

## **SECOND READING SPEECH**

*Road Safety (Alcohol and Drugs) Amendment Bill 2009*

**Jim Cox MP**

**MINISTER FOR POLICE AND EMERGENCY MANAGEMENT**

MR SPEAKER,

I move that the Bill now be read a second time.

Mr Speaker, this Bill contains amendments to the *Road Safety (Alcohol and Drugs) Act 1970* to increase the penalties for drug driving offences. It also provides for penalties for second and subsequent drug driving offences.

Mr Speaker, the call to increase penalties for drug driving has come from a number of authoritative sources, including the Tasmanian Institute of Law Enforcement Studies, and Hobart Magistrate Mr Chris Webster. In the *Review of the Road Safety (Alcohol and Drugs) Amendment Act 2005*, published in June this year by the Tasmanian Institute of Law Enforcement Studies, one of the comments made Mr Speaker, was that the penalties for drug driving are lenient in comparison to those for drink driving.

Mr Webster made a similar comment when dealing with a drug driving matter in the Hobart Magistrates Court in August this year. During the proceedings, Mr Webster also stated that the maximum penalty for people who drive with drugs, was too low.

Mr Speaker, the current penalty for drug driving under the *Road Safety (Alcohol and Drugs) Act* is a maximum fine of 2 penalty units, which is \$240, and, the maximum period that a person can be disqualified from driving, is 3 months.

There is no provision for increased penalties for second and subsequent drug driving offences, and there is no provision to impose a term of imprisonment for drug driving, even for persistent offenders.

Clearly Mr Speaker, the current penalties in comparison to those which apply for drink driving, are too lenient. For instance, a person who is convicted of a low range drink driving offence, that is a reading between 0.05 but less than 0.1, will receive a fine within the range of 2 penalty units or \$240, and 10 penalty units or \$1200. Mr Speaker, he or she will also be disqualified from driving for between 3 months and 12 months, and may even be sentenced to a term of imprisonment of up to 3 months.

Mr Speaker, this Bill will address the problem by increasing the penalties for a first offence of drug driving to the equivalent of that of a low range drink driving offence; a minimum fine of 2 penalty units or \$240, and a maximum fine of 10 penalty units or \$1200. The period of disqualification will be a minimum period of 3 months, and a maximum period of 12 months. The judiciary will also now have the discretion to impose a term of imprisonment not exceeding 3 months, in addition to or instead of the fine.

Mr Speaker, for a second and subsequent drug driving offence, the penalty will be increased to a minimum fine of 4 penalty units or \$480, and a maximum fine of 20 penalty units or \$2400. The period of disqualification will be a minimum period of 6 months, and a maximum period of 24 months. The judiciary will also have the discretion to impose a term of imprisonment not exceeding 6 months, in addition to or instead of the fine.

In line with the provisions relating to drink driving Mr Speaker, the Bill will also provide that a person who commits any alcohol or drug driving related offence, will be deemed to have committed a subsequent offence, if that

person has previously been convicted of an alcohol or drug driving related offence.

Mr Speaker, the provisions contained in this Bill provide a response to the comments made in the Review, and by Mr Webster; they will more closely align the penalties for drug driving with the penalties for drink driving, and will also enhance the road safety benefits associated with the government's drug driving initiatives, thereby making "Safer Communities".

I commend the Bill to the House.