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Insurance claims will be affected

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After the new zero-tolerance law comes into operation in June, insurers will also not take kindly to any mishaps or accidents involving a car and a driver who has even a trace of alcohol in their system.

Transport Minister Fikile Mbalula said the National Road Traffic Amendment Act would prohibit any consumption of alcohol by vehicle drivers on public roads. At the moment, a driver can still get away with a blood-alcohol level under 0.05g per 100ml, but the zero-tolerance approach meant the legal blood-alcohol limit for drivers would be 0%.

"If you are involved in an accident after having even a single drink, you will not just find yourself on the wrong side of the law, but it can also have a major impact on your insurance," said Wynand van Vuuren, King Price's customer experience partner.

He said insurers had the right to refuse to pay accident claims if the driver's blood alcohol level was over the legal limit and this clause was included in almost every car insurance policy in SA.

Previously, it was difficult to determine if people were over the legal limit and if their driving ability was, in fact, impaired. The new zero-tolerance approach removes this "grey area".

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If a driver breaks the law by driving with alcohol in their blood, the insurer will have no obligation to meet the claim. It was also likely that the premium would increase significantly, due to higher risk.

Van Vuuren said in the worst-case scenario, a driver's insurer might cancel the policy if the driver was convicted of drunk driving. If their licence was endorsed or suspended, it would be difficult to get car insurance at all in the future.

"However, if we see fewer accidents due to fewer drunken driving incidents, in the longer term we may see premiums coming down due to lower claims costs," he said.

Marius Neethling, manager of personal lines underwriting at Santam, said Santam discouraged any level of drunk driving. "If policyholders are using the vehicle while under the influence of intoxicating liquor or drugs, or their blood or breath alcohol concentration exceeds the legal limit, they are not covered."

The World Health Organisation estimates that 58% of the accidents on South African roads are due to alcohol abuse. Arrive Alive said 50% of people who die on SA roads have a blood-alcohol concentration above the current legal limit.