

IMMEDIATE LICENCE SUSPENSION / DISQUALIFICATION Information Sheet

What is an immediate licence suspension / disqualification?

If you are charged with certain drink or drug driving offences you will:

- have your Queensland driver licence immediately suspended
- have your authority to drive on a Queensland road under a non-Queensland driver licence immediately suspended
- be disqualified from holding or obtaining a Queensland driver licence if you are unlicensed at the time of the charge.

The suspension or disqualification will start from the time you are charged and continue until the charge is decided by a court, withdrawn or otherwise discontinued.

What offences will result in an immediate licence suspension?

The following offences will result in an immediate licence suspension:

- driving a motor vehicle with:
 - * before 1 July 2011, a high-level breath/blood alcohol concentration (0.15 or higher)
 - * from 1 July 2011, a middle-level breath/blood alcohol concentration (0.10 or higher)
- failing to provide a specimen of breath, saliva or blood
- being charged with a second low-level drink or drug driving offence while an earlier low-level drink or drug driving offence is still to be heard by a court
- being charged with driving under the influence
- being charged with dangerous operation of a motor vehicle, (under s328A Criminal Code) when adversely affected by an intoxicating substance.

The immediate licence suspension begins immediately when you are charged and remains in force until the charge is dealt with by a court.

Does the 24 hour suspension still apply?

Yes. If you have been charged with being above one of the following drink driving limits:

- no alcohol limit (0.00 and under 0.05); or
- general alcohol limit (0.05 and under 0.10).

Your driver licence will be automatically suspended for 24 hours from the time your alcohol level is confirmed.

What happens if I am found driving while my licence has been suspended?

You will be charged with unlicensed driving. If the charge is proven, the court will disqualify you from holding or obtaining a driver licence for a period of two to five years. The court may also impose a fine of more than \$4700 or 1 year imprisonment.

What happens if I need to drive before the charge is decided by a court?

While the suspension remains in force until the court hearing, you may apply for and be granted permission to continue to drive until the court hearing.

However, only Queensland **open** driver licence holders who meet **strict** criteria are eligible to apply.

If you are eligible to apply, you will need to complete a *Section 79E Order Application* (form F4395). The form must be lodged within 21 clear days after the suspension starts at the Magistrates Court either in the district where you reside or where the charge was laid.

You may obtain further information about eligibility requirements or an application form from a Magistrates Court or the Department of Transport and Main Roads.

If successful, you will be issued a court order and you will need to comply with the restrictions stated on the court order when driving.

Before you drive, you will need to return to a Department of Transport and Main Roads customer service centre, authorised Queensland Government Agency office or licence issuing police station for the issue of a replacement driver licence.

Why was immediate licence suspension introduced?

Immediate licence suspension was first introduced in December 2006 to help make Queensland roads safer and protect the community by preventing persons charged with serious drink driving offences from continuing to drive until the charge is decided by a court.

Why has the breath/blood alcohol concentration (BAC) level for immediate suspension been lowered?

Drink drivers with a BAC of 0.10 or higher present a significant road safety risk. At a BAC of 0.10 a drink driver is five times more likely to crash. Above this level the risk rises dramatically so that at 0.15 BAC the crash risk is more than twenty times greater than for a driver with a zero BAC.

Where can I get more information?

For more information about licensing rules and regulations visit the department's website at www.tmr.qld.gov.au or call 13 23 80*.

**Check with your service provider for call costs.*