

## Changes to Drink-Driving Legislation

On 1 October 2014, legislation was introduced that expands the number of drivers required to use an alcohol interlock. Anyone found guilty or convicted of a drink-driving offence that results in driver licence or learner permit cancellation, will be required to install and use an alcohol interlock once relicensed. As part of this legislation, all probationary licence and learner permit holders will be subject to a minimum 3 month cancellation for drink-driving.

Alcohol Interlocks are now required for all:

- Probationary and learner drink-drivers at all BAC levels;
- First time drink-drivers with a BAC over 0.07;
- First time drink-drivers with a BAC under 0.07 whose driver licences are cancelled;
- Repeat drink-drivers at all BAC levels;
- Drivers committing serious offences such as refusing to provide a breath or blood sample, or culpable driving under the influence of alcohol.

Under the new legislation VicRoads will manage first-time drink drivers whose drivers licence or permit is cancelled and who record a BAC reading of less than 0.10. These drink-drivers:

- Do not attend court for a Licence Eligibility Order (LEO) or an Interlock Condition Removal Order (ICRO);
- Do not require assessment by an accredited drink-drive education and assessment agency;
- Do need to complete a prescribed education program where the offence results in licence cancellation and the driver is under 25 years of age at the time of the offence;
- Have a minimum 6 month alcohol interlock condition;
- Will be subject to specific interlock condition removal criteria derived from interlock usage data.

Courts will manage:

- First time drink-drivers with a BAC of 0.10 or more;
- All repeat drink drivers;
- Drivers convicted of serious offences involving alcohol under the Sentencing Act 1991 such as culpable driving;
- All drivers who have refused a breath or blood test;
- All other offences where a person has an alcohol interlock condition imposed on their driver licence or learner permit.

Court managed drink-drivers will be subject to the same court processes that have previously applied to drink-drivers with interlock conditions. However, assessors will be asked to evaluate data collected via the alcohol interlock against specific criteria, in order to determine drink-drivers' compliance with this criteria. Courts are required to use this information in determining eligibility for removal of the interlock as part of the ICRO assessment process. Development of these changes will involve Department of Health and industry representatives. Changes will not be implemented before July 2015. More detailed information will be communicated to you before the change is implemented.

All drink-drivers whose offence occurred prior to 1 October 2014 will be subject to the previous laws.

Further information about the new legislation and changes impacting drink-drivers is available from the VicRoads website ([www.vicroads.vic.gov.au](http://www.vicroads.vic.gov.au)), including an updated version of the brochure 'Getting your licence back- Information for drink and drug-driving offences'.