

Cumulative Disqualification Information Sheet

A cumulative disqualification period applies if you commit:

- multiple drink or drug driving offences
- a drink or drug driving offence and at the same time you commit an offence for driving without a valid driver licence.

This means that if you are convicted and disqualified for these offences the disqualification periods will be served one after the other (cumulatively). The first disqualification period will start on the date of the court conviction and the second disqualification period will start when the first disqualification period has been served.

Why do cumulative disqualifications apply?

The Queensland Government recognises that drink and drug driving is a significant contributing factor to road crashes in Queensland and wants to keep dangerous drivers off the roads for longer.

The primary aim of cumulative disqualifications is to reduce high risk drink and drug driving behaviours and improve road safety by strengthening the deterrent effect (making offenders lose their driver licence for longer).

Cumulative disqualifications mean that offenders will serve their disqualifications one after the other and feel the full consequences of their actions.

Example: A person was charged with a drink driving offence on 15 June 2010 and a further drink driving offence on 30 June 2010. Both offences were heard on 6 July 2010. A three month period of disqualification was imposed for the first offence and a six month period of disqualification was imposed for the second offence. After serving both disqualification periods cumulatively, the person was eligible to apply for a driver licence on or after 6 April 2011 (nine months later).

Prior to cumulative disqualifications, multiple periods of disqualification were served at the same time (concurrently). Effectively this meant that only the longest period of the disqualifications was served and the shorter periods, running at the same time, had no impact.

This situation enabled repeat high risk offenders to serve less than the full disqualification period for all offences before being eligible to obtain and hold a Queensland driver licence.

What offences do cumulative disqualifications apply to?

Cumulative disqualifications apply if you are convicted of two or more of the following offences:

- drink driving
- drug driving
- supervising a learner driver while your blood alcohol concentration is in excess of the legal alcohol limit
- failing to supply a breath, blood or saliva specimen
- dangerously operating a vehicle, or interfering with the operation of a vehicle, when adversely affected by an intoxicating substance
- driving while immediately suspended or disqualified from obtaining or holding a driver licence because of a middle or high level or high risk drink or drug driving offence
- driving outside the conditions of a restricted (work) licence or a section 79E order (allowing you to drive pending a drink, drug or dangerous driving charge being dealt with by a court).

Cumulative disqualifications also apply if you are convicted of a drink or drug driving offence (outlined above) and, at the same time you do not hold a valid driver licence because:

- of a court ordered disqualification
- your Queensland driver licence or authority to drive under a non-Queensland driver licence is suspended due to:
 - ◆ the accumulation of demerit points
 - ◆ a high speed offence (more than 40km/hour over the speed limit)
 - ◆ non-payment of fines
- you are a repeat offender for the unlicensed driving offence
- you have never held a driver licence
- you are subject to the alcohol ignition interlock program
 - ◆ you never relicensed after the end of your disqualification
 - ◆ your licence (with an I condition) was not valid at the time of the offence.

Example: A person is disqualified for six months for drink driving. While disqualified, the person is convicted of a further charge of drink driving. The court disqualifies the person for one year for the second drink driving offence and two years for driving when disqualified by a court. The cumulative disqualification period to be served by this person is three years and six months.

Do cumulative disqualifications apply to other driving offences?

No. Periods of disqualification imposed for offences other than multiple drink or drug driving offences or a drink or drug driving offence committed while driving without a valid driver licence will be served concurrently.

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

Frequently asked questions

Can I apply for a restricted (work) licence if a cumulative disqualification has been imposed?

No.

What happens if I am found driving while disqualified?

If you are found driving while you are disqualified from obtaining or holding a driver licence, you will be charged with an offence and be required to appear in court. If you are convicted, the court may impose a fine of more than \$8000 (maximum of 60 penalty units @ \$137.85) or a term of imprisonment of up to 18 months. The court will also disqualify you from obtaining or holding a driver licence for at least two years.

How do I get my driver licence back after serving a cumulative disqualification?

Visit your nearest Department of Transport and Main Roads customer service centre, authorised Queensland Government Agency Program office or licence issuing police station. You may need to complete a short online drink driving course or the repeat drink driving course. You may also be subject to the alcohol ignition interlock requirement once your disqualification ends.

To apply for a Queensland driver licence you must:

- complete the *Driver Licence Application/Renewal* (form F3000)
- show your evidence of identity and Queensland residency documents
- report any medical condition/s that may adversely affect your ability to drive safely
- pay the licence fee.

Please note: If you have not held a valid licence in the last five years before applying, you will need to pass a written road rules test before being issued with a learner licence. You will need to hold the learner licence for the requisite period before being eligible to apply for a provisional licence.

Where can I get more information?

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