

If You Have
Been Caught
DRINK DRIVING
In *Queensland*,
Here Is What You
Need To Know.



gotocourt.com.au

Get a Good Lawyer. Fast.

Phone: 1300 636 846

Website: gotocourt.com.au

Email: solicitors@gotocourt.com.au



IF YOU HAVE BEEN CAUGHT DRINK DRIVING IN QUEENSLAND, HERE IS WHAT YOU NEED TO KNOW!!



What Penalties can I expect to face?

The severity of your penalty will depend on your Blood Alcohol Concentration (BAC) at the time of the offence, as well as your traffic violation history. Although the ultimate decision is at the discretion of the Magistrate, below is a rough idea of what you may expect to face:

- **BAC .05 and over but under .10, you may have your licence suspended for a period of up to 9 months, be fined up to \$1,593.90 and face 3 months imprisonment**
- **BAC between .10 and .149 you may have your licence suspended for up to 12 months, be fined up to \$2,277.00 and face 6 months imprisonment**



- **BAC of .15 or higher you may have your licence suspended for a minimum of 6 months with a maximum decided at the Magistrate’s discretion, be fined up to \$3,187.80 and face up to 9 months imprisonment**
- **If you are required to have a zero alcohol reading, and your BAC is greater than 0.00 but less than .05 you may have your licence suspended for a period of between 1 to 9 months, be fined up to \$1,593.90 and face 3 months imprisonment**
- **For repeat offenders you could lose your licence for a period of two years, be fined up to \$6600, or sentenced with a term of imprisonment at the Magistrate’s discretion, and you may have your car impounded**
- **If you are convicted of having a BAC of 0.15% or more OR failing to provide a breath/blood specimen these are called “major offences”. If you are convicted of three major offences within a five year period, then your penalty MUST include jail.**
- **Anyone who has been charged with a BAC less than 0.10 will receive an automatic 24 hour suspension of their licence.**
- **You will receive an immediate suspension not allowing you to drive until your court date if your BAC was over .10, or if you fail to provide a specimen of breath or blood to the police.**

When you have served your suspension period you must apply to the Department of Transport for your licence to be re-issued, and you will receive a probationary licence for at least 1 year, which will require

you to have a zero alcohol limit. If your offence related to have a BAC greater than .15, you failed to provide a blood or breath sample, dangerous driving while affected by

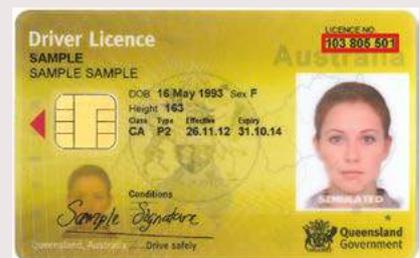
alcohol, or 2 or more driving offences in the past 5 years, you will be required to have an alcohol ignition interlock fitted to your car for a minimum of 12 months.



Am I eligible for a Work Licence?

Queensland is one of only a few states that offer DUI offenders the ability to drive for work when they have been charged with DUI. A Work License Application can be made at the time of your first Court appearance, and must be done prior to sentencing. To be eligible you must:

- **Have a BAC under 0.15%;**
- **Be on an open QLD licence;**
- **NOT have been driving for your job;**
- **Have no previous DUI or dangerous driving offence in the past 5 years.**
- **Satisfy the court that if you are not able to drive for work you will lose your employment, which will cause undue hardship on yourself and your family.**



The application form must be accompanied by an Affidavit from your employer, and yourself. The Affidavits must confirm your job description, your hours of work, that without a licence your employment will be terminated and the financial hardship you will suffer.

The length of your work licence will depend on your BAC reading. In some situations you can also apply for a work licence if you have been charged with drug driving.



What are “Drink Driving Programs” and should I consider doing one?

There are two main programs in Queensland; the Queensland Traffic Offenders Program (QTOP), and the Under the Limit program.

QTOP is an educational program and is currently being delivered on the Gold Coast (Nerang), and in Brisbane (Mt Gravatt). It is highly recommended that you enrol and attend a QTOP course, as the Court will take this into consideration when deciding upon your penalty for the offence, hopefully resulting in a reduced penalty. You can commence the program as soon as you are charged, or obtain an adjournment from the court at your first appearance. To do so, you will have to enter a plea of guilty, and have the sentencing adjourned until after the course is completed. The course takes 5 weeks, and is held one evening per week.

The Under the Limit program is designed as a rehabilitation program and you are referred to participate by the Court. The program is conducted at local TAFES throughout Queensland for one night per week for an 11 week period.



Drug Driving in QLD

The police have the right to pull you over at any time, and administer an on the spot drug test by requesting a saliva sample from you. The saliva test will detect cannabis, MDMA (ecstasy), and methyl-amphetamine (ICE).

If one of these drugs is detected you will be charged with Drug Driving, and disqualified from driving for at least 6 months. If the police believe that your driving has been affected by drugs, either illegal or legal, you can be charged with driving under the influence of drugs. The latter carries a far more severe penalty, which can include a term of imprisonment.



Don't panic!

If you find yourself in a situation where you have been caught for a DUI offence, remain calm. A lot of people are embarrassed or ashamed, and do not ask for help. It is important for you to remember that we handle Drink Driving matters on a daily basis, and we are here to help, not judge. It is human nature to make mistakes, and we understand this!



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).**

“Get A Good Lawyer. Fast.”

- ✔ *Guaranteed availability - all Australian courts*
- ✔ *Simple, upfront rates - no hidden costs*
- ✔ *Expert advice and strong representation*

Civil | Criminal | Family | Drink Driving | Traffic | Immigration

NATIONAL LEGAL HOTLINE

1300 636 846
7am to Midnight, 7 Days

Call now on

1300 636 846

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

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:

