

Halfway: The Limited Success of Drink Driving Enforcement in Vietnam

Abstract

This paper evaluates the effectiveness of Vietnam's legal framework in addressing alcohol-related driving violations and identifies key challenges affecting enforcement. Using a qualitative approach, the research systematically analyzes legal documents, statistical data, and expert opinions. The findings reveal three critical issues: (1) the lack of scientific support for strict regulations, resulting in low public acceptance and enforcement challenges; (2) limited diversity in penalty measures, reducing the deterrent and educational impact; and (3) the absence of a comprehensive national database for tracking violators, hindering effective management of repeat offenses. The study provides evidence-based recommendations for legal reforms, emphasizing the need for diverse, scientifically grounded, and practical approaches to enhance traffic safety and policy implementation. The study aims to improve Vietnam's traffic safety and policy effectiveness by addressing these gaps and implementing more comprehensive and valuable strategies. While the research focuses on Vietnam's unique context, its findings provide valuable insights for other nations grappling with similar challenges, underscoring the importance of adopting a multidimensional and evidence-driven approach to managing alcohol-related driving violations.

KEYWORDS: Alcohol-related driving violations; traffic safety; comparative legal studies; legal reforms; Vietnam

THI NGOC ANH CAO – Master student, National Academy of Public Administration – Ho Chi Minh City Campus, Ho Chi Minh City, Vietnam,

ORCID – 0009-0005-0326-1868, e-mail: caongocanhthi.law@gmail.com

NHAT KHANH NGUYEN LL.M. – Faculty of Law, University of Economics and Law, Ho Chi Minh City, Vietnam and Vietnam National University, Ho Chi Minh City, Vietnam, ORCID – 0000-0002-8517-6544, e-mail: khanhnn@uel.edu.vn

1 | Introduction

There is strong evidence that alcohol impairs a person's ability to drive, making it a significant risk factor for road traffic accidents^[1]. Alcohol contributes heavily to traffic crashes, which are more likely to cause injuries and fatalities when alcohol is involved. Alcohol-dependent individuals and those who start drinking at a young age are disproportionately involved in such incidents^[2]. According to WHO, alcohol accounts for 5% to 35% of road traffic deaths^[3], highlighting its serious impact on road safety. As a result, many countries^[4] widely support a universal ban on alcohol for all drivers, with severe penalties for violators.

Vietnam has implemented a ban on alcohol consumption while driving, with a regulation that is strictly enforced. The regulation prohibits driving if there is any alcohol in the driver's system. This means that any instance of driving under the influence of alcohol is subject to penalties with no tolerance threshold. This policy is unique and reflects Vietnam's strong commitment to reducing alcohol-related traffic accidents. Violators are subject to severe penalties, including fines exceeding four times the average income and, in some cases, up to eight times the average income. Alongside the issuance of strict regulations, patrols and enforcement efforts have been significantly intensified. Despite these measures, the effectiveness of these efforts has been limited. While the number of alcohol-related traffic accidents has decreased, the reduction is not significant, and the number of violations continues to rise year after year. This raises concerns about the long-term effectiveness of current measures, as they risk losing their deterrent effect and potentially making the situation more complex and more challenging to control.

¹ Achermann Stürmer Yvonne, Uta Meesmann, Hysen Berbatovci, *Driving under the influence of alcohol and drugs. ESRA2 Thematic report Nr. 5. ESRA project (E-Survey of Road users' Attitudes)* (Bern: Swiss Council for Accident Prevention, 2019).

² Ralph Hingson, Michael Winter, „Epidemiology and Consequences of Drinking and Driving” *Alcohol Res Health*, No. 1 (2003): 63.

³ WHO, *Global Status Report on Road Safety 2018*. <https://www.who.int/publications/i/item/9789241565684>. [accessed: 14.07.2024].

⁴ Achermann Stürmer, Meesmann, Berbatovci, *Driving under the influence of alcohol and drugs. ESRA2 Thematic report Nr. 5. ESRA project (E-Survey of Road users' Attitudes)*.

In this context, the study was conducted to provide the international academic community with a comprehensive overview of Vietnam's current legal framework for addressing alcohol consumption while driving, as well as the efforts Vietnam has made in this regard. At the same time, the study focuses on analyzing the limitations that hinder the effectiveness of the policy and the risk of its decline in the future if appropriate adjustments are not made. The research proposes practical solutions to improve the situation and enhance road safety in Vietnam and other countries with similar contexts.

2 | Research methods

This study adopts a qualitative research design, combining document analysis and comparative research to evaluate the effectiveness of Vietnam's legal framework in addressing drunk driving. Key and recent legal documents, including the 2024 Law on Road Traffic Order and Safety and Decree No. 168/2024/ND-CP, were systematically analyzed to understand the scope, development process, and enforcement of management measures and penalties. Historical decrees and amendments were also examined to track the evolution of policies over time. Statistical data on drunk driving violations and traffic accidents, collected from government reports and police statistics, were analyzed to identify trends in compliance and enforcement outcomes. Furthermore, a comparative analysis was conducted to evaluate the normative aspects of Vietnam's zero-tolerance approach compared with standards and regulations in other countries worldwide. By synthesizing findings from multiple sources, this study provides a comprehensive assessment of Vietnam's efforts, identifies key policy and enforcement gaps, and offers evidence-based recommendations to improve the effectiveness of traffic safety initiatives and minimize drunk driving incidents.

3 | Discussion and results

3.1. Vietnam's legal framework in the fight against drunk driving

In Vietnam, the 2024 Law on Road Traffic Order and Safety is the primary legislation regulating traffic order, safety, and state management. This new law was enacted on June 27, 2024, and officially came into effect on January 1, 2025. Clause 2, Article 9 of this law states that „Operating a vehicle in road traffic with alcohol present in the blood or breath” is prohibited when participating in traffic. Drunk driving offenses are subject to penalties as stipulated in Decree No. 168/2024/ND-CP, issued on December 27, 2024, which governs administrative penalties in road traffic.

The 2024 Law on Road Traffic Order and Safety and Decree No. 168/2024/ND-CP are newly issued legal documents aimed at addressing the widespread and complex violations of traffic laws in Vietnam. Article 151 of the 2015 Law on the Promulgation of Legal Documents (amended and supplemented in 2020) stipulates that legal documents issued by central government agencies (e.g., Decree No. 168/2024/ND-CP issued by the Government) typically take effect no sooner than 45 days from the date of issuance. However, Decree No. 168/2024/ND-CP took effect five days after its issuance- on January 1, 2025. A similar expedited process occurred with Decree No. 100/2019/ND-CP, which governed administrative penalties for road and railway traffic violations before being replaced by Decree No. 168/2024/ND-CP. Specifically, Decree No. 100/2019/ND-CP was issued on December 30, 2019, and came into effect immediately on January 1, 2020.

The reduction in the effective waiting period for decrees related to traffic violation penalties has been attributed to the urgent need to address the practical challenges of controlling and reducing complex traffic problems. Hoang Hong Hanh, Deputy Director of the Legal Affairs and Inspection Department of the Vietnam Directorate for Roads, explained that due to the urgency of addressing traffic accident issues, the Government conducted directive meetings and allowed the draft to be developed through a streamlined process^[5].

⁵ Tuan Phung, *Why was Decree 100 issued 2 days later applied?*. <https://tuoitre.vn/vi-sao-nghi-dinh-100-ban-hanh-2-ngay-sau-da-ap-dung-20200107084621983.htm#:~:text=TTO%20%2D%20Ngh%E1%BB%8B%20%C4%91%E1%BB%8Bnh%20s%E1%BB%91%20100,ng%C3%Aoy%201%2D1%2D2020.&text=How+to+make+a+profit,+how+to+make+a+profit.> [accessed: 30.06. 2024].

According to Decree No. 168/2024/ND-CP, drunk driving offenses are subject to three types of penalties: monetary fines, revocation of driving licenses, and deduction of points from the driving license. The form and severity of the penalties vary depending on the alcohol concentration detected and the type of vehicle used in the violation, as detailed below:

Table 1. Vietnam’s Measures for Addressing Drunk Driving Violations

Vehicle Type	Level 1 (BAC ≤ 50 mg/100 ml blood or ≤ 0.25 mg/l breath)	Level 2 (BAC > 50 – 80 mg/100 ml blood or > 0.25 – 0.4 mg/l breath)	Level 3 (BAC > 80 mg/100 ml blood or > 0.4 mg/l breath)
Cars and similar vehicles	Fine: 6,000,000 – 8,000,000 VND; 4 points deducted	Fine: 18,000,000 – 20,000,000 VND; 10 points deducted	Fine: 30,000,000 – 40,000,000 VND; Driving license revoked (22-24 months)
Motorcycles, mopeds (including electric motorcycles)	Fine: 2,000,000 – 3,000,000 VND; 4 points deducted	Fine: 6,000,000 – 8,000,000 VND; 10 points deducted	Fine: 8,000,000 – 10,000,000 VND; Driving license revoked (22-24 months)
Tractors and specialized vehicles	Fine: 3,000,000 – 5,000,000 VND	Fine: 6,000,000 – 8,000,000 VND	Fine: 18,000,000 – 20,000,000 VND
Bicycles, electric bicycles, and other rudimentary vehicles	Fine: 100,000 – 200,000 VND	Fine: 300,000 – 400,000 VND	Fine: 400,000 – 600,000 VND

3.2. The current landscape of alcohol violations while driving in Vietnam

The fight against alcohol violations and drunk driving in Vietnam has never subsided but has grown increasingly intense. Notably, before January 1, 2025, when the 2024 Law on Road Traffic Order and Safety and Decree No. 168/2024/ND-CP officially took effect, the State had already implemented numerous robust measures to combat alcohol-related driving violations. The most apparent evidence of these efforts is the series of critical directives issued, most notably Directive No. 03/CT-TTg dated January 16, 2020. This directive instructed the Ministry of Public Security to intensify patrols and traffic safety enforcement, especially during peak

periods, with a principle of strict and exception-free handling of alcohol violations. Furthermore, Directive No. 35/CT-TTg dated September 17, 2024, issued by the Prime Minister, emphasized strict penalties for cases involving officials, civil servants, public employees, and armed forces personnel who violated regulations on operating vehicles under alcohol. These efforts reflect the Government's strong determination to address drunk driving violations in Vietnam.

In response to these measures, the situation has seen specific improvements. According to statistics, during the first quarter of 2024, the country recorded 6,550 traffic accidents resulting in 2,723 fatalities, a decrease of 484 deaths (-15.1%) compared to the same period in 2023^[6]. A segment of the population has gradually adopted the mindset of "If you drink, do not drive". Master Nguyen Thi Ngoc Vui, a lecturer in the Department of Psychology at the University of Social Sciences and Humanities, Vietnam National University Ho Chi Minh City, noted that the increased efforts of law enforcement to check alcohol levels throughout the city have contributed to a shift in public attitudes. Previously, there was a common habit of „not going home unless heavily drunk”^[7]. However, nowadays, people appear to be more hesitant about drinking and driving.

However, these positive developments represent only a tiny part of the overall challenging picture Vietnam is currently facing and will continue to face in the future. The reality shows that the fight against alcohol violations remains complex, prolonged, and seemingly trapped in a vicious cycle, leaving both authorities and citizens exhausted. Reports indicate that while the number of alcohol-related accidents has slightly decreased, the number of violations has consistently risen over the years. Colonel Nguyen Quang Nhat, Head of the Department of Propaganda, Investigation, and Resolution of Traffic Accidents (Traffic Police Department, Ministry of Public Security), stated that since Decree No. 100/2019/ND-CP came into effect, alcohol violations have not shown any signs of decreasing but have instead increased sharply and become more complicated. Evidence of this is the record-breaking number of alcohol violations handled in 2023, with

⁶ Quarter I/2024: The number of deaths due to traffic accidents has decreased compared to the same period. <https://congan.ninhbinh.gov.vn/quy-i2024-so-nguoi-tu-vong-do-tai-nan-giao-thong-da-giam-so-voi-cung-ky>. [accessed: 14.07. 2024].

⁷ „Many people in Ho Chi Minh City are afraid of... drivers 'drinking with uncles and brothers'” *Dan Tri Newspaper* <https://tienphong.vn/nhieu-nguoi-dan-o-tphcm-biet-so-lai-xe-ve-nha-sau-chen-chu-chen-anh-post1590260.tpo>. [accessed: 14.07. 2024].

over 770,000 cases—an increase of more than 460,000 cases compared to 2022^[8], over 608,000 cases compared to 2021^[9], and over 614,000 cases compared to 2020^[10]. In the first quarter of 2024 alone, 275,130 cases of violations were detected nationwide, compared to only 99,000 cases in the first quarter of 2023—an increase of over 176,000 cases. Even more alarming, according to statistics from the Traffic Police Department, during the seven-day Lunar New Year holiday (February 8–14, 2024), traffic police detected and handled 29,099 cases of alcohol violations – an increase of 277.7% compared to the same period during the Lunar New Year in 2023. The increasing danger of these actions further compounds the severity of alcohol violations. Hundreds of cases have involved drivers of cars and motorcycles with the highest levels of alcohol concentration who deliberately refused to comply with penalties, escalating the risk and complexity of the situation^[11].

The issue of traffic violations is increasing in number and complexity. There is a growing number of cases in which individuals resist and create difficulties during the penalty process. Many violators disagree with the imposed penalties, arguing that the current legal regulations are too strict and unrealistic, leading to complaints after enforcement. A notable example occurred in Ho Chi Minh City, where a 71-year-old man was fined and had his vehicle temporarily confiscated after traffic police detected an alcohol concentration of 0.103 mg/l in his breath. The man contested the decision, asserting that he had consumed only rice, ripe mango, and water prior to the test. After several unsuccessful debates, he went to a hospital for testing, which confirmed there was no alcohol in his blood. Dissatisfied with handling the situation, he filed multiple complaints and eventually took the matter to court. This case is just one of many similar situations in Vietnam, sparking significant public debate and concern about the practicality and fairness of the existing legal regulations.

⁸ Xiêm Hồng, „SOS: The problem of driving under the influence of alcohol” *Transport Magazine*. <https://tapchigiaothong.vn/sos-van-nan-lai-xe-vi-pham-nong-do-con-183240318090909342.htm>. [accessed: 14.07. 2024].

⁹ C.T.Van, *Warning about drug-impaired driving and alcohol violations*. <https://congan.tiengiang.gov.vn/chi-tiet-tin?/bao-ong-tinh-trang-lai-xe-su-dung-ma-tuy-vi-pham-nong-o-con/36931967>. [accessed: 14.07. 2024].

¹⁰ V. Thanh, *Traffic police face many difficulties when handling drivers who have used alcohol or beer*. <https://hcmcpv.org.vn/tin-tuc/canh-sat-giao-thong-gap-rat-nhieu-kho-khan-khi-xu-ly-lai-xe-da-su-dung-ruou-bia-1491871656>. [accessed: 14.07. 2024].

¹¹ Hồng, „SOS: The problem of driving under the influence of alcohol”.

Additionally, within the context of Vietnamese law imposing fines deemed too high for many people's ability to pay, numerous violators have opted to abandon their vehicles to avoid paying penalties. This situation not only reduces the deterrent effect and authority of the enforcement process but also places a significant burden on authorities in managing, storing, and holding the abandoned vehicles. Nguyen Thi Viet Nga, a National Assembly's Committee on Culture and Education member, stated that imposing high fines has led some violators to abandon their vehicles instead of paying the fines. They calculate that the vehicle's value is lower than the fine, which creates difficulties for the authorities and results in waste as the vehicle, which could still be used, is left unused^[12]. As of early 2024, Ho Chi Minh City's Traffic Police Department faced a storage shortage of 100,000 square meters for motorbikes – equivalent to the area of a city park. Thousands of vehicles have been auctioned off, but the backlog continues to grow, and occasional fires occur at storage facilities^[13].

In summary, the fight against alcohol-related driving violations in Vietnam is becoming increasingly intense. The government has consistently implemented strong measures, from amending and enacting new legal regulations to enhancing patrols and enforcement. However, these solutions have fallen short of expectations, as driving under the influence of alcohol remains widespread and increasingly complex. This highlights the urgent need to review, adjust, and improve current policies' effectiveness while promoting more sustainable and comprehensive solutions.

3.3. Factors behind Vietnam's ineffectiveness in addressing drunk driving violations

Firstly, legal regulations on penalties for drunk driving violations in Vietnam are primarily developed based on the opinions and judgments of lawmakers rather than on large-scale surveys or practical evaluations. This has resulted in regulations that may lack scientific foundations and

¹² Reducing penalties for alcohol concentration violations requires careful assessment of impact. <https://vovgiaothong.vn/giam-muc-xu-phat-vi-pham-non-g-do-con-can-danh-gia-ky-tac-dong-ema40212.html>. [accessed: 12.12.2024].

¹³ *Ho Chi Minh City: Need to add about 100,000m2 of warehouses and yards to temporarily detain violating vehicles.* <https://vneconomy.vn/tp-hcm-can-bo-sung-khoang-100-000m2-kho-bai-de-tam-giu-xe-vi-pham.htm>. [accessed: 10.12.2024].

fail to align with the actual conditions of society, leading to suboptimal enforcement outcomes.

Overall, lawmakers in Vietnam assume that higher fines will enhance deterrence and reduce violations. Evidence of this can be seen in the fact that, over the last five iterations of decrees regulating penalties for alcohol-related offenses, the fines have been continuously and significantly increased.

Table 2. Statistics on changes in fines for drunk driving violations through amendments and promulgations of decrees

Decree Number	Decree No. 34/2010/ND-CP	Decree No. 171/2013/ND-CP	Decree No. 46/2016/ND-CP	Decree No. 100/2019/ND-CP	Decree No. 168/2024/ND-CP
Fine Range (Limit)	1,000,000 VND – 3,000,000 VND	2,000,000 VND – 15,000,000 VND	1,000,000 VND – 18,000,000 VND	80,000 VND – 40,000,000 VND	100,000 VND – 40,000,000 VND
Average Fine	2,000,000 VND	8,500,000 VND	9,500,000 VND	20,040,000 VND	20,050,000 VND

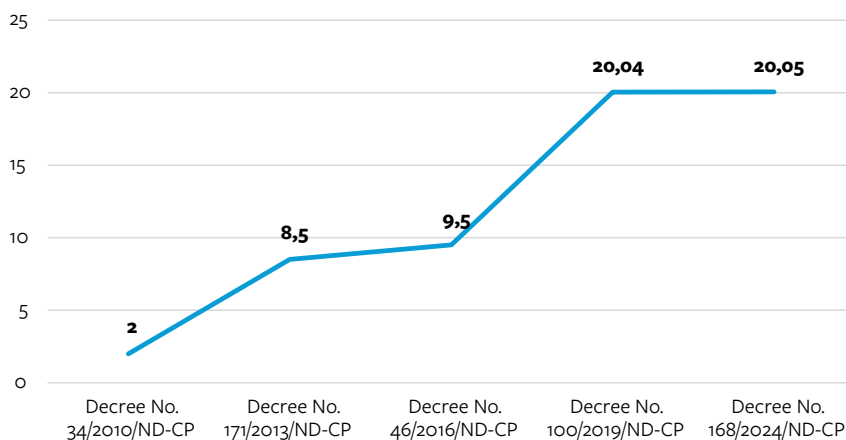


Chart 1: Chart showing the increase in fines for drunk driving violations through Decrees

From the above, it can be seen that the general trend in the amendments and issuance of legal regulations on drunk driving violations focuses on increasing the fines. However, according to the General Statistics Office data, Vietnam’s current average per capita income is only about 5,200,000 VND

per month^[14]. This means that with an average fine of 20,050,000 VND, violators would have to pay an amount equivalent to four times the average monthly income of citizens. Notably, in cases where the maximum fine reaches 40,000,000 VND, individuals would have to pay a fine equal to eight times the average income – a figure that is exceedingly high compared to the financial capacity of most individuals.

This regulation was introduced with the expectation that economic pressure would strongly deter violators, thereby reducing violations. However, this approach is primarily based on the subjective assessment of lawmakers, as no large-scale survey or research has proven that increasing fines significantly reduces violations. This is particularly noteworthy given that the policy of raising fines has been implemented for over 10 years in Vietnam, yet the violation rate shows no apparent signs of significant decline.

Similarly Vietnam is among the few countries that implement „zero tolerance” policy regarding alcohol concentration violations. This means that any act of driving with alcohol in the body, even at a low level, is considered a legal violation and subject to penalties with no permissible limit, as seen in some other countries.

Table 3. Statistics on alcohol concentration limits for penalties in drunk driving violations across countries worldwide; Source: Compiled by the authors

No	Country/Territory	BAC mg/ml	STT	Country/Territory	BAC mg/ml	STT	Country/Territory	BAC mg/ml
1	Albania	0.50	48	Equatorial Guinea	0.80	95	New Zealand	0.50
2	Afghanistan	0.00	49	Eritrea	0.50	96	Nicaragua	0.50
3	Algeria	0.20	50	Estonia	0.20	97	Nigeria	0.50
4	Andorra	0.50	51	Fiji	0.80	98	Niue	0.80
5	Angola	0.60	52	Finland	0.50	99	Norway	0.20
6	Antigua and Barbuda	0.80	53	France	0.50	100	Pakistan	0.00
7	Argentina	0.00	54	Gabon	0.80	101	Panama	0.50
8	Armenia	0.40	55	Georgia	0.30	102	Paraguay	0.00
9	Australia	0.50	56	Germany	0.50	103	Peru	0.50
10	Austria	0.50	57	Ghana	0.80	104	Philippines	0.50
11	Azerbaijan	0.00	58	Greece	0.50	105	Poland	0.20
12	Bahamas	0.80	59	Guyana	0.80	106	Portugal	0.50

¹⁴ Quarter I: Average income per capita reached 5.2 million VND/month. <https://molisa.gov.vn/baiviet/239697>. [accessed: 12.12.2024].

No	Country/ Territory	BAC mg/ml	STT	Country/ Territory	BAC mg/ml	STT	Country/ Territory	BAC mg/ml
13	Bangladesh	0.00	60	Hungary	0.00	107	Romania	0.00
14	Belarus	0.30	61	Iceland	0.20	108	Russia	0.30
15	Belgium	0.50	62	India	0.30	109	Rwanda	0.80
16	Belize	0.80	63	Iran	0.00	110	Saint Christopher and Nevis	0.80
17	Bermuda	0.80	64	Ireland	0.50	111	Saint Lucia	0.80
18	Bhutan	0.80	65	Israel	0.50	112	Samoa	0.80
19	Bolivia	0.50	66	Italy	0.50	113	Serbia	0.30
20	Bosnia and Herzegovina	0.30	67	Jamaica	0.80	114	Seychelles	0.80
21	Botswana	0.50	68	Japan	0.30	115	Sierra Leone	0.80
22	Brazil	0.00	69	Kazakhstan	0.50	116	Singapore	0.80
23	Brunei	0.80	70	Kenya	0.80	117	Slovakia	0.00
24	Bulgaria	0.50	71	Kiribati	0.80	118	Slovenia	0.53
25	Burundi	0.80	72	Laos	0.80	119	Solomon Islands	0.50
26	Cabo Verde	0.50	73	Latvia	0.50	120	South Africa	0.50
27	Cambodia	0.50	74	Lebanon	0.50	121	Spain	0.50
28	Cameroon	0.80	75	Lesotho	0.80	122	Suriname	0.50
29	Central African Republic	0.80	76	Liberia	0.53	123	Swaziland	0.50
30	Chad	0.80	77	Liechtenstein	0.80	124	Sweden	0.20
31	Chile	0.30	78	Lithuania	0.40	125	Switzerland	0.50
32	China	0.20	79	Luxembourg	0.50	126	Tanzania	0.80
33	Chinese Taipei	0.50	80	Macedonia	0.53	127	Thailand	0.50
34	Colombia	0.20	81	Malawi	0.80	128	Timor L'Este	0.50
35	Congo, Republic	0.80	82	Malaysia	0.50	129	Tonga	0.30
36	Costa Rica	0.50	83	Malta	0.50	130	Trinidad and Tobago	0.80
37	Croatia	0.53	84	Marshall Islands	1.06	131	Tunisia	0.50
38	Cuba	0.50	85	Mauritius	0.20	132	Turkey	0.50
39	Cyprus	0.50	86	Moldova	0.30	133	Tuvalu	0.80
40	Czechia	0.21	87	Monaco	0.50	134	Uganda	0.80
41	Democratic Republic of the Congo	1.00	88	Mongolia	0.50	135	Ukraine	0.20
42	Denmark	0.50	89	Montenegro	0.30	136	Uruguay	0.00
43	Djibouti	0.00	90	Morocco	0.20	137	Uzbekistan	0.00
44	Dominica	0.80	91	Mozambique	0.60	138	Venezuela	0.80
45	Dominican Republic	0.50	92	Namibia	0.79	139	Vietnam	0.00
46	Ecuador	0.30	93	Nauru	0.50	140	Zimbabwe	0.80
47	El Salvador	1.00	94	Netherlands	0.50			

Thus, it can be seen that Vietnam is among the few countries in the world that enforce a 0% BAC (Blood Alcohol Concentration) limit. According to statistics, approximately 10.5% of countries worldwide currently apply a 0% BAC limit (most of which are Islamic countries, where the sale and consumption of alcohol are prohibited, such as Afghanistan, Iran, Maldives, Pakistan, and others). Meanwhile, around 72% of countries and territories have established BAC limits when addressing alcohol-related traffic violations^[15]. It is not coincidental that the majority of countries worldwide set specific BAC thresholds for traffic participants instead of implementing a strict „zero tolerance” policy as seen in Vietnam. Based on current empirical evidence, the WHO and other organizations recommend that the optimal BAC threshold is 0.05g/100ml for general drivers and 0.02g/100ml for young and novice drivers^[16]. Alison Harvey, a traffic safety expert at the World Health Organization (WHO), stated: Zero tolerance sends a valuable message, but in practice, blood-alcohol concentration limits of 0.0 can be difficult to enforce since blood-alcohol concentration is most often estimated using breath analyzers. Even when a person has not consumed alcoholic beverages, they may still test positive for a small concentration of alcohol or similar compounds in their breath for a variety of reasons, such as using an alcohol-based mouthwash or eating chocolate liqueurs. A tolerance margin is needed so drivers are not unjustly charged^[17]. In Vietnam, there has been a case where an individual was fined 7,000,000 VND and had their driver’s license revoked for 11 months due to an alcohol concentration of 0.055 mg/l in their breath, even though they had only consumed alcohol the day before. This penalty has sparked mixed reactions from the public, with some stating that „this regulation is negative, rigid, and lacks scientific basis. A safe threshold should be researched and established to confirm that it does not affect the human nervous system while driving”^[18].

¹⁵ M. Anh, *Most countries in the world apply ‘green zones’ when punishing alcohol concentration*. <https://vnexpress.net/hau-het-cac-nuoc-tren-the-gioi-ap-dung-vung-xanh-khi-xu-phat-nong-do-con-4567391.html>. [accessed: 6.06.2024].

¹⁶ World Health Organization. *Global Status Report on Road Safety 2018*. <https://www.who.int/publications/i/item/9789241565684>. [accessed: 6.06.2024]; Haghpanahan H, Lewsey J, Mackay DF, McIntosh E, Pell J, Jones A, et al. *An evaluation of the effects of lowering blood alcohol concentration limits*

¹⁷ Claudia Jurberg, „Brazil targets drink driving on the road to fewer deaths” *Bull World Health Organ*, No. 7 (2011): 474.

¹⁸ L. Pham, *Fined 7 million VND for drinking alcohol the day before*. <https://vnexpress.net/bi-phat-7-trieu-dong-vi-chen-ruou-uong-tu-hom-truoc-4728559>.

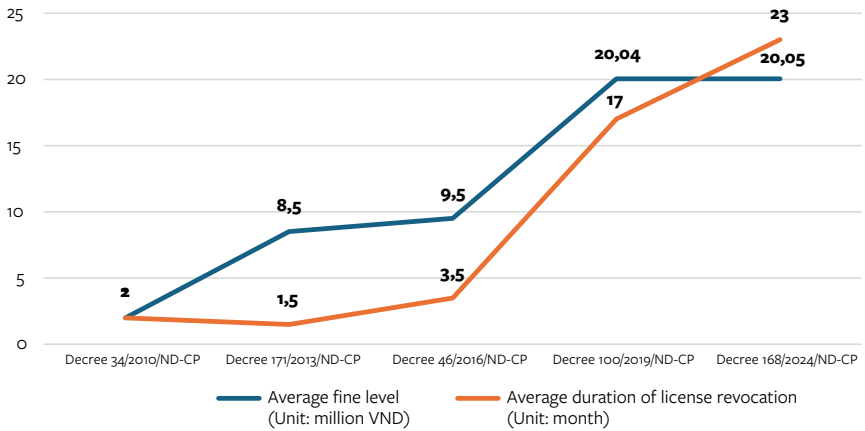
However, despite the international context, the practical implementation in Vietnam, and published scientific research findings, the Vietnamese Government remains steadfast in applying a „zero-tolerance” policy on alcohol concentration violations without accompanying surveys, statistical data, or precise scientific analyses to strengthen the persuasiveness of the legal regulations. This strict policy, combined with a lack of transparency in explaining the reasons and basis for its issuance, has made the current regulations appear overly imposing, creating difficulties in convincing citizens to comply and ensuring effective enforcement.

Secondly, although Vietnam has continuously revised and introduced new legal regulations to improve the situation, legislative techniques, and thinking have yet to achieve significant breakthroughs. The regulations often lack a comprehensive approach and continue to follow old patterns, resulting in practical outcomes that fall short of expectations.

Prior to the enactment of the Road Traffic Safety Law of 2024 and Decree No. 168/2024/ND-CP were issued and enacted at the beginning of 2025, Vietnam had already issued four decrees to adjust penalties for drunk driving violations. The changes in methods of enforcement and penalty levels are outlined as follows:

Table 4. Statistics on forms of handling drunk driving violations across decrees

Decree Number	Decree No. 34/2010/ND-CP	Decree No. 171/2013/ND-CP	Decree No. 100/2019/ND-CP	Decree No. 168/2024/ND-CP
Forms of Handling	- Fines and Suspension of driving license.	- Fines and Suspension of driving license.	- Fines and Suspension of driving license or certificate of training on road traffic laws.	- Fines and Suspension of driving license.
Fine Amount	1,000,000 VND – 3,000,000 VND	2,000,000 VND – 15,000,000 VND	80,000 VND – 40,000,000 VND	100,000 VND – 80,000,000 VND
Average Fine Amount	2,000,000 VND	8,500,000 VND	20,040,000 VND	20,050,000 VND
License Suspension Duration	60 days	1 month – 2 months	10 months – 24 months	22 months – 24 months



Decree Number	Decree No. 34/2010/ND-CP	Decree No. 171/2013/ND-CP	Decree No. 100/2019/ND-CP	Decree No. 168/2024/ND-CP
Average Suspension Duration	60 days	1,5 months	17 months	23 months

Chart 2: Changes in fine amounts and license suspension durations for drunk driving violations across decrees

Overall, through the issuance of new decrees, the Government has consistently maintained two main forms of penalties: monetary fines and the suspension of driving licenses. At the same time, the fine amounts and the duration of license suspensions have been continuously increased with the expectation of enhancing deterrence. However, more comprehensive and multidimensional solutions must be implemented to improve the situation of violations rather than solely focusing on raising fines and extending suspension periods. Research has shown that imposing higher fines does not necessarily correlate with greater effectiveness in reducing violations, as increasing fines can lead to unforeseen consequences such as a reduced willingness to pay the fines^[19], lowered perceived legitimacy of enforcement^[20], fines being attacked as „revenue raisers” rather than accepted as a means to

¹⁹ Don Weatherburn, Moffatt Steve, „The specific deterrent effect of higher fines on drink-driving offenders” *The British Journal of Criminology*, No. 5 (2011): 790.

²⁰ Christopher Walting, Nerida Leal, *Exploring perceived legitimacy of traffic law enforcement* (Sydney: National Conference, 2012), 1-13.

improve road safety^[21] và negative impact on social equity where the amount of the fine that is consequential for a low-income earner may be affordable (and therefore not a strong deterrent) for a high-income earner^[22].

Recognizing the limitations of the existing penalty forms, when enacting the 2024 Law on Road Traffic Order and Safety and Decree No. 168/2024/ND-CP, lawmakers introduced a new penalty form for driving under alcohol – deducting points from driving licenses. This is a significant advancement, as this measure has long been implemented in many countries worldwide and has effectively improved compliance with traffic laws. However, this penalty form will only take effect in Vietnam starting January 1, 2025, marking a notable improvement in legislative thinking. Nevertheless, as it is newly implemented, no practical statistical data is available to assess its effectiveness.

Despite the „highlights” in legislative thinking, compared to other countries, Vietnam’s penalty system for drunk driving still has many limitations in terms of diversity and flexibility. This results in punitive measures that are ineffective in addressing specific cases. In practice, to tackle the problem of drunk driving, many countries have adopted a more comprehensive approach, combining various forms of penalties such as:

²¹ Charles Goldenbeld, Jolieke Mesken, Ingrid van Schagen, *The effect of severity and type of traffic penalties on car drivers* (The Hague: SWOV, 2013).

²² Dominic Zaal, *Traffic law enforcement: a review of the literature*. Melbourne. <http://www.monash.edu.au/miri/research/reports/muarc053.html>. [accessed: 12.07.2024].

Table 5. Description of the main objectives, advantages, and disadvantages of penalty forms applicable to alcohol-related traffic violations implemented in other countries around the world^[23]

Types of sanctions	Description	Primary objective	Advantages	Disadvantages
Fines	A monetary sanction to be paid by the offender to a given department by a specified date. The amount of the fine should increase according to the severity of the offense. The amount of the fine should be pre-determined, prescribed in a schedule, and publicized so that offenders know the amount, and so that police are unable to change the amount of the fine when interacting with offenders.	Punish offenders to deter future offending; Deter would-be offenders from offending	May provide revenue to directly support investment in road safety activities. Predetermined (fixed) fine amounts reduce the potential for corruption when police interact with offenders.	Fines issued at the police-offender interception point create opportunities for corruption if the fine amount is not pre-determined and publicized. Socio-economic status may determine how impactful this is for individuals. However, this same penalty for a high-income driver, or a driver in high-income country may not see this as a severe penalty and may therefore not be deterred by it. These equity issues may be addressed by setting fine amounts in proportion to income

²³ Chika Sakashita, Judy Fleiter, Dave Cliff, Marcin Flieger, Brett Harman, Malcolm Lilley, *A Guide to the Use of Penalties to Improve Road Safety* (Geneva: Global Road Safety Partnership, 2021).

<p>Demerit points</p>	<p>Points accumulate from 0 to a higher number if a driver commits an offense and usually remain valid for a number of years. When the total number of demerit points reach a certain threshold within a defined period (e.g. 12 or more points within a 3 year period), another penalty is imposed – usually license suspension or disqualification.</p>	<p>Deter offenders from committing further offenses. Deter would-be offenders from offending.</p>	<p>The impact of points is likely to be more equitable across different income earners than a monetary fine^[24]. Repeated offending attracts more points providing good specific effects^[25]. May be perceived fairer penalty and receive good public support.^[26]</p>	<p>Offenders may transfer the collected points to another individual (e.g. with no or few points)^[27] if the driver at the time of offense was not identified.</p>
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²⁴ ETSC (European Transport Safety Council) (2008). *Combatting speed through Penalty Point Systems*. Speed Fact Sheet, 2, June. Brussels, Belgium.

²⁵ Charles Goldenbeld, Martine Reurings, Yvette Van Norden, Henk Stipdonk, „Crash Involvement of Motor Vehicles in Relationship to the Number and Severity of Traffic Offenses. An Exploratory Analysis of Dutch Traffic Offenses and Crash Data” *Traffic Injury Prevention*, No. 6 (2013): 584.

²⁶ European Transport Safety Council. (2012). *Demerit point system saves lives: Results from the EU funded research project BESTPOINT*. ETSC. Retrieved from www.etsc.eu/documents/PR_Bestpoint.pdf.

²⁷ Judy Fleiter, Barry Watson, Alexia Lennon, Mark King, Kan Shi, „Speeding in Australia and China: a comparison of the influence of legal sanctions and enforcement practices on car drivers”, [in:] *2009 Australasian Road Safety Research, Policing and Education Conference: Smarter, Safer Directions*, 10-12 November 2009 (Sydney: Sydney Convention and Exhibition Centre, 2009).

Types of sanctions	Description	Primary objective	Advantages	Disadvantages
Merit points	Points are lost from a set number (e.g. 100) until it reaches 0 if a driver commits an offense. The credit of points usually remains valid for a number of years. When the credit drops to 0, another penalty is imposed – usually license suspension or disqualification.	Deter offenders from committing further offenses; Deter would-be offenders from offending.	The impact of points is likely to be more equitable across different income earners than a monetary fine. ^[28]	Offenders may engage in the fraudulent use of points belonging to others if the driver at the time of offense was not identified.
License suspension	Suspended license holder is banned from driving at all times during the period of suspension. The license is automatically reinstated after the suspension period.	Deter and prohibit offenders from committing further offenses; Deter would-be offenders from offending.	Limits opportunities for reoffending during the term of the sanction.	Suspended drivers may continue to drive even though not legally licensed ^[29] . Suspension may be perceived as unfair, especially in relation to its impact on an offender's capacity to earn a living if that is linked to ability to drive (especially so for offenders residing in rural/remote locations without access to public transport). Reliant on an effective license system that keeps accurate records and communicates with the offender and enforcement agency.

²⁸ European Transport Safety Council (2008). *Combatting speed through Penalty Point Systems*. Speed Fact Sheet, 2, June. Brussels, Belgium.

²⁹ James Nichols; Laurence Ross, „The Effectiveness of Legal Sanctions in Dealing with Drinking Drivers” *Alcohol, Drugs and Driving*, No. 2 (1990): 33.

<p>Immediate license suspension/ Roadside license suspension</p>	<p>License is suspended and confiscated on the spot by police for a serious offense</p>	<p>Deter and prohibit offenders from committing further serious offenses; Deter would-be offenders from committing serious offenses.</p>	<p>In contrast to traditional suspension (above), the deterrent effect of immediate/roadside suspension is swift – one of the critical elements of increasing deterrence.</p>	<p>Police officer can apply the immediate suspension which cannot be applied to camera-detected offenses.</p>
<p>License disqualification/revocation</p>	<p>Disqualified/revoked license holder is banned from driving at all times during the period of disqualification. The license is reinstated only when the driver reapplies for the license at the end of the disqualification period. However, a driver can never drive again when lifetime disqualification applies.</p>	<p>Deter and prohibit offenders from committing further offenses; Deter would-be offenders from offending.</p>	<p>Limits opportunities for reoffending during the term of the sanction.</p>	<p>Disqualified drivers may continue to drive^[39].</p>
<p>License restriction</p>	<p>License holder is banned from driving during the period of restriction except for certain purposes (e.g. to drive to and from employment or medical treatment) that may be determined by court or other authority). Offenders are usually required to demonstrate that they would suffer unnecessarily from being prohibited from driving in order to be granted a restricted license.</p>	<p>Deter and prohibit offenders from committing further offenses; Deter would-be offenders from offending.</p>	<p>Reduces opportunities for reoffending during the term of the sanction and may increase caution and vigilance when driving; May create social acceptance of this type of penalty due to recognition of economic needs of offender.</p>	<p>Widespread use of restricted licenses may undermine both specific and general deterrence because the offenders do not experience the full impact of punishment.</p>

Types of sanctions	Description	Primary objective	Advantages	Disadvantages
<p>Vehicle sanctions</p>	<p>Vehicle is confiscated from the offender. Impounded/forfeited vehicles may be returned after the sanction period with payment of a fee. Alternatively, the license plate may be seized, a sticker attached to the license plate to show anyone but the offender is permitted to drive the vehicle, vehicle registration withdrawn, or vehicle immobilized on the offender's property with a "boot" or "club" without the offender having to forfeit the vehicle for impoundment. Usually applied to serious offenses and/or repeat offenders for whom other penalties were unsuccessful in stopping re-offending.</p>	<p>Prohibit offenders from committing further offenses; Deter would-be offenders from offending.</p>	<p>Removes opportunities for re-offending during the term of the sanction; Drivers may find it more difficult to continue driving without a vehicle than without a license. Evidence suggests that vehicle impoundment increases license suspension compliance^[31].</p>	<p>Not directly punitive for offender if s/he is not the owner of the vehicle; if the impounded vehicle belongs to someone other than the offender, the vehicle may be returned under certain conditions; Offender may have access to another vehicle to use. Issues can arise when the value of the vehicle is less than the total cost of impoundment and the offender chooses not to collect their vehicle in lieu of fee payment. Additionally, vehicle sanctions may be perceived as unfair, especially for offenders living in rural/remote locations with little or no access to public transport. Conversely, when the cost of the vehicle is high, offenders may flee the scene at speed, creating additional risks^[32].</p>

³¹ Patrick Byrne, Traey Ma, Yossary Elzohairy, „Vehicle impoundments improve drinking and driving license suspension outcomes: Large-scale evidence from Ontario” *Accident Analysis & Prevention*, 95 (2016): 125.

³² Leal Nerida, Barry Watson, Kerry Armstrong, Mark King, „There’s no way in hell I would pull up’: Deterrent and other effects of vehicle impoundment laws for honing”, [in.] *Proceedings of the 2009 Australasian Road Safety Research, Policing and Education Conference and the 2009 Intelligence Speed Adaptation (ISA) Conference*, 10-12 November 2009, Sydney: Sydney Convention and Exhibition Centre.

<p>Alcohol interlock</p>	<p>Technology fitted to vehicle so that it cannot be started until a pre-set breath test is passed. Primarily designed to modify the behaviour of drink driving offenders, especially high range BAC and/or repeat offenders, rather than to perform a general deterrent function.</p>	<p>Prohibit offenders from committing further alcohol-related offenses.</p>	<p>Removes opportunities for alcohol-related re-offending during the term of the sanction in the vehicle that has the interlock fitted</p>	<p>Interlock can only be applied to offenders who own a vehicle. Access to interlock equipment and maintenance may be limited in rural locations. Recording the Interlock Condition on the driver license must be obvious otherwise it may be overlooked by intercepting police. In addition, the Interlock Condition should transfer between jurisdictions so that offender cannot obtain a non-interlock license in another jurisdiction during the term of the penalty.</p>
<p>Remedial programs</p>	<p>Primarily designed to modify the behaviour of offenders, especially drink driving offenders, rather than to perform a general deterrent function. The programs may be educational focused on knowledge and/or psychological focused on behavioural change and run over weeks.</p>	<p>Reform offenders</p>	<p>Remedial programs may more effectively address the factors contributing to alcohol- and drug-specific offenses.</p>	<p>Good assessment procedures are required to match offenders to the most appropriate interventions^[33]. Cost-effectiveness of different approaches are unclear. Cost-effectiveness of different approaches are unclear.</p>

³³ A. Filtness, M. Sheehan, J. Fleiter, K. Armstrong, J. Freeman, (2015) Options for rehabilitation in interlock programs [Austroads Project No. SS1755 / Austroads Publication No. AP-R484-15]. Austroads, Australia.

The above analysis shows that no single penalty form is comprehensive or capable of resolving the issue. Each form has its own set of advantages and disadvantages, depending on its application and the specific context. This is why many countries worldwide adopt a flexible approach, combining various penalty forms instead of limiting themselves to a few common measures, as is often the case in Vietnam. The combination of diverse penalty forms enhances the effectiveness of deterrence, education, and prevention. It balances factors such as the severity of the violation, specific circumstances, and enforcement capacity. This approach makes the legal system more adaptable and aligned with practical realities. Therefore, Vietnam needs to continue innovating its legislative thinking, moving towards a more diverse and comprehensive approach to addressing alcohol-related traffic violations. Avoiding old, conventional methods is crucial, as they reduce the effectiveness of handling measures and waste the effort and resources invested in improving the law. A fresh and creative approach will enhance enforcement efficiency while fostering public consensus and support.

Thirdly, Vietnam lacks an effective mechanism and equipment system to manage violators' records. This results in localized, fragmented penalties and a lack of nationwide data integration. Such inconsistency makes it difficult to track and monitor repeat offenses, reducing the effectiveness of penalty measures.

In Vietnam's administrative violation handling laws, repeat offenses are considered an aggravating factor that increases administrative liability. Therefore, the storage and management of individual violation records is a crucial factor. However, in practice, Vietnam still lacks an effective mechanism or system to manage violators' records on a large scale. As a result, enforcement agencies cannot determine whether an offender has previously been penalized for the same violation. This issue not only undermines the effectiveness of handling alcohol-related violations but also represents a general limitation in the enforcement of administrative laws in Vietnam. The lack of data synchronization leads to inconsistent penalties, reduces deterrence, and makes ensuring fairness in applying the law challenging.

The matter of storing records of violators has been addressed for quite some time in Vietnam's legal documents. The 2012 Law on Handling Administrative Violations assigns the Ministry of Justice the responsibility for developing and managing the use of a national database for handling administrative violations. Ministries and ministerial-level agencies are tasked with building databases to handle administrative violations under their jurisdiction and directing relevant agencies and units to provide

information to support the creation of these databases and integrate them into the national database managed by the Ministry of Justice^[34]. Provincial-level People's Committees are responsible for developing databases to handle administrative violations within their localities and directing departments, agencies, and sectors to provide information to support the development of such databases. The Department of Justice assists the provincial-level People's Committees in building and integrating the national database on handling administrative violations managed by the Ministry of Justice^[35].

On this basis, developing a national database on handling administrative violations to manage violators' records has been underway for a long time. In 2016, the Government issued Decree No. 20/2016/ND-CP, which regulates the national database on handling administrative violations. In 2019, through Resolution No. 96/2019/QH14 dated November 27, 2019, on crime and legal violation prevention, the operations of the People's Procuracy, People's Court, and law enforcement, the National Assembly tasked the Government to "urgently develop the national database on handling administrative violations as stipulated in the Law on Handling Administrative Violations and make it operational starting in 2021". In 2020, in Resolution No. 01/NQ-CP dated January 1, 2020, on key tasks and solutions for implementing the 2020 Socio-Economic Development Plan and State Budget Estimates, the Government also set forth the task of „developing the electronic civil registration database and the national database on handling administrative violations to facilitate convenience for citizens and businesses, enhance the effectiveness and efficiency of state management in handling administrative violations, support judicial activities, criminal liability prosecution, and determine aggravating circumstances for repeat offenses in administrative violations". On June 3, 2021, the Minister of Justice issued Decision No. 957/QD-BTP approving the National Database Project on Handling Administrative Violations – Phase 1 investment policy.

However, by the end of 2024, this project has not yet been completed and remains in the implementation phase. This creates significant challenges in accessing the violation history of traffic participants, especially as Vietnam is set to officially introduce a new penalty form – deducting points from

³⁴ Clause 4, Article 27, Decree No. 81/2013/ND-CP (amended and supplemented by Decree No. 97/2017/ND-CP).

³⁵ Clause 8, Article 30 of Decree No. 81/2013/ND-CP (amended and supplemented by Decree No. 97/2017/ND-CP).

driving licenses – on January 1, 2025. According to Clause 1, Article 58 of the 2024 Law on Road Traffic Order and Safety, each driving license will be allocated 12 points, and the number of points deducted will depend on the severity and nature of the violation. Specifically, drivers will lose 4 or 10 points per violation for alcohol-related offenses. Implementing this penalty form requires a synchronized and effective database system to track, manage, and ensure accuracy in point deductions. However, this database system has not yet been implemented despite the Law on Road Traffic Order and Safety taking effect on January 1, 2025. This raises significant concerns about the effectiveness of implementing the point deduction system, which could severely impact the handling of alcohol-related violations while driving. The delay hinders improving violation management efficiency and undermines public trust in the rigor and effectiveness of newly enacted legal measures.

3.4. Solutions for Vietnam to improve the fight against alcohol-related driving violations

In the context of an increasing and severe number of traffic accidents related to alcohol consumption, Vietnam has demonstrated significant attention and efforts in addressing alcohol-related driving violations. This is a positive step and deserves recognition. However, to sustainably improve the situation and prevent the risk of current measures becoming less effective in the future, Vietnam needs to undertake groundbreaking legal reforms with a long-term vision that focuses on addressing the root causes of the problem. The reforms that Vietnam may consider should include:

Firstly, improving processes and innovative thinking in formulating legal regulations on penalties for alcohol-related driving violations is essential.

One of the key objectives of penalizing alcohol-related driving violations is to raise public awareness, helping individuals recognize that their behavior is unlawful, thereby achieving educational and preventive effects. Public compliance with the law serves as the core foundation for reducing violations in the long term. Therefore, for a legal regulation to be effectively enforced, must be established based on transparency, scientific rationale, and practical relevance, aiming to convince the public of its reasonableness and fairness during implementation.

However, the strict regulations on handling alcohol-related driving violations in Vietnam currently lack support from robust scientific research, large-scale surveys, and statistical evidence. This has led to strong public opposition, especially when the regulations are perceived as unreasonable. Consequently, Vietnamese lawmakers need to adopt a new approach to formulating and enacting laws. Regulations should be based on real-world data, scientific research, and international best practices to create effective deterrents and socially practical policies. This approach will enhance the credibility of the regulations and increase public compliance.

To develop appropriate penalty measures for drunk driving violations, Vietnam must conduct comprehensive studies to reassess the feasibility and suitability of the current fine levels. These studies should consider factors such as average income per capita, the financial capacity of citizens, and the impact of acceptable levels on deterrence and enforceability. This will help avoid setting excessively high fines, which may lead to poor enforcement effectiveness, as seen currently.

Similarly, the alcohol concentration limits also require thorough review. Vietnam should refer to international studies on the impact of blood alcohol limits on driving ability while simultaneously conducting surveys and collecting statistics within the country regarding the rate of traffic accidents associated with different alcohol concentration levels. Based on this data, Vietnam can make more precise and scientifically grounded decisions on whether to continue the absolute prohibition of driving under the influence of alcohol or to implement a specific permissible alcohol limit. Additionally, all data from these studies and statistics should be publicly and transparently shared. This increases the persuasiveness of legal regulations and fosters societal consensus, helping citizens understand the scientific and practical basis of the policies. This will form a critical foundation for ensuring effective law enforcement while building trust and gaining support from the community.

Secondly, Vietnam needs to continue researching and learning from the experiences of other countries worldwide, assessing the advantages and disadvantages of various penalty measures for drunk driving violations. This will enable Vietnam to adopt more practical and diverse penalty measures and enhance the effectiveness of law enforcement.

Including and enacting the penalty measure of deducting points from driving licenses in the 2024 Law on Road Traffic Order and Safety and Decree No. 168/2024/ND-CP is a commendable legislative advancement in

Vietnam. This measure results from years of effort and advocacy by scientists and experts in traffic safety. It marks an innovation in the approach to penalties, increasing deterrence and allowing for more effective management of violations. Vietnam has officially implemented three measures to address drunk driving: monetary fines, license suspension, and license point deductions. However, compared to many other countries, the number of penalty measures in Vietnam remains limited. This lack of diversity and flexibility reduces the effectiveness of penalties in addressing different violation scenarios and fails to fully utilize the potential of deterrence, education, and prevention measures. Therefore, Vietnam needs to expand and diversify its penalty measures further to enhance the management of violations. Potential measures include community service, mandatory participation in traffic safety courses, and installing alcohol ignition interlocks. Adopting a broader range of penalty measures will maximize the effectiveness of enforcement, ultimately improving the situation and contributing to the development of a safe and sustainable traffic culture.

Thirdly, Vietnam must urgently develop a national database on handling administrative violations as the foundation for managing drunk driving violations and implementing the penalty of deducting driving license points.

The national database plays an essential and irreplaceable role in managing violators' records, tracking repeat offenses, and effectively implementing the license point deduction system. It is a critical foundation to ensure transparency, accuracy, and consistency in handling violations. With the 2024 Law on Road Traffic Order and Safety and Decree No. 168/2024/ND-CP officially in effect, building and completing the national database is an urgent and absolute necessity. This cannot continue to be delayed or remain in a "work-in-progress" state as it has been for the past decade.

This database must be developed with clear criteria, the most important of which is the ability to connect and integrate data across localities and enforcement agencies. This will ensure efficient and rapid information exchange, enabling officials and authorities to easily access, manage, and retrieve violation records nationwide.

In the context where the driving license point deduction penalty has already been implemented, but the national database on administrative violations remains incomplete, Vietnam could consider upgrading and utilizing the VNeID application. Developed by the Ministry of Public Security

based on population and citizen ID data, VNeID is a digital identification platform that replaces traditional documents^[36].

In recent years, the VNeID application has been deployed in Vietnam, with state policy encouraging citizens to integrate personal documents, including driving licenses, into the app to replace traditional documents in administrative procedures. This simplifies processes and enhances convenience and efficiency in information management. Therefore, upgrading VNeID to manage and track driving license points is feasible. The app could include additional features such as monitoring driving license points, displaying remaining points, and sending notifications when changes occur after violations.

Leveraging and upgrading the VNeID application addresses the immediate challenge of the incomplete national database and contributes to building a modern, unified, digitally aligned management system for Vietnam. This approach saves time and resources while enhancing the efficiency of law enforcement in the traffic sector.

4 | Conclusion

The primary aim of this study was to evaluate the effectiveness of Vietnam's legal framework in addressing drunk driving and to identify key challenges that hinder enforcement. Through a systematic analysis of legal documents, statistical data, and expert opinions, this study provides a comprehensive overview and evidence-based recommendations to enhance policy implementation and improve traffic safety outcomes.

This research makes three significant contributions to the academic and legal policy fields. First, the strict regulations on penalizing alcohol-related driving violations lack scientific support, leading to perceived unreasonableness and low public acceptance during enforcement. Second, Vietnam has yet to introduce groundbreaking innovations in diversifying penalty measures, reducing the effectiveness of deterrence and education efforts. Third, the absence of a comprehensive information system for managing

³⁶ *What is VNeID and some notes when installing electronic identification application.* <https://vietnamnet.vn/vneid-la-gi-mot-so-luu-y-khi-cai-dat-ung-dung-dinh-danh-dien-tu-2152520.html>. [accessed: 12:12.2024].

violation records has hindered the ability to track and effectively address repeat offenses. These findings underscore the urgency of legal reforms to improve the feasibility and effectiveness of combating drunk driving.

However, this study also faces certain limitations. Its scope primarily focuses on Vietnam, which may limit the applicability of its findings to other countries or regions with different social and legal characteristics. This presents an opportunity for future research to conduct international comparative studies to identify lessons and solutions that can be adapted to diverse contexts.

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