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motorists' lawyer



12 Driving Days of Christmas

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It's not just Santa Claus who's busy at this time of year. Kent Police will be out in force too, and you shouldn't expect much goodwill from them if you've been overindulging in Christmas spirit!

Last week Kent Police launched its Christmas drink drive campaign by warning drivers that there is technology and procedures in place that will enable a Court to disqualify in just 90 minutes. Add to this a criminal record and a fine of up to £5000 and drink driving can lead to a very bad hangover come the New Year.

It's not just drink drivers that create problems though. Dark mornings and evenings, poor weather and increased traffic can all contribute to drivers finding themselves on the wrong side of the Law.

With this in mind we asked David Barton, Kent's specialist Motorists' Lawyer (<http://motorists-lawyer-kent.co.uk/>), for his advice on keeping safe and legal this winter.

"January is always a busy time for the courts," said David "Last year 211 drivers failed breath tests in Kent. Drivers need to think and plan ahead. Remember it's not just a driving licence that's at risk. About 400 deaths are caused every year by drink driving and no one wants that on their conscience"

Here are David's 12 tips to stay safe and legal over Christmas:

1. Remember that alcohol affects different people in different ways. It varies depending on age, gender and body mass. Many wrongly believe that food intake helps; it doesn't. Drinking on an empty stomach might make you feel different, but won't affect the result.
2. It takes around an hour and a half for the average person to metabolize one standard drink. The time taken is often greatly underestimated, which is why driving the morning after can be just as risky. A sleep will not necessarily have got rid of the alcohol in your body and drivers are frequently caught out the next

morning - particularly if it's an early start going to work. A heavy and long night can take until mid-afternoon the following day to clear.

3. Plan ahead. If you know you are going to be partying hard, plan a taxi, or a place to stay for the night. If you don't plan, you will be tempted to drive and alcohol distorts judgment. Just have a safe way of getting home to bed.
4. Don't make the mistake of thinking a train journey from London will get rid of alcohol. The police do monitor stations to catch drivers as they leave the car park after their journey home.
5. Don't sleep in your car. I have known drivers prosecuted for being drunk in charge because they were found asleep in their cars in car parks. It is very risky, particularly if you sleep in the front seat. It leads to the same disqualification.
6. Expect a breath test at any time. If you are involved in an accident, whether it's your fault or not, you will be tested.
7. It is a myth to think you can drive a short distance over the limit and not be prosecuted.
8. In difficult weather conditions you are expected to drive to suit the circumstances. Dangerous driving is increasingly being prosecuted and carries a long disqualification and imprisonment.
9. Leave plenty of time because journeys take longer in winter. Speed and accidents do go together.
10. Mobile phone use is viewed seriously by the courts. Texting your Christmas present list whilst driving is to be avoided! It can lead to a dangerous driving charge.
11. Check your insurance documents. I meet many clients who misunderstood their cover believing wrongly that they were covered for driving other vehicles. Driving without insurance is a strict liability offence which means mistake is no defence. It also carries 6 points, taking you instantly towards 12 and disqualification.
12. Young drivers in their probationary period (first two years) need to be aware that if they pick up 6 points their licences will automatically be revoked. It's easily done with two modest speeding offences carrying 3 points each.