



Changes to the Laws Relating to the penalties for Drink and Drug Driving Offences

Amendments to the *Road Traffic Act 1974* - Alcohol and Drug Related Offences - Effective 1 October 2011

Drink and Drug Driving Penalties are changing and will affect all drivers in Western Australia.



The changes reflect the increased risk of crashing as alcohol or drug intake increases and will bring Western Australia's drink and drug driving laws into line with other states. The aim of the increased penalties is to deter drivers from driving while affected by alcohol or drugs.

In 2009, 32% of all fatal road crashes had a blood alcohol concentration (BAC) of over 0.05g/mL.

Changes will affect monetary fines and disqualifications for first, second and subsequent offences. Penalties are higher for repeat offenders.

Changes to the penalties can be viewed at: www.ors.wa.gov.au or call 9323 4688.

In addition to the increased penalties, **some groups of drivers will be required to drive with a zero Blood Alcohol Content (BAC)**. These include:

- drivers of:
 - heavy vehicles with a Gross Combined Mass exceeding 22.5 tonne
 - passenger vehicles (i.e., buses) equipped to seat more than 12 passengers including the driver, while carrying passengers
 - omnibuses, while carrying passengers for reward or hire
 - taxis, while carrying passengers for reward or hire vehicles carrying dangerous goods
- holders of Extraordinary licences and Recently Disqualified Drivers.

The amendment will ensure that any person who drives such a vehicle must be unimpaired by alcohol and, as such, must have a zero BAC when the vehicle is carrying passengers, regardless of whether those passengers are fare paying passengers, school children, a sporting club or any other group of private individuals on an outing.

The extension of the zero BAC limit to the above driver groups recognised the increased risk that those drivers pose to passengers and other road users when driving with alcohol or drugs in the blood. Novice drivers will continue to be required to drive with a zero BAC.

Exemption to the zero BAC applies to prescribed emergency service employees and volunteers when responding to an emergency incident.