

Road Safety Act 1986

Offences - s49(1)	Penalty – s49				Cancellation and Interlock – s50, s50AAA, s50AAB		
	1 <sup>st</sup> Offence	2 <sup>nd</sup> Offence		3 <sup>rd</sup> and Subsequent Offences		1 <sup>st</sup> Offence	2 <sup>nd</sup> Offence
<b>(a) Driving while under the influence of drugs or alcohol to such an extent as to be incapable of having proper control of the vehicle</b>	Fine of 25 Penalty Units or up to 3 months imprisonment	Fine of 120 Penalty Units or up to 12 months imprisonment		Fine of 180 Penalty Units or up to 18 months imprisonment		Must cancel for at least 2 years <i>The Court must impose an interlock for at least 6 months</i>	Must cancel for at least 4 years <i>The Court must impose an interlock for at least 4 years</i>
<b>(b) Exceed PCA .05 [Exceed 0.0 for L and P plate drivers s52]</b>  <b>(f) Exceed PCA .05 – breath test within 3 hours</b>  <b>(g) Exceed PCA .05 – blood test within 3 hours</b>	Fine of 12 Penalty Units	Less than 0.15 Fine of 60 Penalty Units or up to 6 months imprisonment	Greater than 0.15 Fine of 120 Penalty Units or up to 12 months imprisonment	Less than 0.15 Fine of 120 Penalty Units or up to 12 months imprisonment	Greater than 0.15 Fine of 180 Penalty Units or up to 18 months imprisonment	P and L Drivers less than .05 the Court may cancel for not more than 6 months <i>If the court cancels the driver's license then the court may also impose an interlock for at least 6 months.</i>	Must cancel a P or L Driver on a subsequent offence for at least the minimum time listed in column 2 of Schedule 1 <i>Less than .15 the Court must impose an interlock for at least 12 months More than .15 the Court must impose an interlock for at least 4 years</i>
						Less than .07 and the driver is 26 years old or older the Court may choose not to record a conviction and not cancel the driver's license <i>If the court cancels the driver's license then the court may also impose an interlock for at least 6 months. If the driver is under 26 and between .05 and .07 the court must impose an interlock for at least 6 months</i>	Less than .05 and the driver is 26 years old or older the Court may choose not to record a conviction and not cancel the driver's license <i>If the court cancels the driver's license then the court must impose an interlock if: Less than .15 for at least 12 months More than .15 for at least 4 years</i>
						Greater than .07 the Court must cancel for at least the minimum time listed in column 2 of Schedule 1 <i>Less than .15 the Court may impose an interlock for at least 6 months More than .15 the Court must impose an interlock for at least 6 months</i>	Greater than .05 the Court must cancel for at least the minimum time listed in column 2 of Schedule 1 <i>Less than .15 the Court must impose an interlock for at least 12 months More than .15 the Court must impose an interlock for at least 4 years</i>
<b>(ba) impaired by drug</b>	Fine of 12 Penalty Units	Fine of 120 Penalty Units or up to 12 months imprisonment		Fine of 180 Penalty Units or up to 18 months imprisonment		The Court must cancel for at least 12 months	The Court must cancel for at least 2 years
<b>(bb) illicit drugs</b>  <b>(h) 3 hours drugs</b>  <b>(i) blood drugs</b>	Fine of 12 Penalty Units	Fine of 60 Penalty Units		Fine of 120 Penalty Units		The Court may cancel for not more than 6 months	The Court may cancel for not more than 12 months
<b>(c) refuse breathe test</b>  <b>(ca) refuse drug test</b>  <b>(d) refuse to stop</b>  <b>(e) refuse to provide further sample</b>  <b>(ea) refuse to give blood</b>	Fine of 12 Penalty Units	Fine of 120 Penalty Units or up to 12 months imprisonment		Fine of 180 Penalty Units or up to 18 months imprisonment		The Court must cancel for at least 2 years  <i>The Court must impose an interlock for at least 6 months</i>	The Court must cancel for at least 4 years  <i>The Court must impose an interlock for at least 4 years</i>
<b>(eb) refuse to provide oral fluid</b>	Fine of 12 Penalty Units	Fine of 60 Penalty Units		Fine of 120 Penalty Units		The Court must cancel for at least 6 months	The Court must cancel for at least 12 months
<b>Accompanying Driver Offence</b>	Fine of 5 Penalty Units						