

## Introduction of zero blood alcohol concentration (0.00 BAC) for Learner, Provisional and Probationary licence holders regardless of age

### What is changing?

From 1 July 2010, all people aged 25 years and over who hold a Learner, Provisional or Probationary licence must have a **zero blood alcohol concentration (0.00 BAC)** when they are driving.

### When is it changing?

The new laws come into effect from 1 July 2010.

### Who is affected?

Everyone who holds a Learner, Provisional or Probationary licence will be required to drive with a zero BAC. It doesn't matter if you are 16 or 76.

### Why is it changing?

Alcohol impairs your ability to drive safely. It affects your judgement, vision, coordination and reflexes and increases your risk of having a crash.

The effects of alcohol can:

- make it hard for you to concentrate on your driving
- slow your reaction times
- reduce your ability to do more than one thing at a time
- affect your vision and hearing
- make you feel more confident, which may lead you to take more risks
- relax you, increasing your chances of falling asleep at the wheel
- make simple tasks more difficult

Between 1 July 2001 and 30 June 2008, there were 36 fatalities in Queensland resulting from crashes where a learner or provisional licence holder aged 25 years or more had a positive BAC. This represents 43.9% of all fatalities from crashes involving these drivers.

A number of research studies have identified inexperience as a significant contributing factor of novice driver crash involvement<sup>1</sup>. Inexperience is not an attribute that is exclusive to newly licensed young drivers. Older drivers entering the licensing system for the first time are also regarded as novice drivers, as they need to develop basic vehicle operation and cognitive skills (e.g. hazard perception) too.

Consumption of alcohol, even at low doses, can impair driving-related skills and increase the potential for licence holders being involved in a crash. Consumption of alcohol by novice drivers, who are still in the process of developing their driving-related skills, can inevitably result in an even higher crash risk for these drivers.

These new laws will allow all learner and provisional licence holders to develop their basic vehicle operation and cognitive skills (e.g. hazard perception) without the added potential risks associated with alcohol impairment.

This legislation change means that all holders of Learner, Provisional and Probationary licences are now all treated the same regardless of how old they are.

### Why are probationary licence holders affected by this change?

To maintain consistency with the removal of age based alcohol restrictions on learner and provisional licence holders, the **no alcohol limit** (0.00 BAC) will also be extended to all probationary drivers, regardless of age.

Previously, Section 79(2A) for the *Transport Operations (Road Use Management) Act 1995* creates an offence of driving a motor vehicle; or attempting to put a motor vehicle in motion; or being

<sup>1</sup> Gregersen, N. P., H. Y. Berg, I. Engstrom, S. Nolen, A. Nyberg and P.A. Rimmo (2000), Sixteen Years Age Limit for Learner Drivers in Sweden- An Evaluation of Safety Effects, Accident Analysis and Prevention.

in charge of a motor vehicle, by a person who is under the age of 25 years old, who is a probationary licence holder and is over the **no alcohol limit** (0.00 BAC) but under the **general alcohol limit** (0.05 BAC).

### **What are the penalties for drink driving?**

If you are subject to a no alcohol limit (0.00 BAC), and you are detected with a BAC over that limit, your driver licence will automatically be suspended for at least 24 hours from the time your alcohol level is confirmed.

In Queensland, all drink driving offenders are required to go to court and fines are determined by a Magistrate. There are minimum disqualifications legislated for drink driving offences.

The penalties that may be applied are:

- driving with a 0.15 Blood Alcohol Concentration (BAC) or higher may result in a licence disqualification period between six months and two years and a maximum fine of between \$2,800 and \$6,000 depending on the number and type of previous offences
- driving with a 0.05 BAC or higher, but below 0.15 may result in a licence disqualification period between one month to one year and a maximum fine of between \$1,400 and \$6,000 depending on the number and type of previous offences
- driving with a BAC over the no alcohol limit (0.00 BAC) but under the general limit (0.05 BAC) if a particular type of driver licence (holder of learner, probationary, provisional licence), may result in a licence disqualification period between three months and one year and a maximum fine of \$1,400 to \$6,000 depending on the number and type of previous offences

Once the disqualification period has ended, you may be eligible to apply for a probationary licence.

### **Are there specific restrictions for Learner, Provisional and Probationary licence holders after a period of suspension for drink driving?**

You must continue to drive with a zero BAC for as long as you hold one of these licence types. Note: For Learner and Provisional licence holders the period of time your licence was cancelled for will not contribute to the time you must hold that licence.

Late night driving restrictions will still apply to Provisional and Probationary licence holders who are under 25 years of age, after their period of suspension.

### **Alcohol Ignition Interlocks**

In late 2010, an interlock ("I") licence condition will be mandatory for high risk drink drivers, including first time offenders with a blood alcohol reading 0.15 percent or more, repeat offenders (a person convicted of two or more drink driving offences of any kind within a five year period), offenders convicted of dangerous driving while adversely affected by alcohol or drivers who fail to provide a specimen of blood or breath for analysis when requested.

Drivers who have an "I" condition placed on their licence will be required to either pay to have an alcohol ignition interlock fitted to their vehicle for 12 months or if they choose to not fit an interlock they will be required to abstain from driving for two years.

### **Where can I find more information?**

For more information about the new drink driving rules, visit the Department of Transport and Main Roads website at [www.tmr.qld.gov.au](http://www.tmr.qld.gov.au).