

# Government lacks sober grip on drunk driving laws



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At high speed, and sometimes swerving drunkenly, the PCs' new drinking law is being driven through the legislature.

The government means to pass it before this short session is done, likely within days.

If Premier Alison Redford has her wish, motorists who blow over .05 could lose their licences during this Christmas season.

That's a long shot, though.

The drinking and driving bill has to be proclaimed with supporting regulations — a time-consuming business.

And it's suddenly facing resistance, including some quiet grumbling from within Redford's own nervous caucus.

The pressure from restaurant and bar associations is both public and predictable.

Sounding just like they did before smoking was banned, they raise the spectre of lost revenue and jobs.

They're probably right — it certainly happened in B.C. — but the smoking ban also showed that people adjust and business revives.

Debate in the legislature, meanwhile, has ranged from humorous to shocking.

Wildrose MLA Rob Anderson, who opposes the bill, told the house: "You should try driving

with four kids if you want clouded judgment. Holy. That's clouding your judgment."

Transportation Minister Ray Danyluk snapped back — jokingly, I think — that Anderson should put his kids in a cage.

"You'd better do something because you're a hazard on the road. ... I don't care if you put in a cage, but if that's a problem, you need to do it."

Calgary Liberal MLA Darshan Kang, meanwhile, told a pair of remarkable stories that show how personal and emotional this issue can be.

In 1971, he said, he was hit from behind while waiting to make a turn at the corner of 17th Avenue and 15th Street S.W.

"The guy was drunk," Kang said. "He rear-ended me, and my car was on fire.

"All of a sudden other people came and pulled me out of the car. I could have been dead myself. I could have been cooked alive in the car. So I've got personal experience."

Next, he told the startled MLAs:

"We were also victims of a guy who was drunk who ran over my father's car, and he killed five people, including my father. I know the pain it causes the families."

Later, Kang told me his dad's accident happened in India not long after his own Calgary crash.

And yet, the MLA has reservations about the bill even though he generally supports it.

Kang believes that instead of "ramming it through," the Tories should allow input from Albertans.

But the PCs want a slam-dunk on this one. As opposition builds,

they're determined to paint the bill as just a small change to current legislation.

They keep saying the .05 marker for licence seizures is already in place. Not much will change, they insist, except for tougher penalties. We've heard this line from several ministers in the past week.

It's a soothing approach — but completely untrue.

The current legislation (Section 89 of the Traffic Safety Act) makes no mention whatsoever of .05.

It merely gives officers the power to suspend licences for 24 hours if they feel a person's ability to drive is affected by "alcohol, drug or any other substance."

Our leaders nonetheless insist that .05 is law; they also say police use it as a standard for seizing licences.

If so, there's a big problem.

The current law also says that if a driver voluntarily asks for a breath test and blows under .08 — the federal standard — police must immediately return the licence "and the disqualification from driving is terminated."

So there is a test; but it's .08, not .05.

Despite the story the ministers keep telling, the coming measures are actually radical changes to existing law.

If that saves lives, wonderful. Most people want firm action against drunk driving.

It would be reassuring, though, if these PC ministers understood the laws they already have.

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