



# Drink-driving TAS



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## Drink Driving in Tasmania

In Tasmania, drink driving offences can be dealt with by way of Traffic Infringement or Court Summons and are governed by the [Road Safety \(Alcohol and Drugs\) Act 1970](#).

In certain circumstances the police will issue a traffic infringement to those drivers on an open licence with a BAC of less than 0.10. The traffic infringement will include an automatic disqualification of 3 months, loss of demerit points, and a fine.

If you are issued with a Court summons this means that no matter what the blood alcohol reading is you will need to attend the Court, and appear before the Magistrate for sentencing.

Drink or drug driving offences can include:

- refusing to provide a **breath** or **blood** sample
- driving under the influence of drugs or alcohol
- driving with an excessive concentration of breath or blood alcohol, or
- driving with a prescribed illicit drug in your blood.



## Penalties for Drink Driving in Tasmania

The **penalties** for drink driving in Tasmania can mean the disqualification of your licence for a period of 3 to 36 months, with a possibility of a term of imprisonment of between 3 and 12 months, along with a hefty fine. The higher your reading the longer your disqualification will be.

If it is your second or subsequent offence in a ten year period the disqualification can double, as can the term of imprisonment the Court can impose.

If you are required to have a BAC of less than 0.05, or you are on an open licence with a reading of 0.05 to 0.1, you may be disqualified for a period of 3 to 12 months. For a BAC level of 0.1 to 0.15 you may receive a disqualification of between 6 and 18 months. Any offences over 0.15 will receive a disqualification period of between 12 and 36 months.

If you **refuse a breath** or **blood test** you may be liable for a fine of \$500 to \$3000, a disqualification of between 12 and 36 months, and up to 12 months imprisonment.

**Drink driving** in Tasmania may mean the **loss of your licence**, a **fine** and possible **imprisonment**.



## Mandatory Alcohol Interlock Scheme

You may also have to participate in the **Mandatory Alcohol Interlock Program** at the end of your disqualification period if you:

- had a BAC of more than 0.15
- have two or more drink driving offences in a five year period
- are charged with driving under the influence of alcohol, or
- failed to provide a **breath** or **blood** sample.

Not only will you be responsible for the cost of the installation of the interlock device, but also the maintenance and removal. These costs can range from \$3000 to \$3500.



You will not be able to drive the vehicle until the interlock is installed, you have taken the endorsed application form to the Department of Transport, and they have issued you with a new licence with the condition 'I'.

If you drive a work vehicle you may be able to get an exemption from the Court from having an interlock installed on that vehicle if you already have the interlock installed on your personal vehicle.



## Mandatory Drink Driving Courses in Tasmania

If you commit a drink driving offence in Tasmania and hold a learners licence, or have held a provisional licence for a continuous period of less than 12 months, you will be required to undertake a drink driving course prior to being able to apply for your licence after the disqualification period ends. The course is designed to assist young people in making better decisions when driving by promoting an understanding of the risks involved.



## Restricted Drivers Licences in Tasmania

If you have been charged with drink driving, you may be able to apply for a [restricted drivers licence](#) to allow you to drive in certain circumstances. You will not be eligible to apply if your BAC was greater than 0.15, you hold a learners or provisional licence, or you have committed a previous offence within 3 years.

To be successful you will need to prove to the Court that the disqualification will cause severe and unusual hardship for yourself or your family. Evidence of the hardship may include a letter from your employer stating that you may lose your job. In some circumstances your employer may need to attend court to give evidence.

You must also clearly outline the conditions of the licence you are seeking, and the driving times you want the Court to allow. The Court has the power to include conditions, such as:

- limiting the type of vehicle you are allowed to drive
- specifying the days and hours you can drive
- imposing a no alcohol condition
- limiting driving to certain routes, and
- requiring you to keep a log book of your travel which must be shown to the police if requested.

If you are granted a restricted licence, in some circumstances the Court will increase the period of your disqualification to up to twice the original period.



## Remember, you are NOT alone!

Where you go from here depends on your own situation. Everyone has their own individual priorities and demands on their life that they need to deal with.

This information guide points you in the right direction as to what options might be available to get the outcome that you need; options that many of our clients are not aware of before talking to us.

**If you would like some personal advice on your particular situation and would like to talk direct with a lawyer in your local area who is a specialist in drink driving or traffic law then please call our legal hotline on **1300 636 846** (Free Call, No Obligations).**

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**1300 636 846**  
7am to Midnight, 7 Days

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7am to Midnight and speak direct with a DUI Lawyer to get your Drink Driving questions answered. You can also request a callback at [gotocourt.com.au/drink-driving](http://gotocourt.com.au/drink-driving)

When you call the hotline you will speak directly with a lawyer. Your conversation will be treated with the strictest of confidentiality and sensitivity. At the end of the call you will have some clarity on the steps you need to take next and how you can have the best chance at an outcome that will ensure you will attend Court armed with knowledge and support.

Scan this QR code to find more details about Drink Driving:

