

Appendix 1: Offences, disqualifications and interlock periods

Table 1: Interlock program for Road Transport Act 2013 offences*

* This Table is a summary only, provided for easy reference. The offences and relevant periods are outlined in the *Road Transport Act 2013*.

Mandatory interlock offence	Disqualification and interlock periods under interlock order (for offences committed on or after 1 Feb 2015)		Disqualification period (if exemption order is made)
	Disqualification period	Minimum interlock period	Note: as per existing application of <i>Road Transport Act 2013</i> s 205
<p>Offence against section:</p> <ul style="list-style-type: none"> • 110 (1) (a) or (b) • 110 (2) (a) (b) or (c) • 110 (3) (a) (b) or (c) <p>where there is a previous conviction for any alcohol-related major offence within the previous five-year period.</p>	<p>Min: 1 month Max: 3 months</p>	12 months	<p>Automatic: 12 months (Min: 6 months)</p> <p>See Note 2</p>
<p>Offence against section 110 (4) (a) (b) or (c) (mid-range PCA) where there is a previous conviction for any alcohol-related major offence within the previous five-year period.</p>	<p>Min: 6 months Max: 9 months</p>	24 months	<p>Automatic: 3 years (Min: 12 months)</p>
<p>Offence against section 110 (5) (a) (b) or (c) (high range PCA) that is a first offence by the offender for any alcohol-related major offence.</p>	<p>Min: 6 months Max: 9 months</p>	24 months	<p>Automatic: 3 years (Min: 12 months)</p>
<p>Offence against section 110 (5) (a) (b) or (c) (high range PCA) where there is a previous conviction for any alcohol-related major offence within the previous five-year period.</p>	<p>Min: 9 months Max: 12 months</p>	48 months	<p>Automatic: 5 years (Min: 2 years)</p>
<p>Offence against section 112 (1) (a) (b) or (c) (driving under the influence of alcohol) where there is a previous conviction for any alcohol-related major offence within the previous five-year period.</p>	<p>Min: 6 months Max: 9 months</p>	24 months	<p>Automatic: 3 years (Min: 12 months)</p>
<p>Offence against clause 16 (1) (b) or 17 (1) (a1) that is a first offence by the offender for any alcohol-related major offence. See Note 1</p>	<p>Min: 6 months Max: 9 months</p>	24 months	<p>Automatic: 3 years (Min: 12 months)</p>
<p>Offence against clause 16 (1) (b) or 17 (1) (a1) where there is a previous conviction for any alcohol-related major offence within the previous five-year period. See Note 1</p>	<p>Min: 9 months Max: 12 months</p>	48 months	<p>Automatic: 5 years (Min: 2 years)</p>

Notes

1. Clause 17 (1) (a1) is an offence in the *Road Transport Act 2013* from 1 February 2015 as part of the *Road Transport (Drug and Alcohol Testing) Amendment Act 2014*.
2. 'Supervise learner offences' in s 110 (2) (c) and s 110 (3) (c) are not defined as a 'major offence' under the *Road Transport Act 2013* and do not have a prescribed disqualification period. However, under s 204 of the *Road Transport Act 2013*, the court may disqualify a driver for offences against road transport legislation.

Table 2: Interlock program for *Crimes Act 1900* offences

While an interlock order will be mandatory for the *Road Transport Act 2013* offences set out in Table 1, the Court will have discretion whether to make an interlock order for the below *Crimes Act 1900* offences.

If an interlock order is made for these offences, the offender will be required to complete the interlock period as determined by the Court.

<i>Crimes Act 1900</i>	Offence	Penalty (including fine, imprisonment and disqualification period)	Minimum alcohol interlock participation period available for magistrates <small>(for offence committed on or after 1 February 2015)</small>
s 52A (1) (a)	Dangerous driving occasioning death with driver being under the influence of alcohol.		36 months
s 52A (2)	Aggravated dangerous driving occasioning death where alcohol was present.	Determined at sentencing by Court – mandatory alcohol interlock participation period to be applied in addition to other penalties for these serious offences.	36 months
s 52A (3) (a)	Dangerous driving occasioning grievous bodily harm with driver being under the influence of alcohol.		36 months
s 52A (4)	Aggravated dangerous driving occasioning grievous bodily harm where alcohol was present.		36 months