

Penalties for DUI, PCA and DRUG offences

| Offence under Road Transport (Safety & Traffic Management) Act 1999 | Penalties | First Offence | Second or Subsequent offence |
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| High Range PCA (0.150 or more) s.9(4) Refuse Breath Analysis s.15(4) Wilfully alter conc. of alcohol (s.16) | Max Fine Max Gaol Term Disqualification | \$3,300 18 months 3 yrs automatic 12 mths minimum | \$5,500 2 years 5 yrs automatic 3 yrs minimum |
| Middle Range PCA (0.080 <0.150) s.9(3) DUI s.12 | Max Fine Max Gaol Term Disqualification | \$2,200 9 months 12 mths automatic 6 mths minimum | \$3,300 12 months 3 yrs automatic 12 mths minimum |
| Low Range PCA (0.050 < 0.080) s.9(2)Special Rang PCA (0.02 or more) s.9(1)Novice Range PCA (> zero) s.9(1A)Presence of certain drug(s) in oral fluid, urine or blood s.11B | Max Penalty Disqualification | \$1,100 6 mths automatic 3 mths minimum | \$2,200 12 mths automatic 6 mths minimum |
| Refuse to provide oral fluid sample s.18D Refuse to provide urine/ blood sample s.18E | Max Fine Max Gaol Term Disqualification | \$3,300 N/A 3 yrs automatic 6 mths minimum | \$5,500 18 months 5 yrs automatic 12 mths minimum |
| Wilfully alter drug in oral fluid or blood. s.18G(1) | Max Fine Max Gaol Term Disqualification | \$3,300 N/A 3yrs automatic 6 mths minimum | 5,500 N/A 5 yrs automatic 12 mths minimum |
| Refuse to provide urine or blood sample or wilfully alter amount of drug following fatal accident. s. 24D(1) Refuse to provide urine or blood sample or wilfully alter amount of drug following sobriety test. S. 29(2) | Max Fine Max Gaol Term Disqualification | \$3,300 18 months 3 yrs automatic 6 mths minimum | \$5,500 2 years 5 yrs automatic 12 mths minimum |
| Negligent Driving s.42(1)(c) | Max Fine | \$1,100 | N/A |
| Negligent Driving occasioning Grievous Bodily Harm s.42(1)(b) | Max Fine Max Gaol Term Disqualification | \$2,200 9 months 3 yrs automatic 12 mths minimum | \$3,300 12 months 5 yrs automatic 2 yrs minimum |
| Negligent Driving occasioning Death s.42(1)(a) | Max Fine Max Gaol Term Disqualification | \$3,300 18 months 3 yrs automatic 12 mths minimum | \$5,500 2 years 5 yrs automatic 2 yrs minimum |
| Driving a motor vehicle furiously, recklessly at a speed or manner dangerous to the public s.42(2) | Max Fine Max Gaol Term Disqualification | \$2,200 9 months 3 yrs automatic 12 mths minimum | \$3,300 12 months 5 yrs automatic 2 yrs minimum |
| Menacing Driving with intent s.43(1) | Max Fine Max Gaol Term Disqualification | \$3,300 18 months 3 yrs automatic 12 mths minimum | \$5,500 2 years 5 yrs automatic 2 yrs minimum |
| Menacing Driving – No intent – Possibility that person is menaced s.43(2) | Max Fine Max Gaol Term Disqualification | \$2,200 12 months 3 yrs automatic 12 mths minimum | \$3,300 18 months 5 yrs automatic 2 yrs minimum |

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| Street Racing s.40(1) | Max Fine Disqualification | \$2,200 12 mths automatic Shorter/longer if the court considers appropriate | N/A |
| Failing to stop and assist after impact causing injury s.70(1) | Max Fine Max Gaol Term Disqualification | \$3,300 18 months 3 yrs automatic 12 mths minimum | \$5,500 2 years 5 yrs automatic 2 yrs minimum |

Penalties for other driving offences

| Offences under Road Transport (Driver Licensing) Act 1998 | Penalty | First Offence | Second or subsequent offence |
|---|---|-------------------------------------|---|
| Unlicensed driver s.25(1) | Max Fine | \$2,200 | \$2,200 |
| Unlicensed driver (never been licensed) s.25(2) | Max Fine Max Gaol Term Disqualification | \$2,200 N/A Courts discretion | \$3,300 18 mths 3 years |
| Drive whilst Disqualified (s.25A(1)); Drive whilst Suspended (s.25A(2)); Drive whilst Cancelled (s.25A(3)). | Max Fine Max Gaol Term Disqualification | \$3,300 18 months 12 months | \$5,500 2 years 2 years |