompanying learners during lessons
- Professional drivers
- Driving instructors

Questions about controls and licence suspensions



› From now on, will the police only use breathalysers during checks?

No, they will still use alcohol screening devices to perform a first check. As before, the driver can acknowledge (with a signature) the result of the breathalyser if it is less than 0.4 mg/l (= 0.8‰); the result then becomes conclusive. If the result of the breathalyser test is 0.4 mg/l or more, the police are obliged to use the breathalyser.

› Can the police insist on a blood test?

Yes, for example if the driver refuses to submit to a breath test, or in the event of a suspicion that causes other than alcohol (e.g. drugs, medication, etc.) may be the cause of the inability to drive.

On the other hand, the police may order a 0.15 mg/l blood sample should there be reason to believe that the person drove a vehicle while intoxicated two hours or more before the check. The calculation is then done retrospectively.

If there is proof that the legal alcohol limit has been exceeded, the consequences for the driver will be the same as those described in the *Penalties* chapter.

› Can the result of a check by means of a breathalyser be contested?

Yes, but then you will have to request and submit to a blood test. If the second result confirms the first, the additional costs – which could amount to several hundred francs – are payable by the driver.

› Can the police conduct a breath alcohol test on drivers who do not present any signs of intoxication?

Yes.

➤ **What could happen in the event of high blood alcohol levels or in the event of a recurrence?**

A medical assessment of fitness to drive may be ordered. This is mandatory if the alcohol level is equal to or greater than 0.8 mg/l (1.6‰). In this case, the driver's licence is in principle withdrawn as a preventive measure until the results of the assessment are available (which can last several weeks). If the expertise reveals an addiction problem (alcohol, drugs, or prescription drugs) incompatible with driving, the driver's licence may be suspended for an indefinite period of time (safety suspension). The costs will be payable by the driver.

➤ **What are the consequences with regard to insurance?**

Since 2014, in the event of damages committed by a drunk driver,

the vehicle's third-party liability insurance is required to make a claim against the person responsible for the accident.

Damages caused to the vehicle of the person responsible for the accident are only partially reimbursed, or not at all. If the perpetrator of the damage is injured, his or her daily indemnities and pay-outs may also be reduced.

In severe cases, they may even be refused altogether.

Depending on the seriousness of the driver's offence, the third-party liability insurance for vehicles may require the driver who caused the accident to reimburse a certain percentage of the benefits paid to third parties.

In the event of a repeat offence, the insurer may require the insured party to pay all costs.

➤ **My driver's licence was suspended due to high alcohol levels. What means of private transport am I still entitled to use during the suspension?**

Unless otherwise decided by the competent authority, the suspension is valid for all categories of licences, with the exception of categories G (motor vehicles up to 30 km/h) and M (mopeds).

You therefore still have the option of travelling by bicycle or "slow" electric bicycle (up to 25 km/h).

➤ **Can you be banned from cycling for a certain period of time after having had a drink?**

Yes, a person on a bike and under the influence of alcohol is also subject to a fine and may be prohibited from using his or her bike (for at least one month, CRL art. 19 para. 3).

➤ **Can a cyclist under the influence be deprived of a motor vehicle licence?**

Not usually, unless there is a suspicion of alcoholism, and that this is confirmed by a medical assessment.



Penalties

Between 0.25 mg/l (0.5‰) and 0.39 mg/l (0.79‰)

The driver will be prohibited from proceeding, will be charged and issued with a large fine.

This is a minor offence, which is punishable with a warning as long as the driver:

- has not committed any other offence;
- has not been the subject of any administrative action (licence suspension or warning) within the preceding two years.

For drivers banned from drinking alcohol: between 0.05 mg/l (0.1‰) and 0.39 mg/l (0.79‰)

If any of these conditions are not met, a licence suspension of one month (minimum) will be issued.

0.4 mg/l (0.8‰) and over

The offending driver will be prohibited from proceeding and will be charged. His driver's licence will be immediately seized by the police.

An alcohol level of 0.4 mg/l (0.8‰) or more constitutes a serious offence, which results in a licence suspension of at least three months. In addition, he or she will be punished with a fine, which may be considerable, or even a custodial sentence of up to three years' imprisonment – with or without suspension.

The amount of the fine / financial penalty depends on the financial situation of the guilty party.

Recurrence

In the event of a recurrence and depending on the seriousness of the history, penalties will be much more severe, and the minimum duration of licence suspension may be much more significant, and even indefinite (safety suspension).

Offences with a probationary driver's licence

In addition to the penalties mentioned above, the probationary period will be extended by one year following a first offence resulting in the withdrawal of a licence. If a second licence withdrawal is enacted during the probationary period, the probationary driving licence will be cancelled. A new licence may be issued, not sooner than one year after the offence committed, on the basis of a psychological assessment. In the the case of alcohol addiction, an additional medical assessment is required.

Practically speaking

“Drink or drive, you need to choose”

Never let yourself be distracted from this principle, even for short trips. Even if you feel fit to drive, your ability to drive is still compromised. In the event of a police check, it is the alcohol level that will be decisive and not your subjective feeling.



Anticipate!

Alcohol makes it difficult to assess driving ability. It is therefore better to decide, before leaving, how you plan to return and to make plans accordingly (for example by deciding in advance who will drive home and who will remain sober).



Seek an alternative

If you have been drinking alcohol, it is better to leave the car behind and use public transport, take a taxi or be driven home by a sober driver! All this will cost you much less than being involved in an accident or caught in a check.



Beware of residual alcohol

Alcohol is absorbed very slowly: every hour, the blood alcohol level decreases by an average of just 0.15%. A person who has consumed a lot of alcohol in the evening should expect to have a high blood alcohol level again the next morning.



Beware of interactions between alcohol and medication or drugs

Interactions are unpredictable and can be dangerous.



Never encourage someone who drives to drink alcohol

You can make yourself co-responsible by encouraging someone to drink alcohol when you know they will be driving.



Always refuse to be driven by someone who has been drinking

You are also responsible and therefore punishable if, as a passenger, you know that the driver is drunk.



**Road
safety**



The TCS distributes a brochure on the theme of drugs entitled "**Drugs and their consequences**".

Order or download it from the TCS website:
www.tcs.ch/fr/le-tcs/secureite-routiere

© Touring Club Suisse
Sécurité routière
1214 Vernier/Genève

www.tcs.ch/secureite-routiere
E-mail : sro@tcs.ch

www.facebook.com/tcs.ch
www.twitter.com/tcs_suisse
www.youtube.com/tcs

Published in 2019

